
ALTERNATE HARVEST PRESCRIPTION TEMPLATE

DISPUTE RESOLUTION

Initiated September 5, 2024

The following is a living document to help guide and frame the dispute resolution process. As process details are solidified or modified, this document should be updated to reflect the most current operating space.

INITIATED BY: Small Forest Landowner Caucus

Participating Caucuses:

Caucus	Representative
Conservation	Rico Vinh
Industrial Landowners	Darin Cramer
County Governments	Court Stanley
Small Forest Landowners	Ken Miller/Dave Robers
Western WA Tribes	Rob Purser
WA Dept. Natural Resources	Marc Engel
WA Dept. Fish & Wildlife	Brandon Austin
WA Dept. Ecology	Chris Briggs
Eastern WA Tribes	Cody Thomas

SMALL FOREST LANDOWNER CAUCUS DESCRIPTION OF THE DISPUTE:

The SFL caucus has invoked the Dispute Resolution process with the intent to achieve consensus through amending of the 5th September Policy motion to complete the development of an experimental small forest landowner conifer thinning alternate harvest prescription and associated AMP monitoring study for western Washington which can be presented to the Forest Practices Board.

1. The SFL caucus believes the language in the motion can be accepted or can be amended to accept the draft experimental conifer thinning alternate harvest prescription for western Washington based on:
 - The prescription applies the current rule protections in WAC 222-30-021(1)(b)(I) and (II) for DFC Options 1 and 2;
 - If needed include site data for these options from the Westside Type F Riparian Management Zone Exploratory Study findings
 - The prescription incorporates the stand eligibility requirements and riparian width requirements from the Board approved Templates 1 & 2 in Part 3 of Board Manual Section 21
 - If needed Include data from approved FPAs harvested under these AP templates and results from Compliance Monitoring reports for the application of these templates for the past 10 years.
2. The SFL caucus supports Policy review of the potential to apply a 75 foot RMZ buffer for all site classes to the draft experimental conifer thinning alternate harvest prescription for western Washington to a limited number of FPAs under a Pilot rule.

The motion on the 5th September to Policy was “I move to accept the alternate harvest prescription in response to the Board request to develop experimental alternate harvest prescriptions and Policy requests CMER develop a monitoring plan to evaluate

the effectiveness of the prescription. Additionally, to request the board to allow a minimum number of 75' harvest prescriptions cross all site classes through a pilot rule making.”

The Conservation Caucus voted not to move forward with the 5th September motion due to concerns about the lack of a strong scientific foundation:

The Adaptive Management Program (AMP) is a science-driven process, and our primary concern is that this prescription lacks the necessary scientific support. After questioning, the experimental prescription authors stated that the prescription was primarily based on the best professional judgment of those involved in its development and its adherence to past approved Forest Practice Applications (FPAs). However, the monitoring of the effectiveness of these past FPAs has been limited and does not provide sufficient confidence that the proposed prescription, as broadly written, would adequately protect resources.

Additionally, the last-minute inclusion of a 75-foot Riparian Management Zone (RMZ) buffer for all site classes had previously been addressed through a dispute resolution process and should not be revisited. There is also no new supporting evidence to show that this approach would be equally or more protective than the current rule.

While the experimental prescription may have potential, it is a better candidate for further study and should follow the standard AMP process to ensure any changes are fully backed by scientific evaluation and will be protective of the resources.

TIMELINE:

Process Step	Date
Stage 1 Initiated	September 5, 2024
First Organizational Meeting	September 18, 2024
Meeting #2 (finalize characterization)	October 2, 2024
Stage 1 Initiated	October 2, 2024
Position Papers Due (upload here)	October 9, 2024 (9am)
Meeting #3	October 16, 2024
Stage 1 Concludes	
<i>If a caucus wishes to elevate the dispute to Stage 2</i>	
Stage 2 Initiation	
Mediator identified & prepped	
Mediated Dispute Concludes	
Report(s) Due to FPB	

GROUND RULES

During this dispute resolution process, members commit to the following ground rules, which have been modified and abridged from the standard TFW ground rules for this forum.

All participants shall....

1. Bring with them the legitimate purposes and goals of their organizations.
2. Recognize the legitimacy of the goals of others and assume that their own goals will also be respected.
3. Provide the dispute resolution process with priority attention, staffing, and time commitments. This specifically includes attending *all* dispute resolution meetings.
4. Commit to search for opportunities; acknowledge that solving problems or issues of other caucuses is more likely to lead to solutions for owns own problems and issues.
5. Commit to listen carefully, ask questions to understand and make statements to explain or educate.
6. Ensure all issues identified by any party must be addressed by the whole group.

