

3.3.3 CMER Dispute Resolution Process⁵

CMER, as part of the Washington State Forest Practices AMP, is mandated to “...strive to use a consensus-based approach to make decisions at all stages of the process,” (WAC 222-12-045(2)(b)).

CMER interprets consensus-based approach to mean that committee deliberations in both CMER and SAGs are:

- Agreement seeking,
- Collaborative,
- Cooperative,
- Egalitarian,
- Inclusive, and
- Participatory.

Decisions during regular deliberations in CMER and in the SAGs only move forward after consensus is reached. During regular deliberation, a single no vote (i.e., thumbs down) can prevent ‘consensus’ until that vote changes or until formal Dispute Resolution is conducted. The CMER process allows individuals to abstain or ‘step aside,’ thereby consenting to allow a decision/process to move forward without that individual necessarily concurring with the decision (i.e., thumb sideways). As a result, -disagreements do not always result in blocking decisions or delaying progress.

If it becomes clear during regular SAG or CMER deliberations that progress towards making a science-based decision has stalled, the Guided Decision-Making Process may be invoked. In a SAG, any participant other than AMP staff may invoke the Guided Decision-Making Process if a topic has been discussed for at least two meetings and a decision or productive conversation has stalled. In CMER, the same applies but only CMER voting members may invoke the Guided Decision-Making Process. The AMPA may invoke guided decision making in either the SAG or at CMER. Initiating the Guided Decision-Making Process sets into motion a series of steps and check-in points with deadlines to facilitate resolution of an impasse in a timely manner.

3.3.4.1 Guided Decision Making in a SAG

Default pathway

When Guided Decision Making is invoked in a SAG, the first step is to identify who in the SAG will participate in the Guided Decision-Making Process. The default pathway is for the disputing parties/disputants to write position papers within 2 weeks of the Guided Decision-Making Process being invoked and SAG members being informed that the process has been initiated. The position papers, which will then be forwarded to CMER. A SAG Request, clearly articulating their interpretation of the issue/question in dispute, will be prepared and delivered to CMER by a Project Manager or by one of the SAG co-chairs if he/she is not one of the disputing parties/disputants, which will list the issue(s) in dispute. The position papers will be included in the SAG Request as attachments. CMER will then determine if it can resolve the dispute through a consensus vote attempt to take a consensus vote. If they are successful, the dispute will be considered resolved. If not, CMER will use the Guided Decision-Making Process to resolve the dispute. CMER may also choose to table the dispute for future resolution if there is consensus to do so. CMER decision or resolution of the dispute is binding on the SAG.

Alternate pathway

By consensus, the disputing parties/disputants in the SAG may opt to work to resolve the dispute through an informal meeting before it is forwarded to CMER that precedes the process outlined in the default pathway. In this case, the informal meeting should occur within 2 weeks of the Guided Decision-Making Process being invoked. The informal meeting will be facilitated by one of the Project Managers or by one of the SAG co-chairs if he/she is not one of the disputing parties/disputants. If consensus can be reached for resolving the dispute at the informal meeting, the outcome will be brought back to the SAG at its next meeting for a vote. If consensus cannot be reached in this step, the dispute will revert to the default pathway.

Commented [co1]: This is the fundamental principle - a non-consensus vote means it does not pass and can not move forward, such as sending a final report to ISPR. The dispute resolution process contains several options and one is to obtain consensus through informal meetings. Time is not the issue but consensus is. I would suggest adding the following text to the end of this sentence: “...is reached without exception and resolved using the process outlined below regardless of the time required to either obtain consensus or move through the dispute resolution process”.

Commented [WB2R1]: There are places in Board Manual 22 and WAC 222-12-045 that lay out specific timelines for dispute resolution that we as a committee have to adhere to. Any changes to timelines would have to be changed in board manual and WAC as well.

To me it is unclear what in this section is directly out of board manual and what is additional language to help us work through what is required in board manual and WAC. I would suggest another pass at this revision to very clearly quote Board Manual 22 when necessary. Additionally we could include a figure showing the timeline laid out in board manual and WAC.

Commented [AM3]: Consider making this two meetings at the SAG level? Seems to me if a new discussion is at a ...

Commented [HB4]: Need 2 meetings with non-consensus votes.

Commented [DM5]: Unnecessary. If no participant invokes GDP, why would AMPA invoke? Suggest remove ...

Commented [AM6R5]: Just pointing out that the ability for AMPA to call dispute has been a part of the process ...

Commented [co7R5]: The AMPA should not be able to invoke a dispute, especially on the basis of time constraint ...

Commented [Br8]: The AMPA should not be able to invoke guided decision making at CMER. This is ...

Commented [HB9]: Are these in the current process or something different? If different, who writes them and who ...

