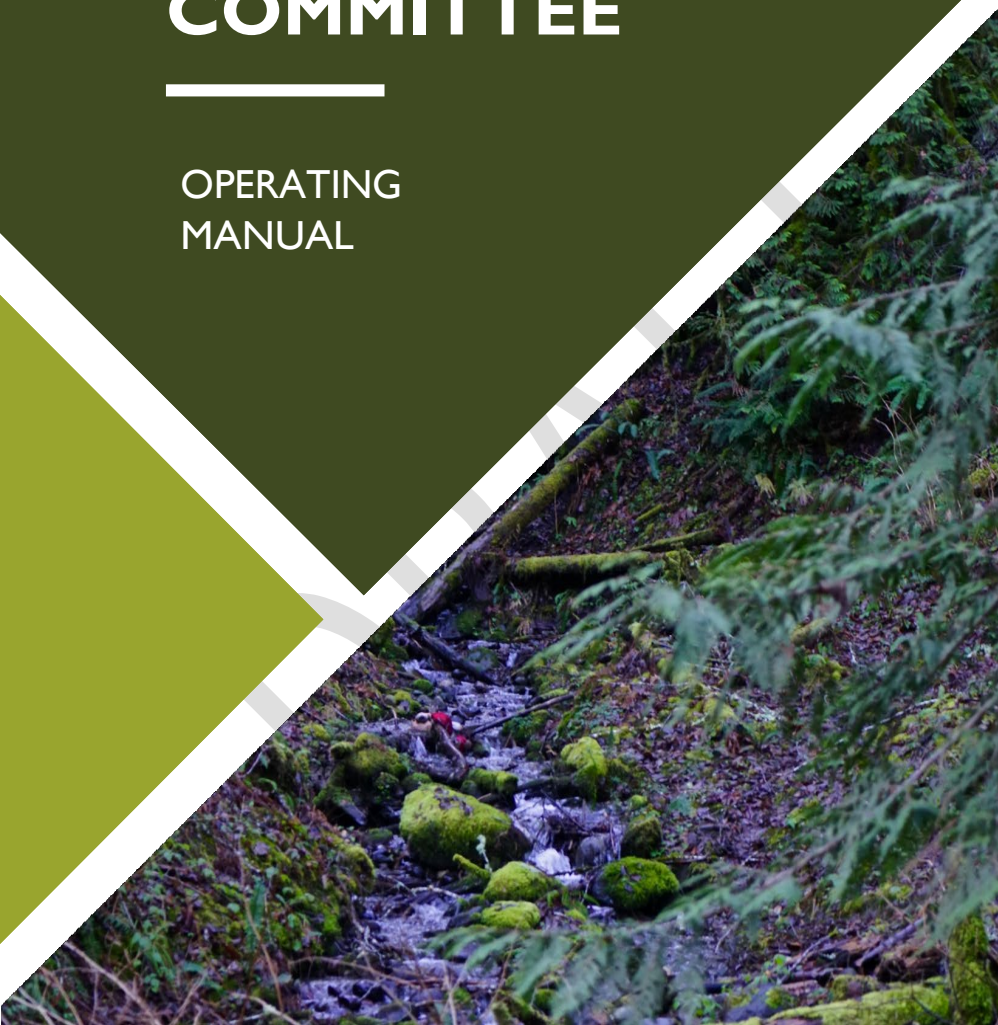


TIMBER, FISH, AND WILDLIFE POLICY COMMITTEE

OPERATING
MANUAL



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STATE OF WASHINGTON FOREST PRACTICE BOARD'S
ADAPTIVE MANAGEMENT PROGRAM

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1. Introduction

The Timber, Fish, and Wildlife (TFW) Policy Committee (Policy Committee) Operating Manual describes best practices for TFW Policy meeting management, member roles and engagement, and decision-making steps and processes. This Operating Manual is a ¹living document and that will be periodically updated as needed by TFW Policy as the committee's management and decision-making processes evolve and develop over time. The manual is intended to improve transparency and provide much needed clarity, but is not meant to supplant statutes and rules that are in place which guide public meetings and/or TFW Policy process (i.e., [RCW 76.09.370\(6\),\(7\)](#) , [WAC 222-12-045\(1\),\(2\)\(b\)\(ii\),\(d\)\(h\), Board Manual Section 22](#)).

2. Background

The TFW Policy Committee is one part of a the Forest Practices multi-entity adaptive management program (AMP) (Figure 1). The AMP is designed to provide science-based recommendations and technical information to assist the Forest Practices Board (board) in determining if and when it is necessary or advisable to adjust rules and guidance for the protection and restoration of aquatic resources to achieve resource goals and objectives. These resource goals and objectives are described in the state's Department of Natural Resources (DNR) forest practices Habitat Conservation Plan (HCP) Appendix N (Schedule L-1 key questions, resource objectives, and performance targets for adaptive management) and include providing compliance with the Endangered Species Act for aquatic and riparian-dependent species, restoring and maintaining aquatic habitat to support the long term viability of covered species, meeting the requirements of the Clean Water Act for water quality, and while maintaining a economically viable timber industry for future generations (see Washington State Forest Practices HCP) and include protecting and restoring fish, water quality, and endangered species in Washington state private forestlands, while maintaining a viable timber industry for future generations (see Washington State Forest Practices HCP).

Washington's 1974 Forest Practices Act (RCW 76.09.010) established the Forest Practices Board (Board) and assigned it the task of developing regulations that affected about 44-12 million acres, roughly two-thirds of the state's commercial forests. The Board assigned a formal science-based Adaptive Management Program (AMP) (WAC222-02-160WAC 222-08-160) (2) "to determine the effectiveness of forest practices rules and to provide recommendations to the Board on proposed changes to forest practices rules in aiding the state's salmon recovery effort to meet timber industry viability and salmon recovery. The program provides assurances that rules and guidance not meeting aquatic resource objectives will be modified in a streamlined and timely manner. The board may also use this program to adjust other forest practices rules and guidance in order to further the purposes of chapter 76.09 RCW." make adjustments as quickly as possible to forest practices that are not achieving the resource objectives. The adaptive management process incorporates the best available science and information, include protocols and standards, regular monitoring, a scientific and peer review process, and provide in

¹ "Living" document refers to a document that is edited and updated on a consistent basis as needed by Policy.