7. State needs, problems, and opportunities first and positions last, and avoid hidden agendas.
8. Acknowledge that if their caucus does not agree that they will offer reasons why and alternatives.
9. Commit to attempt to reach consensus on a plan, proposal or issue being considered.

Further, participants shall...

1. Speak with respect, kindness and candor.
2. Respect the time of those participating by being clear and concise.
3. Respect the process – dispute resolution is a tool for consensus and should not be utilized for alternative means or agendas.
4. Commit to reading *all materials* provided in the DR process prior to the meeting in which those materials will be discussed.
5. Withhold from circulating materials directly to Dispute Resolution participants – all materials and communications must go through the co-chair for dispersal. This does not limit cross-caucus discussion to try and identify solutions.
6. Commit to be an advocate for an agreed plan.
7. Leave their weapons of war at home. This includes not negotiating these issues through outside parties (such as media, legislative officials, or Board members).

PROCESS

VIRTUAL DISPUTE ETIQUETTE

Dispute resolution is best served when members can be together in the same room, to own each other's issues and to be fully present. Further, under normal circumstances, participants would be asked to check their technology at the door to minimize outside influence and distraction. Under the current circumstances, these actions are not possible. To achieve these ends, the following etiquette is requested of all participants:

1. Keep cameras on. While bandwidth may be an issue, seeing each other matters.
2. Commit to minimizing side conversation. If you need to speak to your supporting team, please call a caucus. Do not conduct side chats or texts. Being in the moment and listening to your peers matters.
3. Respect the chat. Concurrent discussions in chat and orally run in conflict with one another. The chat should be used while calling role, to get into the speaking queue, and to clarify text or language.
4. Mute your mic when not speaking.
5. Speak openly, honestly and often. This process only works if *everyone* commits to the discourse.

FACILITATION

Facilitation is the responsibilities of the co-chairs. For this dispute, Rico Vihn will be recused from facilitating since he is a party to the dispute. The AMPA will co-facilitate with Cody Thomas. All members should commit to fulfill the requests of the facilitators to ensure a timeline completion of the dispute resolution process.

CALLING CAUCUS

At any time, a caucus may identify the need to speak with either like-minded caucuses or to work through a specific detail with an opposing caucus. Under these circumstances, a member may "call for caucus." Virtual caucus rooms will be made available for these purposes.

WRITTEN ARTICULATION OF ISSUES, CONCERNS, AND OPPORTUNITIES (POSITION PAPERS)

Dispute resolution requires complete transparency and an open and shared understanding of the issues. To facilitate this, **each caucus will be required to submit a written discussion of the disputed issues and potential solutions**, per guidance in Board Manual 22 (M22-22). The position paper(s) will be uploaded on the AMP SharePoint Online site: [Alt Harv Pres 09 11 2024](#) by October 9, 2024 (9am). These papers should be reviewed by all caucuses before the Standing Workgroup meeting on October 16, 2024, so that there may be productive discussions on potential solutions to resolve the dispute.

Written responses from caucuses should be specific to the questions and shall not exceed 5 pages in total content. All written responses should be made without coordination and discussion with other caucuses. This is imperative - we are not looking for 2 sides to this debate; we are looking for all perspectives, regardless of the variation.

Remember Ground Rule #7: State needs, problems, and opportunities first and positions last, and avoid hidden agendas.

Caucuses are asked to answer the following questions:

1. In your own words, what do you understand is the nature of the dispute?
2. What is your understanding and/or interpretation of WAC 222-30-021 as it relates to the dispute?
3. Does Policy have enough information to support the development an experimental small forest landowner conifer thinning alternate harvest prescription for western Washington?
4. If not, what kind of information is needed to complete the Policy analysis to address the dispute?
5. Acknowledging the dispute at hand, what do you see as possible solutions?

CONCLUDING DISPUTE RESOLUTION

Stage 1 dispute resolution may conclude prior to November 27, 2024, if a consensus agreement is reached. If consensus is not reached, Stage 2 *can be* initiated if a caucus wishes to elevate the dispute to a mediated process. Stage 2 is not automatic – the process can end if a dispute is resolved or dropped by the initiator.

If Stage 2 is initiated, it is the responsibility of the Adaptive Management Program Administrator to identify a “qualified individual with experience in natural resources dispute resolution and mediation. That individual must be: (1) acceptable to all parties, and (2) available for the task on short notice. The administrator will assist the mediator in identifying the disputed issue(s), introducing the parties, and setting up meeting dates, times, and locations. The AMPA has 30 days to complete this process.