Commented [AM10]: Heading numbering and levels seem off/inconsistent.

Commented [AM11]: These can be groups of individuals or individuals on their own, can't they? Should we say ...

Commented [Br12]: Would it be helpful to identify minimum requirements for the position papers? I think a ...

Commented [DK13]: Informing the SAG should go before writing the papers chronologically.

Commented [DK14]: This is repeated two sentences after this. Consider deleting this sentence and leaving the other ...

Commented [AM15]: I copied and pasted this from below, Stage II CMER dispute. Seems it should be consistent ...

Commented [DK16]: What happens to tabled issues to be resolved later? Is there some timeline or set of conditions ...

Commented [AM17]: Is there/should there be a timeline around this part of the process? We don't want a SAG ...

Commented [co18]: I think it should be possible to have more than 1 informal meeting if progress appears possible ...

the disputing parties will prepare position papers and the dispute resolution process will follow the default pathway.

3.3.4 Guided Decision-Making Process in CMER

The general approach of the Guided Decision-Making Process is to divide CMER decision making into two stages, I and II. (Figure 3-1). Stage I consists of convening an informal meeting between the parties to determine if the dispute(s) can be resolved outside of a regular CMER meeting. If the meeting is not successful, Stage I does not result in a resolution, the process moves into Stage II, which consists of either formal mediation or binding arbitration. The first step in Stage II is for the disputants to prepare position papers. The second step is for the AMPA and CMER co-chairs, together with the disputants, to assign the issue(s) that are in dispute into one of four categories: Stylistic, CMER Process, TFW Policy, and Technical. The process to resolve issue(s) in Stage II depends on to which category(s) the dispute has been assigned (see below).

3.3.4.1 Stage I: Convene an informal meeting

When an impasse occurs at CMER and decision making becomes insoluble or unacceptably slow using regular deliberations, any participant CMER voting member or the AMPA can initiate the formal Guided Decision-Making Process. The first step is for representatives on all sides of the non-consensus issue/question to meet together and with the AMPA and other interested parties within 30 days to attempt to resolve the impasse.

⁴ The intent of this ground rule is to comply with state law and DNR contracting procedures. Chapter 19.36 RCW, Statute of Frauds; Chapter 39.19 RCW, Office of Minority and Women's Business Enterprises (see also Title 326 WAC); Chapter 39.29 RCW, Personal Services Contracts; Chapter 39.34 RCW, Interlocal Cooperation Act (Interagency Agreements); Chapter 40.14 RCW (WAC 434-635-010), Destruction, Disposition of Official Public Records or Office files and Memoranda; Chapter 1.06 RCW, State Civil Service Law; Chapter 42.17 RCW (WAC 32-10-020-170), Public Records; Chapter 42.53 RCW, State Ethics Law; OFM Regulation (chapter 3, Part 4, Section 1), State of Washington Policies, Regulations, and Procedures; OFM Guide to Personal Service Contracting; DNR Policy Number P004-001, Interagency Agreements and Memoranda of Understanding; and the DNR Contract Manual.

⁵ "The CMER co-chairs, with the guidance and assistance of the Administrator, are responsible for setting up a dispute resolution discussion and can employ a variety or combination of methods to attempt to resolve the dispute." (Board Manual Part 5. Dispute Resolution, Sect. 5.4 Guidance for Dispute Resolution Stage 1, paragraph 5).

Commented [co19]: I think a series of informal meetings should be possible so I would change this to: "Stage I consists of convening one or more informal meetingsregular CMER meeting".

Commented [AR20]: Need to clarify if Guided Decision Making applies to SAG decisions. I think the default has been if there is a non-consensus dispute in the SAG, the issue/question gets elevated to CMER. If so, maybe we need to include a brief description of how/when disputes in a SAG are elevated to CMER, similar to some of the language below under technical disputes.

Commented [CM21R20]: It's already clarified in section below.

Commented [AM22]: This language may be misleading. A dispute for CMER cannot be resolved outside of CMER, correct. It's more an opportunity for the disputants to resolve their differences and bring that concurrence back to CMER who then finalizes it with a vote?

Commented [AM23]: It's not clear to me what "formal" mediation is? Can we just say "mediation"?

Commented [AM24]: Aren't outcomes of both - mediation and arbitration - binding?

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Commented [co25]: There should be some way the disputants could challenge the classification of this assignment. I suggest that the following line be added: "Apon this assignment, the AMPA and co-chairs will call a meeting with the disputing parties and present their classification of the issues into the four categories. Justification for the classification should be summarized in a separate document by the AMPA as well as a separate documents by the disputants regarding their agreement with the AMPA classification."