Commented [KM1]: The cover page says this is Version 6.29.25??

Commented [CL(2R1)]: I requested an updated cover page from Triangle.

Commented [CL(3R1)]: Done

Commented [KM4]: "a consistent basis" implies some new process, rather than simply "as needed by Policy"

Commented [EM(5R4)]: Need only state "as needed by Policy"

Commented [CL(6)]: Rico: Appendix N of the FPHCP contains "Schedule L-1" and does not contain "maintaining a viable timber industry for future generations." The much larger WA FP HCP does speak to "timber industry viability"

Commented [CL(7R6)]: And: quote the WAC rather than trying to reinterpret it.

Commented [EM(8)]: Agree with edit

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Commented [KM9]: I don't know what the WAC says but doubt it says adjustments are in one direction only . . . Although that's certainly how the AMP is currently being interpreted and the paradigm we must break free of to survive as a functioning organization.

Commented [CL(10R9)]: Please provide recommended edit.

Commented [KM11R10]: Replace end of sentence with ". . .make adjustments as quickly as possible to forest practices that are either overprotective or underprotective of resource objectives."

preparation of the recommendations to the Board on proposed changes to forest practices rules to meet timber industry viability and aquatic resource goals/objectives.

The primary entities of the AMP include (see WAC 222-12-045):

The Department of Natural Resources (DNR) implements and regulates forest practices per [Title 222 of the Washington Administrative Code \(WAC\) 222 and Chapter RCW 76.09-08-010, of the Revised Code of Washington \(RCW\)](#) ~~which describes the forest practices board, its organization and administrative procedures, and to provide rules implementing RCW 34.05.220 and chapters 42.52 and 42.56 RCW. It also sets out procedures for administration of the forest practices regulatory program.~~ The [Section 22 of the Forest Practices Board Manual](#) describes the [Adaptive Management Program AMP](#) and the role of the [TFW Policy Committee](#) within it. The Program is divided into three functions: Policy, Science, and Implementation (see Figure 1). The [TFW Policy Committee](#) makes recommendations to the Board for decision.

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The TFW Policy Committee is a consensus-based policy forum to support the [Adaptive Management Program AMP \(AMP\)](#). At the direction of the Board, the function of the [TFW Policy Committee](#) is to develop recommended solutions to issues that arise in the Forest Practices Program. In cooperation with [the Cooperative Monitoring, Evaluation, and Research Committee \(CMER\)](#), the [TFW Policy Committee](#) reports to the Board about the status of the CMER master project schedule, which prioritizes CMER research and monitoring projects. The [TFW Policy Committee](#) also updates the CMER master project schedule at least every four years. ~~These issues may be raised by science reports on rule or program effectiveness or policy questions on implementation of forest practices.~~ Recommended solutions may include the preparation of draft rule amendments and/or guidance recommendations. TFW Policy can organize sub-committees (Work Groups) to help meet these tasks.

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The Forest Practices Board (Board) has approval authority over proposed CMER projects, annual work plans, and expenditures. It establishes resource objectives to inform and guide the activities of the AMP and sets priorities for action. The Board makes the final determination on TFW Policy recommendations, even if consensus or an otherwise acceptable conclusion is not reached during the dispute resolution process at TFW Policy. ~~If TFW Policy consensus or an otherwise acceptable conclusion is not reached during the dispute resolution process, the Board makes the final determination which ends the dispute.~~ The science function (See Figure 1) intends to produce unbiased technical information for consideration by the [TFW Policy Committee](#) and the Board, as illustrated by the interactive structure of the [Adaptive Management Program AMP](#) below. The [Adaptive Management Program AMP Administrator \(AMPA\)](#) coordinates the flow of information between the [TFW Policy Committee](#) and CMER according to the Board's directives.

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Commented [CL12]: Disagreement on the deletion of this sentence.

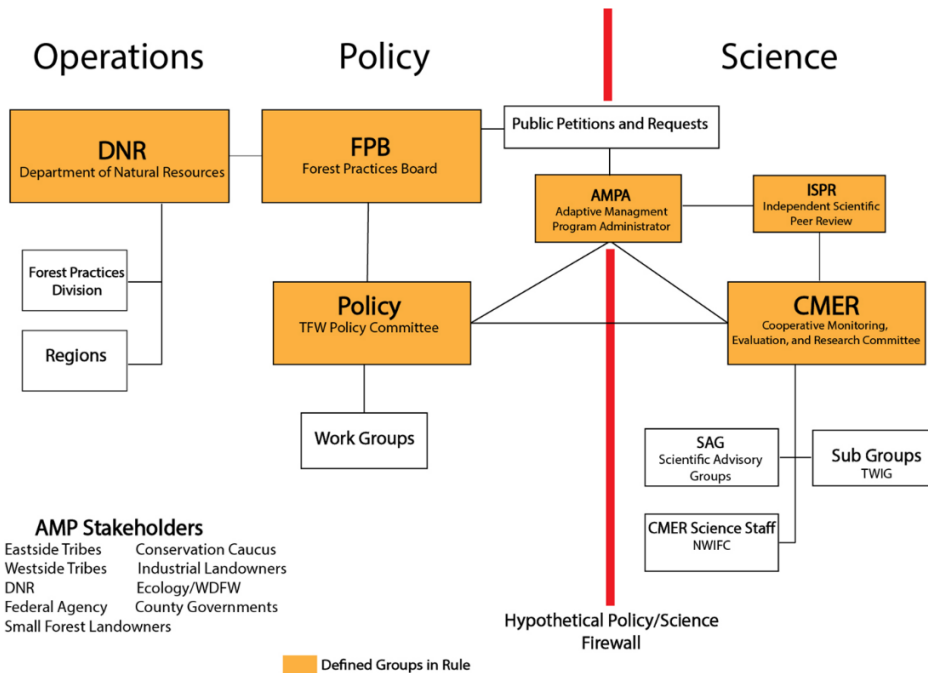


Figure 1. The TFW Forest Practices Board Adaptive Management Program AMP and the role of the TFW Policy Committee (from Board Manual).

