



**DEPARTMENT OF
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MEMORANDUM

July 26, 2024

TO: Forest Practices Board (Board)

FROM: Lori Clark, Adaptive Management Program Administrator (AMPA)
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SUBJECT: Cooperative Monitoring, Evaluation, and Research Committee (CMER) Voting Membership

Under WAC 222-12-045(2)(b), the Board has the responsibility to manage the Adaptive Management Program (AMP). As a part of the AMP, the Board established the Cooperative Monitoring, Evaluation, and Research Committee (CMER) in WAC 222-12-045(2)(b)(i) to impose accountability and formality of process and conduct research and monitoring to facilitate achieving the resource objectives in the Habitat Conservation Plan, Appendix N, Schedule L-1. CMER is tasked with advancing the science needed to support the AMP. As such, the WAC maintains that CMER will be made up of members that have expertise in “a scientific discipline that will enable them to be most effective in addressing forestry, fish, wildlife, and landscape process issues. Members will represent timber landowners, environmental interests, state agencies, county governments, federal agencies and tribal governments from a scientific standpoint, *not a policy view*.” CMER voting members are approved by the Board under the WAC 222-12-045(2)(b)(i).

CMER Voting Member Issues

The Co-Chair Nomination and Selection Process CMER Protocols and Standards Manual¹ (PSM, Section 3.2.2.3) is the only decision at CMER made by majority rule modeled on Robert’s Rules of Order; all other decisions related to the advancement of AMP projects and/or recommendations are made by consensus. CMER postponed the vote for the Co-Chair selection on June 25, 2024, due to a lack of clarity regarding CMER voting membership. Board direction is needed before the CMER Co-Chair selection can be completed.

The Kalispel Tribes representative has been inactive at CMER meetings since the Upper Columbia United Tribes (UCUT) representative was approved on November 9, 2022. CMER members assumed that the UCUT representative had replaced the Kalispel Tribes representative as the CMER voting member due to the absence and failure to adhere to the CMER ground rules. Per the ground rules (PSM, Section 3.3.2), CMER members have the responsibility to provide meaningful and relevant contributions to the work of the AMP. Although the Kalispel Tribes representative has not participated in CMER since the UCUT representative joined, the Board meeting minutes and the AMPA memo from November 9, 2022, reflect that the UCUT representative was appointed as an addition, not as a replacement, to the eastside tribal representatives.

On the morning of the June CMER meeting, the Kalispel Tribes representative sent an email indicating that they would not be in attendance for the CMER meeting and the UCUT representative would represent the Kalispel Tribes' vote (by proxy) for the Co-Chair agenda item. Although the Kalispel Tribes representative has not been active, the Kalispel Tribes wanted to ensure their vote was counted since the Co-Chair selection process is not done by

¹ [Protocols & Standards Manual](#) – provides an organizational framework, guidance, and instructions for CMER participants.

consensus. Based on the Co-Chair vote, CMER members have raised the issue of whether there should be a minimum participation requirement for CMER members to exercise their voting status.

A separate concern raised by CMER members as needing Board attention is the current Washington Farm Forestry Association (WFFA) voting position(s) on CMER. On May 12, 2021, WFFA proposed to the Board a new member to replace the existing voting CMER member, yet both members are still currently holding voting seats at CMER. This situation has been contentious for many CMER members, as there is a perceived disproportionate representation of the landowner caucus in CMER committees and as voting members. Despite CMER not being officially caucus-based, each voting member is affiliated with a caucus.

Office of Washington State Auditor's (SAO) Recommendations for CMER Reform

In January 2021, the SAO completed a performance audit of the AMP¹. The audit provided 13 recommendations for improvements to decision making, accountability, and transparency. Eleven of these recommendations were assigned to the Board. In May 2021, the Board approved priorities among the recommendations in the form of a response plan. In October 2022, the Board approved the TFW Policy workgroup & AMPA recommendations in support of the SAO Recommendation #05, adopting a Net Gains model for TFW Policy. One of those options is for CMER to initiate dialogue with TFW Policy on CMER reform options, including considering:

1. "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 222.12.045 limit the number of participants for CMER. Adjustments to CMER membership can, therefore, happen voluntarily.
2. Modify the science function to 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."

TFW Policy and CMER did not have a consensus recommendation for the Board on the CMER reform. Therefore, the AMPA worked with CMER to make improvements to the Protocol & Standards Manual (PSM) to address this recommendation and support better meeting management and improved decision making, accountability, and transparency. Despite these changes, CMER continues to experience issues engaging from a TFW Policy perspective and caucus allying. This is problematic and disruptive when CMER members engage in caucus allying to strengthen their collective influence, particularly with a policy perspective.

Requested Board Action

This memo transmits two items for the Board's consideration:

1. Confirm the current voting CMER membership (attached).
2. Direct CMER to add requirement for minimum participation for CMER members to exercise their voting status in the PSM.

In addition, the Board could consider revisiting the SAO audit recommendations for CMER reform option for adjusting CMER membership to one caucus per vote to reduce disproportionate representation.

➤ **Attachment:** Current CMER voting membership

¹ [Performance Audit of the Adaptive Management Program](#)

**Cooperative Monitoring, Evaluation, and Research Committee (CMER)
Voting Membership Roster
June 2024**

Name	Representing	Caucus	Approved
Todd Baldwin	Tribal (east side)	Kalispel Tribe of Indians	11/9/2010
Hans Berge	Tribal (east side)	Upper Columbia United Tribes (UCUT)	11/9/2022
Mark Mobbs	Tribal (west side)	Quinalt Tribe	2/13/2001
Debbie Kay	Tribal (west side)	Northwest Indian Fish Commission	8/14/2012
Welles Bretherton	State (ECY)	Dept of Ecology	5/15/2023
Aimee McIntyre	State (WDFW)	Washington Department of Fish and Wildlife	8/12/2020
Chris Mendoza	Conservation Caucus	Conservation Caucus	11/10/2004
Doug Martin	Landowner (industrial)	Washington Forest Protection Association	2/13/2001
Julie Dieu	Landowner (industrial)	Rayonier, Washington Forest Protection Association	2/22/2008
A.J. Kroll	Landowner (industrial)	Washington Forest Protection Association	5/11/2010
Harry Bell*	Landowner (SFLO)	Washington Farm Forestry Association	8/12/2014
Jenny Knoth*	Landowner (SFLO)	Greencrow/WSAC Washington Farm Forestry Association	5/12/2016 - 06/2019 05/12/2021
Mark Meleason	Landowner (counties)	WSAC	08/11/2021
Vacant	State (DNR)		
Vacant	Federal (USFWS)		

*Historic CMER rosters have only 1 caucus representative for WFFA. See memo for more information.