The Cooperative Monitoring, Evaluation, and Research Committee (CMER) reviews existing science and contributes original research to the program (CMER Protocols and Standards Manual). The science function produces unbiased technical information for consideration by the TFW Policy Committee and the Board. CMER manages Scientific Advisory Groups that focus on specific areas of study to further its scientific work. CMER also oversees the work of technical staff (CMER science Staff) as well as organizes sub-groups such as Project Teams (referred to as TWIGs in Figure 1) to help develop and implement specific monitoring and research projects.

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ISPR (Independent Scientific Peer Review (ISPR)) determines if the scientific studies that address AMP issues are scientifically sound and technically reliable; and provide advice on the scientific basis or reliability of CMER's reports. Products that must be reviewed by ISPR include by ISPR final reports of CMER funded studies, certain CMER recommendations, and pertinent studies not published in a CMER-approved, peer-reviewed journal. ISPR is administered through a contract between DNR and the University of Washington.

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Commented [KM13]: Insert "by ISPR" for additional clarity

Commented [KM14R13]: Suggest: "... reviewed by ISPR include final reports"

AMPA (Adaptive Management Program Administrator (AMPA)) oversees the Adaptive Management Program AMP and supports CMER. The AMPA coordinates the flow of information between the TFW Policy Committee and CMER according to the Board's directives. Responsibilities include:

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- Make reports to the board and have other responsibilities as defined in the board manual.

- Work with ~~the TFW Policy Committee~~ and CMER to develop the CMER master project schedule and present it to the board at their regular May 2014 meeting.
- Report to the board every two years, beginning at their regular May 2015 meeting on:
 - Progress made to implement the CMER master project schedule and recommended ~~revisions;revisions.~~
 - The status of ongoing projects including adherence to scheduled timelines; and
 - ~~TFW Policy Committee's~~ responses to all final CMER reports.

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Commented [KM15]: Believe you intended to further indent these as sub-bullets.

3. Purpose of TFW Policy Committee

The purpose of the TFW Policy Committee is to consider the findings of CMER research and monitoring and to make recommendations to the Board related to forest practices rules, Board Manual sections, and/or other guidance. The TFW Policy Committee brings together diverse interests to consider the findings of CMER research and monitoring and to make recommendations to the board related to forest practices rules, board manual sections, and/or other guidance~~review, research, and make recommendations to the Forest Practices Board that protects fish, water quality, and endangered species, while maintaining a viable timber industry for future generations in Washington State.~~

The TFW Policy Committee also assists the Board by providing guidance to CMER, as needed, and makes recommendations on adaptive management issues. They review and make recommendations on the key questions, resource objectives, and performance targets ~~(Schedules L1 and L2)~~, and recommends CMER program budget priorities for their work plans that contain specific research projects to the Board. In cooperation with CMER, the TFW Policy Committee reports to the Board the status of the CMER master project schedule prioritizing CMER research and monitoring projects and provides an update of the CMER master project schedule at least every four years.

Commented [DC16]: L-2 doesn't contain any official info, only L-1. In any case it's not necessary to include the parenthetical.

The TFW Policy Committee is a consensus-based policy forum to support the Adaptive Management Program AMP. At the direction of the Board, TFW Policy develops proposed solutions to issues that arise in the Forest Practices Program. In cooperation with CMER, the TFW Policy Committee reports to the Board about the status of the CMER master project schedule, which prioritizes CMER research and monitoring projects. The TFW Policy Committee also updates the CMER master project schedule at least every four years. These issues may be raised by science reports on rule or program effectiveness or policy questions on implementation of forest practices. Solutions may include the preparation of rule recommendations that are forwarded to the Board.

Commented [KM17]: Insert "potential" or "draft" solutions

Commented [DC18R17]: Proposed

4. Membership

The TFW Policy Committee consists of members selected by and representing the following State of Washington TFW caucuses:

- Westside Tribes
- Eastside Tribes
- Industrial Landowners
- Small Forest Landowners (SFLOs)
- Conservation
- County Governments
- ~~Washington Department of Natural Resources DNR~~

Commented [EM(19)]: "SFLO" is confusing, can be read as the Small Forest Landowner Office

- Washington Department of Ecology and Washington Department of Fish and Wildlife
- Federal agencies (including National Marine Fisheries Service, U.S. Fish and Wildlife Service, and U.S. Environmental Protection Agency)

~~Each caucus selects a primary voting member and may select an alternate.~~ The state shares one vote and identifies who is the voting member. Caucuses may at any time change their representative or alternate and any member may temporarily or permanently choose not to participate in the TFW Policy Committee, by written notice to all caucus members. The TFW Policy Committee members are listed on the TFW Policy Committee website: <https://www.dnr.wa.gov/about/boards-and-councils/forest-practices-board/tfw-policy-committee> .

The AMPA and co-chairs are responsible for ensuring new members are provided Adaptive Management ProgramMP materials for on-boarding. New members will be welcomed and oriented to the TFW Policy Committee using Board Manual Section 22 and TFW Policy Committee Operating Manual. All voting members of the TFW Policy Committee are expected to review the TFW Policy Operating Manual before formally participating in the group and attend supplemental topic-specific training when available to have the necessary understanding of the history of the program, roles and responsibilities, and ground rules. Adaptive Management ProgramMP participants should be familiar with Washington State laws, rules, and guidelines relevant to the Adaptive Management ProgramMP, including RCW § 76.09, 34.05 (Administrative Procedure Act), 42.30 (Open Public Meetings Act) 42.52 (Ethics in Public Service Act), 42.56 (Public Records Act) and WAC 222, APA, Public Records Act, Public Service Act, and Open Public Meetings Act.

5. Roles and Responsibilities of TFW Policy members

This section outlines the roles and responsibilities of the following:

- Co-chairs
- Facilitators
- Caucus members and alternates
- Ad-hoc work groups

Co-Chairs

The TFW Policy Committee co-chairs provide a dual role for the TFW Policy Committee in that they serve a leadership role in terms of directing TFW Policy by facilitating meetings in the absence of a hired facilitator and helping TFW Policy accomplish tasks in a timely and efficient manner. Co-chairs work in close coordination with the AMPA on these tasks and should encourage collaboration and information exchange between members to facilitate consensus-based decision making. Co-chairs may engage TFW Policy members in one-on-one meetings to support productive conversations and collaboration. When co-chairs need to speak for their caucuses, they delegate their facilitation role to the other co-chair. The co-chairs should do their best to facilitate the meetings and help develop recommendations. When in the facilitator role, the co-chairs should refrain from advocating on any issue, or at least notify other participants when needing to temporarily step away from the facilitator role to advocate. will not act as an advocate on any issue.

The co-chairs ~~are serve as~~ liaisons among members and will be responsible for communications with each of the TFW Policy members and within a the group. Information disclosed in confidence will be

Commented [KM20]: This example of regulatory creep I fear in this document. This is not the place to try to resolve some issue with how my caucus chose to represent ourselves at this table. Normally let something like this slide but fears and mistrust too elevated now. Suggest dropping entire sentence, or qualifying it with "normally" or some other language that accommodates individual caucus needs, that are not preclude in WAC that I can find. Wasn't big deal for 10 years, and now is for reasons I don't understand - happy to discuss/resolve issue but can't accept this as written.

Commented [KM21R20]: Simply striking the language that goes beyond WAC's rather than trying to explain how SFLOs currently handling their representation seems simplest and most accurate word smithing.

Commented [CL(22R20): Policy discussed this at the August and September meetings and agreed to this language. If the proposal is to strike this, it needs further Policy discussion.

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Commented [EM(23): Not sure what this says – Are we trying to say
The co-chairs are liaisons among *Policy* members and will be responsible for communications with *each Policy lead* and within the (*Policy committee or each caucus*) as a group?

kept confidential. To the extent issues arise with the process, group members are encouraged to approach the co-chairs. Any/all issues and/or concerns may be brought to co-chairs for discussion ~~(ex- process, conduct, etc.)~~. ~~Co-chairs review the~~ ~~co-chairs ask that TFW Policy members share 2 of the~~ Group Agreements at the start of ~~and during~~ each meeting and conduct meetings in a manner that fosters collaborative decision-making and consensus building.

Other valuable components of the co-chairs' position are as follows.

- **Workload:** The co-chairs will commit an adequate amount of time to this position.
- **Helpful training and knowledge:** ~~Skills that set co-chairs up for success include experience in public meeting facilitation and management in natural resource arenas, and working in contentious situations with diverse interests and be familiar with the Operating Manual and decision-making process.~~ The co-chair should have experience in (1) facilitating and managing public meetings in natural resource arenas, (2) working in contentious situations with diverse interests, and (3) be familiar with the Operating Manual and TFW Policy decision-making process.
- **Terms:** All co-chairs are expected to serve two-year terms, with each starting and ending on alternate years.
- **Selection and rotation:** The selection process ~~is made~~ occurs in June, through a nomination and consensus decision. Co-chairs rotate ~~staggered~~ terms between caucuses on a biannual basis.

Caucus Members and Alternates

~~Each of the eight caucuses designates one Policy member and may designate one alternate.~~ Each TFW Policy member represents their ~~larger~~ caucus and brings the perspectives and interests of their Tribes, agency(ies), organization(s), and/or business(es) to the table (WAC 222-12-045, (2)(a)(ii) TFW Policy committee members or their representatives are the primary participants for discussion and decisions at policy committee meetings). When a member is unable to attend a meeting or weigh in on a decision, the alternate is authorized to do so.

Ad-Hoc Work Groups

The TFW Policy Committee may assign tasks to ~~ad-hoc~~ work groups made up of assigned ~~or volunteer~~ Policy members. The purpose of this delegation is to facilitate in-between meeting work on specific topics. ~~TFW Policy members who join work groups are expected to work on items that need advancing in between Policy meetings. Meeting materials are shared one week prior to the scheduled meetings (typically the 3rd Wednesday of each month) and work group members are expected to come to the meetings prepared.~~ Products resulting from ~~ad-hoc~~ work groups will be brought back to TFW Policy ~~(e.g., review or final product delivery)~~ to help inform full TFW Policy decision-making. ~~Work groups will develop charters to clarify expectations.~~

Facilitator

The facilitator role in the TFW Policy Committee can be filled by either the co-chairs, ~~or~~ by a non-voting member of one of the above caucuses, ~~or a contracted independent facilitator~~. The facilitator will not act as an advocate on any issue, any interest group, or any member. While the facilitator may make recommendations regarding the process, they will not make any substantive decisions while acting in this role. Co-chairs will clearly identify when they are filling the role of facilitator and when they are not (to fulfill other roles on the TFW Policy Committee including decision-making).

In addition, it is the responsibility of the facilitator to:

- Ensure Group Agreements are followed.

Commented [KM24]: S/B "staggered"

Commented [CL(25R24)]: Good catch!

Commented [KM26]: See note above - needs change to be acceptable to SFLOs

Commented [KM27R26]: Per above, striking this whole sentence resolves the issue and avoids new interpretations of WAC.

Commented [CL(28R26)]: This was discussed at Policy multiple times. If still unresolved, it needs to be discussed yet again and brought to resolution.

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Commented [CL(29)]: Rico: If SFL are using a different model, it needs to be spelled out. There have been recent issues with inconsistent approvals/commenting/votes

Commented [KM30]: "or volunteer"

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Commented [KM31]: Keeping our options open with some extra words

- Keep the meetings on time and ensure the process is carried out according to the Operating Manual, [Board Manual Section 22](#), and the meeting agenda.
- Ensure a welcoming meeting environment where all members can participate.
- Ensure a safe environment for minority opinions.
- Conduct meetings in a manner to foster collaborative decision-making and consensus building.

Commented [KM32]: Probably getting paranoid but BM 22 trumps Operating Manual I believe.

Roles and Responsibilities of AMP Staff

AMPA

The AMPA is a full-time [DNR](#) employee assigned to the [Adaptive Management Program](#)MP. They are the lead administrator for the [Adaptive Management Program](#)MP and ensures the [TFW](#) Policy Committee operates efficiently while meeting the needs of the Board. The AMPA works with the [TFW](#) Policy Committee, Board, and CMER to respond to requests for adaptive management review, manage budgets and contracts, communicate between the three bodies, and facilitate a [TFW](#) Policy response to requests from the Board. Specific tasks are outlined in [Board Manual Section 22](#), Section 2.4.

Commented [EM(33):

Commented [EM(34R33)]: One board manual made up of many sections

Commented [KM35]: Insert "Board Manual"

Commented [KM36]: "anything"????

Adaptive Management Program Administrative Assistant

The [Adaptive Management Program](#)MP Administrative Assistant schedules and summarizes the [TFW](#) Policy meetings. Meeting summaries outline the issues discussed, areas in which there is agreement, and ~~any remaining~~ where agreement was not reached. They will work with the co-chairs to draft agendas and notify members of upcoming meetings and decisions in accordance with the meeting requirements described below.

Adaptive Management Program Staff

[Adaptive Management Program](#)AMP staff (AMPA, PMs, coordinator, and CMER scientists) work with the AMPA and co-chairs to support the [TFW](#) Policy Committee. Their duties include, but are not limited to, providing technical scientific support with project components including scoping, final reporting, site selection, implementing projects, and literature reviews.

6. Group Agreements

The Group Agreements do not replace the Ground Rules in Board Manual [Section 22](#). Group Agreements are intended to [be an easy to remember summary of ground rules intended to](#) create an environment for productive conversation and serve as reminders throughout meetings to guide dialogue and effective decision-making. ~~As such, all [TFW](#) Policy Committee members must abide by these Group Agreements during meetings. The co-chairs/facilitator will ensure [TFW](#) Policy Committee members work together effectively and respectfully according to Group Agreements.~~ Group Agreements are as follows:

1. **Participate.** Be present, put distractions aside, stay aware, and engage in the conversation.
2. **Arrive prepared.** Come to meetings prepared and ready to participate fully on behalf of your caucus on each agenda item
3. **Listen to understand, not to respond.** Engage in dialogue, not monologue; utilize active listening skills; respond to others' comments and perspectives; be direct; build upon agreement.
4. **Take space and make space.** Cultivate a safe space to ask questions, engage in open dialogue, and promote robust discussion.

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Commented [KM37]: For some reason this statement strikes me as being over the top, talking down to those of us on Policy -- perhaps justifiably at times but "must abide" implies consequences from someone(?) not in authority for force compliance. If I were drafting this I'd simply drop the sentence as it goes without saying.

Commented [CL(38R37)]: Policy members agreed to this at the off-site meeting. If you disagree, then this is something that needs to be discussed at Policy.

Commented [KM39R38]: Striking out both sentences as goes without saying and doesn't put co-chairs in unenforceable position of "ensuring".

Commented [CL(40R37)]: The Policy Manual is intended to be best practices for Policy members. It sets expectations.

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5. **Acknowledge differences and areas of agreement.** Work together to identify areas of commonality and, if disagreement arises, strive to develop collaborative solutions and alternatives that meet as many interests as possible.
6. **Seek to identify interests.** When presented with a position, strive to verbally identify and get affirmation of the unspoken and underlying interests.
7. **Promote respect and directness.** Engage in respectful communication ~~and if something you have said was disrespectful acknowledge it during the meeting or as soon as possible in the future.~~
8. **Address the idea, not the person.** Assume good intentions. When confronted with an opinion that you may disagree with, consider why a reasonable person would say that and take an organizational (not personal) view to address it.

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Commented [KM41]: Of course we should never disrespect unintentionally or intentionally each other as individuals, but again I believe it's childish (goes without saying) for this statement to be in this document for this audience. Just my thoughts . . . No line sand.

Commented [KM42R41]: Strikeout what seems childish statement for this audience - goes without saying - unenforceable.

Commented [CL(43R41): Unfortunately, disrespectful comments do occur during TFW Policy meetings. This sets the expectation that when someone engages in disrespectful behavior they will address it appropriately. This was decided and agreed upon at the Policy off-site meeting.

7. Meeting Management

Meeting Requirements

Regular TFW Policy Committee meetings are held once a month (typically the first Thursday of each month). A standing workgroup meeting for the TFW Policy Committee is held each month (typically the third Wednesday of the month) and can be used by any of the active workgroups. Meeting dates for the year are determined at that year's January meeting and are included in the meeting summaries. Meeting dates shall be scheduled so as not to conflict with predetermined Board meetings. All TFW Policy Committee meetings are public and public notice is required. This entails publishing meeting time, date, and location 30 days prior on the DNR website. Special meetings can be called by the co-chairs, AMPA, or by consensus of TFW Policy Committee members.

Agendas are developed for all TFW Policy Committee meetings by the Adaptive Management Program MP Administrative Assistant with input from the AMPA and TFW Policy co-chairs. A draft agenda and associated materials (including summaries from prior meeting) are emailed to the TFW Policy Committee and posted to the DNR website no less than seven days prior to the meeting. Suggested changes to the agenda are brought to the meeting for discussion to develop an updated agenda for the meeting.

Meeting summaries are drafted during the meeting and sent to the co-chairs for review within two weeks of the meeting. Final draft summaries are distributed to the full TFW Policy Committee with meeting materials one week prior. Edits are due prior to the meeting and updated summaries are approved during the meeting.

Meeting Process and Decision Making

Meetings are directed and facilitated by the TFW Policy Committee co-chairs or a facilitator. Those filling this role are responsible for introducing the agenda topic and presenters, ensuring the Committee follows the agenda, guides the discussions, and start and adjourn meetings on time. This role also strives to ensure that everyone present abides by the Group Agreements.

Action items, issues, and proposals are presented or reviewed according to the agenda. ~~For items designated as a decision item on the agenda, the TFW Policy Committee follows "Robert's rules of order" for the group decision making process.~~ All decisions require at least one meeting to discuss and ~~take action-decide.~~ Most decisions require two meetings. ~~Therefore~~When decisions require two meetings, an agenda item appears ~~en~~ first as an informational or advisory topic so that members can learn about the proposal and ask questions prior to the decision being made at the subsequent meeting.

Commented [CL(44): Per the conversation regarding up, down, sideways, this needs to be deleted.

TFW Policy members are expected to come to the meeting prepared to ask questions and share concerns about the agenda item at this time. The second meeting is used for further discussion, if needed, and decision making on the agenda item. Some decisions that don't require extensive group discussion, high level review, or need immediate attention can move through the decision-making process in one meeting. The AMPA and co-chairs have the discretion to determine whether a decision can be made in one meeting and will provide clear notification when a decision is expected at a meeting.

Commented [KM45]: "at a" meeting

The TFW Policy Committee will base consensus on one vote from each of the participating nine caucuses. When a meeting is scheduled of the TFW Policy Committee and includes an action item on the agenda that requires a decision, a quorum is required. A simple majority of voting representatives or their alternates from each caucus constitutes a quorum. TFW Policy Committee members are expected to notify the co-chairs and the AMPA if they are unable to attend a meeting (or part of a meeting) so that it can be determined if a quorum will be in attendance during the time of voting.

TFW Policy Committee members will strive to achieve consensus in decision-making. "Consensus" for the group is defined as a collective agreement of opinion, requiring unanimous approval. Consensus can be achieved when all voting participants (members or their designated alternates) agree or choose not to dissent. Expectations for the decision-making process are laid out below.

Commented [KM46]: Paragraph break?

Expectations for decision-making include:

- Members should strive to do the following:
 - Abide by the group agreements
 - Value and strive to achieve consensus
 - Relate to one another in a manner appropriate for collaborative decision-making and consensus building.
 - Understand everyone's interests
 - Clearly communicate their interests.
 - Ask clarifying questions to fully understand caucus interest/position.
 - Find workable solutions for all TFW Policy Committee members.
- ~~When consensus cannot be reached, through mediation or the formal dispute resolution process, the Facilitator will invite minority opinions. Those with minority opinions must provide reasoning on why they are dissenting and propose alternative solutions or approaches.~~
- ~~Minority opinions can accompany the decision when members agree to let the proposal move forward without dissenting. majority/minority reports are developed for FPB consideration.~~
- ~~The members should be deferential to members with special expertise and authority.~~
- ~~Any dissenting opinions will be documented in the meeting summary.~~
- ~~Members will honor decisions made and not re-open issues once resolved.~~

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Commented [DC47]: I'm Ok with not revisiting consensus decisions, but if an issue is not resolved to at least a "live with it" scenario for one or more parties, they are not obligated to give up on the issue.

Commented [CL(48R47)]: This says that members will honor decisions made. A "live with it" scenario (aka sideways vote) means that a caucus agreed to move it forward thus the decision was made to advance the action thus the issue should not be reopened. This is one of the key issues with the current voting structure. Policy members need to be accountable, transparent, and consistent with voting.

Commented [CL(49R47)]: Rico: Does this mean even with a minority and majority report the issue will continue to be open for discussion and debate?

Commented [EM(50)]: I believe Policy is maintaining "sideways" as a vote towards consensus. A caucus may vote sideways to support the decision with reservations in which they should share with Policy, and for the record.

There is still a place for abstention when a Policy member or their alternate was not present during the discussion for a decision, or they have not prepared for the vote.

Commented [KM51]: "step-aside"/sideways votes should be described better if going to be quoted, especially for those new coming into TFW Policy. If this seemingly awkward language is what came from group I'm AOK.

Commented [CL(52R51)]: This section will be updated per the Sept 27 Policy meeting

The possible outcomes of the consensus decision-making process are as follows:

- Full consensus, in which the proposal is unanimously supported by all voting participants as written.
- Full consensus on a modified proposal in which the group works through differences of opinion and crafts a revised proposal that then can gain consensus from the group.
- ~~Consensus with abstention or with "step-aside/sideways" voting in which voting participants abstain from voting, thereby consenting consent~~ to let a decision/process move forward without

that individual(s) necessarily agreeing to the decision. The reason for the “sideways” vote will be stated and documented in the meeting notes.

Commented [CL(53)]: Rico: This vague and does not describe how it is materially different from an abstention.

- Consensus with some members abstaining from voting. The reason for the abstention vote will be stated and documented in the meeting notes.
- No consensus in which at least one voting member chooses to dissent, resulting in one of the following:
 - The action is blocked and does not move forward, or
 - The issue is submitted for internal dispute resolution (see below).

The TFW Policy Committee operates most effectively in the collaborative consensus-based approach of the TFW process. However, an important feature of the Adaptive Management Program AMP is specified time allotted for decision-making at critical junctures and the TFW Policy Committee’s consideration related to the effectiveness of forest practices rules. Board Manual Section 22, Part 5, outlines the Dispute Resolution process in detail. Time certainty ensures that management, the Forest Practices Board will have an opportunity to respond to the scientific information and findings, and TFW Policy recommendations in an appropriate and timely manner to close the adaptive management loop. If TFW Policy consensus or an otherwise acceptable consensus conclusion is not reached during the dispute resolution process, the Board makes the final determination.

Commented [KM54]: Who is “management” in this use of the term?

Commented [KM55R54]: See strikethrough and additional words to resolve both Ken and Darin’s concerns.

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Communications Protocols

The AMPA and co-chairs are responsible for ensuring communications are conducted in a way that facilitates efficient and transparent work. Monthly meeting locations are posted on the DNR website a year in advance. The AMPA will notify all members of the time and location for meetings at least thirty days prior. For all other meetings, the AMPA will notify members of the meeting time, location, and agenda at the earliest possible date, usually no less than seven days prior. Agenda items will be requested from members with enough time for meeting agendas and background materials to be emailed to the TFW Policy Committee at least one week prior.

~~All Policy Committee members are expected to communicate their interests and endeavor to understand the interests of the other parties on the Committee. Working together to establish and maintain an interest-based approach to communication and decision-making allows for exploring options that meet the interests of all parties at the table. This approach is also expected to reduce the need to invoke dispute resolution.~~

Commented [CL(56)]: Comment that this is redundant with meeting requirements.

All materials associated with a decision, including a specific write-up of the proposal, and supporting materials will be sent out at least seven working days prior to the meeting so that members can adequately prepare for the decision. The meeting information that the AMP Administrative Assistant sends out will include an agenda detailing new business and decision points. Decision items are clearly noted on the agenda. The AMP Administrative Assistant will draft and distribute meeting summaries within ten business days of the meeting.

~~Expectations for communications within the Committee include a commitment to engage in in-depth, interest-based discussions during meetings and resolve issues within the group process via established Committee processes. Committee members should notify the co-chairs and AMPA of any procedural or substantive issues that arise so that they can be addressed as soon as possible. Participants should avoid use of other processes such as legislation or litigation to resolve issues being considered in the Adaptive Management Program. MP. Caucuses are free to talk to the press, but they should not avoid~~

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~~negotiate~~~~negotiating~~ their positions in the press. All parties will be mindful of the effects their public and private statements will have on the functioning of the TFW Policy Committee and the Adaptive Management ProgramMP.

AMP Process Documents and TFW Policy Engagement and Approval

The AMP ~~program~~ has many documents that initiate, develop, guide, update, and ultimately communicate results from ~~the project to~~ CMER, ~~to~~ TFW Policy, and the general public. These documents (see Appendix A) are intended to accommodate regular CMER processes, products, or reports and facilitate appropriate review and approval by CMER. ~~Below is a table that includes the project phases, associated tasks and documents and estimated time to complete these tasks:~~

TFW Policy reviews the following CMER-approved AMP process documents: Project Charters, Scoping Documents, Final Project Reports/Findings Package, Project Summary Sheets, and the CMER Work Plan. These documents are opportunities for TFW Policy engagement and input. TFW Policy agenda's note the expectation for item. Items listed as discussion provide opportunity for input and/or discussion. Items that are listed as "action" are decision items. TFW Policy members are expected to have a decision ready for action items. All CMER final reports may be used to support TFW Policy recommendations to the Forest Practices Board decision-making on rules or program guidance.

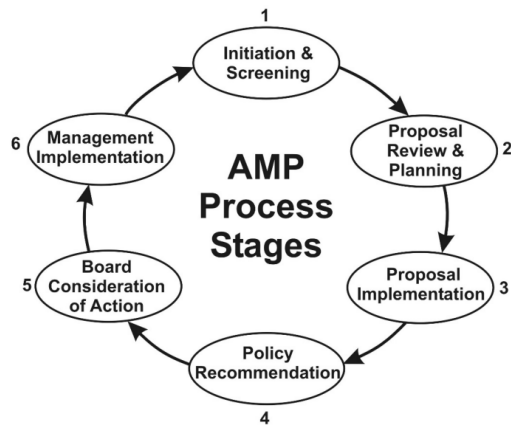
AMP Proposal Initiation

The TFW Policy Committee is charged with reviewing completed studies to determine if action is warranted based on the results and forwarding recommendations to the Board regarding the effectiveness of said rules. The Proposal Initiation process is outlined in Board Manual Section 22, Part 3, including the TFW Policy Committee's responsibilities within each stage. The Adaptive Management ProgramAMP utilizes a six-stage process for managing program proposals (see below). The term "proposal" is used generically to identify any form of request, question, task, project, sub-program, etc., whose end product may affect changes in forest practices or otherwise meet one of the program's goals and objectives. The Board Manual provides a stage-by-stage approach to take a proposal from initiation to implementation and sets the minimum level of standards and protocols expected for successful participation in a multi-stakeholder, cooperative, and consensus-driven process. sets the minimum level of standards and protocols expected for successful participation in a multi-stakeholder, cooperative, and consensus-driven process. An Adaptive Management proposal can be initiated by the FPB, including actions taken in response to public requests, or any Adaptive Management ProgramAMP participant, through the Administrator.

Commented [DC57]: Awkward, from the project...? Do you mean from science work?

Commented [KM58]: Runaway keyboard with extra letter?

Commented [KM59]: Should we include "science-based", or sarcastically is that just too far from reality at least in Policy??? (Tom's not here now so thought might get away with a little sarcasm)



The six stages serve to “close the loop” when there is a need to adjust forest practices rules, guidance, or DNR products (i.e., rule tools). This system guides participants in program expectations, provides standards to gauge where a proposal or product fits, and provides protocols to move proposals through the stages. The term “proposal” is used generically to identify any form of request, question, task, project, sub-program, etc., whose product may affect changes in forest practices or otherwise meet one of the

program’s goals and objectives.

8. Dispute Resolution Process

For the most part, consensus decisions are routine and non-controversial. However, disputes can arise at any decision junctures. Left unresolved, disputes could slow or stop the adaptive management process by delaying recommendations or preventing them from reaching the Board altogether. Unless mandated by legislative action or court order, the Board cannot act to change aquatic resource related forest practices rules outside the adaptive management process (RCW 76.09.370). [Board Manual Section 22, Part 5](#) provides guidance for Adaptive Management dispute resolution under forest practices rules [WAC 222-12-045\(2\)\(h\)](#). The purpose of dispute resolution is to provide a time sensitive structure to the decision -making process when routine methods for reaching consensus are not successful. The primary objective of the process outlined here is to achieve consensus. The rules establish dispute resolution as a staged process that provides two structured opportunities for the participants to reach agreement before a dispute is taken to the Board for resolution in the form of [majority/minority reports a petition](#). The AMPA and co-chairs are responsible for guiding the [TFW](#) Policy Committee through the dispute resolution process according to the process laid out in the WAC and Board Manual.

-Stage I requires a dispute to be resolved within two months of being ~~initiated~~ initiated but may be extended if agreed to by all parties to the dispute. Any party may move the process to Stage II after an issue has been in dispute resolution for two months. Stage II requires a resolution within three months of being initiated. Stage II may also be extended if ~~all Policy Committee members~~ parties to the dispute agree ~~vote~~ to extend the timeline.

Mediation

The [TFW](#) Policy Committee typically uses mediation to resolve disputes. Mediation involves a professional mediator, chosen by agreement among the disputing parties, to organize and manage discussions between or among the parties with the clear purpose of reaching consensus on an issue. If mediation is successful, the results are recorded and sent to the AMPA for notice to the [TFW](#) Policy Committee. Results can only be binding if all parties agree to an arbitration agreement prior to

~~beginning dispute resolution.~~ Arbitration is another dispute resolution process available to TFW Policy but only when all parties are agreeable to this option.

Initiating Dispute Resolution

Dispute resolution may be initiated when the TFW Policy Committee fails to reach consensus on an issue and that failure of agreement prevents a project or a recommendation from moving forward to the next step. According to WAC 47.105.010, the Dispute Resolution process will occur within 5 months unless substantive progress is being made and there is consensus of the TFW Policy Committee to extend the timeline.

When the PolicyTFW Policy Committee feels that ordinary discussion and debate of an issue has been exhausted without satisfactory resolution, they may initiate dispute resolution. PolicyTFW Policy Committee members can initiate dispute resolution by making a formal request to the co-chairs and requires a written or verbal request ahead of the next PolicyTFW Policy Committee meeting. The co-chairs should immediately inform all PolicyTFW Policy Committee members when a dispute is initiated. If PolicyTFW Policy Committee members disagree about how the dispute is framed, they may work with the AMPA to further clarify the dispute within 30 days of the dispute being initiated. The initiation of dispute resolution should be recorded in the meeting summaries.

Stage I

The PolicyTFW Policy Committee has up to two months following formal initiation of dispute resolution to complete Stage I. Co-chairs should strive to get the dispute on the PolicyTFW Policy Committee agenda as soon as possible after being initiated. Dispute resolution can employ a variety of methods to attempt to resolve the dispute. The method selected and the time period available for resolution should be announced to the PolicyTFW Policy Committee via e-mail before the first meeting at which the dispute will be discussed. If the dispute originated with CMER, the PolicyTFW Policy co-chairs should seek additional information from the CMER co-chairs when they are unclear of the nature of any technical issues concerning the dispute.

If consensus is reached within the PolicyTFW Policy Committee for Stage I, dispute resolution is terminated. The consensus agreement should be recorded in the formal summary of the PolicyTFW Policy Committee meeting. If consensus is not reached, any participating PolicyTFW Policy Committee member may elevate the dispute to Stage II after two months.

Stage II

Issues not resolved in Stage I are elevated to Stage II by a request from a PolicyTFW Policy Committee member. The time period is initiated at the next regularly scheduled PolicyTFW Policy Committee meeting or within 30 days following the request, whichever is shorter. The initiation of Stage II must be recorded in the relevant PolicyTFW Policy Committee meeting summary.

The Stage II process must be completed within 3 months. Within one month of the initiation of Stage II, the PolicyTFW Policy Committee must agree if policy disputes require technical support through CMER and if resolution can be achieved through mediation or arbitration, with mediation being the default. The AMPA should hire a qualified mediator with experience in natural resources dispute resolution who is acceptable to all PolicyTFW Policy Committee members. The AMPA should assist the mediator as needed to identify the dispute, introduce the parties and arrange meeting dates and times. If consensus

Commented [CL(61)]: Rico: The Board/ DNR decided that Policy does not use Arbitration because it is "binding", which could usurp the authority of the Board.

Commented [KM62]: To briefly capture today's conversations and realities without lot more detail I suggest something similar to this draft wordsmithing.

Commented [CL(63R62)]: Needs discussion.

Commented [KM64]: 5 months is the aspirational WAC goal we all strive for but seems that to be honest with reader there needs to be some wiggle room. 5 months doesn't happen, won't happen unless agreement somewhere along the line. . . And no one including the co-chairs will end a DR until it's ended. "will occur" is just too incorrect in reality so suggest softening with words like "tries", "desires", "aspirationally". In this case WAC laid out timelines that just don't/can't happen in reality if dispute goes all the way to end without resolution. If you count the initiation process (that also doesn't often fit this text) and the gaps between Stage's the process realistically takes at least 7-10 months. . . Based on my experience/memory.

Commented [KM65R64]: See inserts intended to add some reality to how this DR process actually plays out.

Commented [CL(66R64)]: I disagree with adding the final sentence. The sentence before says that if substantive progress is being made and there is consensus, Policy may extend the timeline. This document is meant to set expectations.

Commented [CL(67R64)]: To capture what was rejected, I will add it here: "Additionally delays such as staffing or scheduling between steps can extend this total process beyond the 5 months intended in WAC"

Commented [KM68]: Extra spaces?

Commented [DC69]: After two months.

Commented [CL(70)]: Rico: what happens if there isn't consensus?

is reached within the PolicyTFW Policy Committee, dispute resolution is terminated. The consensus agreement must be recorded and distributed to the appropriate parties.

In the event the PolicyTFW Policy Committee cannot reach consensus following Stage II, the AMPA shall deliver the respective majority and minority recommendations to the Board without a separate formal recommendation. Results of Stage II must be recorded in PolicyTFW Policy Committee meeting summaries. The Board will make the final determination regarding the dispute resolution.

Commented [CL(71)]: Currently, there is no timeline stated in BM22 for this step. Should we recommend this as a change to BM22? Suggest adding this here.

DRAFT

Appendix A

AMP Project Phases, Associated Documents, and Timelines			
Project Phase	Associated Tasks	Associated Docs	Est. Time to complete
Project Initiation	<ul style="list-style-type: none"> Add project to CMER Workplan Assign SAG and PM Create Project Team 	Project Charter	Charter - 7mo (3 to develop, 2 CMER approval, 2 Policy approval)
Scoping	<ul style="list-style-type: none"> Addition of project to MPS Project Team develop <u>Scoping Document</u> Load final Scoping Document into IMS 	<ul style="list-style-type: none"> Scoping Document including BAS and Alternatives Analysis Prospective 6 Questions 	Scoping -10mo (4 months writing, 2 CMER review/approval, 3mo 6Qs completed)
Study Design	<ul style="list-style-type: none"> Development of RFP/RFQ and necessary contracts if need to hire PI to develop Study Design Project Team develop Study Design and complete review process Load final Study Design into SPO 	<ul style="list-style-type: none"> Study Design Literature Review (may also be part of scoping or study design) Communication Plan Project Management Plan Site Selection and Data Collection Plan 	PM Plan- 5mo (3 to write, 2 to approve) Study Design - 8mo (develop and approve) ISPR review 8 mo Final approval 2 mo 6 Questions completed -3mo
Project Implementation	<ul style="list-style-type: none"> Site Selection including <u>access</u> agreements Purchase equipment and materials Development of RFP/RFQ and necessary contracts Field crew training and safety Data Collection and storage 	<ul style="list-style-type: none"> Access agreements Contracts Necessary permits Field Manual (data collection protocols) QA/QC plan 	Field manual - 3mo QA/QC Methods & Plan - 3mo Site Selection - 5mo SAG approval of database -4mo
Data Analysis and Final Report	<ul style="list-style-type: none"> Data QA/QC and analysis Complete final report and review process Load final report into <u>SPO</u> Contract close out 	<ul style="list-style-type: none"> Final Report 6 Questions and Findings Report Document/Date Management and Closure Plan 	Data analysis - 5mo SAG approval final report - 4mo CMER approval final report - 3mo ISPR approval final report - 8mo CMER approval final report- 2mo 6Qs completed - 3mo Findings Package to Policy - 1mo