Commented [DM26]: Not appropriate and impartiality questionable. Revise accordingly. The disputant determines the category based on a set of clear definitions/criteria for each issue category. In the case of a technical issue, the arbitration panel (subject matter experts) can judge based on the position paper if an issue is, or is not, technical. Unlikely that the AMPA and co-chairs are subject matter experts for all issues.

Commented [AM27]: Given that we go into the specifics below, do we need all of this up here? Suggest delete and ...

Commented [HB28]: Please insert the following text here. "However, if by consensus vote by CMER arbitration ...

Commented [Br29]: Neutrality is important for the AMPA throughout the dispute.

If the issue/question cannot be resolved at this meeting, ~~disputants should consider the relevance/urgency of the issue and discuss whether postponing resolution and agreement at CMER can or should be delayed until a tabling the discussion and resolution to a future date should be discussed.~~ Some issues may not be time-sensitive or critical for CMER or the Program ~~for moving them ahead.~~ If a better time can be identified to resolve the issue/question, and consensus ~~exists-can be reached~~ within CMER to table the issue, a future date ~~should be specified for re-engaging the discussion.~~

3.3.4.2 Stage II: Mediation or binding arbitration

Step 1. Position Papers

If the ~~issue(s)/question(s)~~ cannot be resolved ~~during Stage I at the informal meeting and consensus does not exist to table the issue/question,~~ then the disputing parties need to articulate their interpretation of the issue/question in position papers. ~~The position papers should will be submitted to the AMPA and CMER co-chairs within 14 calendar days after the decision to move forward, but no later than in time for the next CMER meeting mail-out if within the 14-day period (unless an alternate date is agreed upon by with the AMPA). If CMER participants in dispute are unable or unwilling to provide this document develop a position paper in this time frame, then they will no longer be considered a disputing participant party in the dispute moving forward, it will be treated going forward the same as if the individual stood aside, and as if consensus has been reached.~~

Step 2. Categorization and resolution of dispute issues/questions

Once the deadline for submitting position papers has passed, ~~the AMPA and CMER co-chairs, together with the disputants,~~ assign the issue/question(s) to one (or more) of four categories based on the position papers: Stylistic, CMER Process, TFW Policy, or Technical.

Resolving Stylistic Issues: Stylistic issues include format or other non-technical issues related to reports or other documents. The basis for categorizing issues/questions as stylistic rests on the interpretation of the position papers as stating issues/questions that do not affect the integrity of a study's results or are not technically substantive in nature⁶. Documents may include Charters, Scoping Documents, Study Designs, maps, tables, figures, citations, and other work products. When the AMPA and co-chairs, ~~together with disputants,~~ categorize an issue/question as stylistic, the AMPA ~~consults with the author or authors of the document or work product to inform their makes the final decision (thus resolving the dispute)-after consulting with the author or authors of the document or work product.~~ At this point, ~~if no other issues/questions were raised in position papers, the CMER Guided Decision-Making Process has been completed-if no other issues/questions remain in dispute from the disputants' position paper(s).~~ The AMPA ~~should make a decision and will~~ inform CMER in writing ~~on decisions relating to all stylistic issues~~ no later than 14 days after receiving ~~the~~ position papers.

Resolving CMER Process Issues: CMER process issues include questions or disputes that relate to 1.) interpretation of CMER process guidelines (as described in the PSM), including ~~whether ground rules related to meeting comment deadlines were followed review timelines~~ (see PSM, Chapter 3, section 3.3.2), and 2.) whether comments on a CMER product (Scoping Document, Study Design, Charter, Final Report, Comment Matrix, etc.) relate to an issue that has already been decided ~~by consensus~~ by CMER. For example, a vote ~~to not against~~ approving a document because of concerns about field methods ~~during review of a draft final study report that were previously agreed to via approval of the Study Design~~ may be classified as a CMER Process Issue ~~if the field methods had been previously reviewed and approved by CMER.~~ ~~So long as the issue with field methods is not related to interpretation of results that are at dispute.~~ When the AMPA and co-chairs, ~~together with disputants,~~ categorize an issue/question as a CMER Process Issue, the AMPA makes the final decision (thus resolving the dispute). At this point, ~~if no other issues/questions were raised in position papers, the Guided Decision-Making Process has been completed if no other issues/questions remain in dispute from the disputants' position paper(s).~~ The AMPA ~~should make a decision and will~~ inform CMER and the affected SAG (as appropriate) ~~on decisions relating to all process issues~~ in writing no later than 14 days after receiving ~~the~~ position papers.

Resolving TFW Policy Issues: A TFW Policy ~~non-consensus~~ issue/question relates to rule interpretation,

Commented [AM30]: It's not clear to me what this means? Basically, postpone a decision at CMER if the issue is not urgent? This could be better articulated.

Commented [co31]: As CMER scientists, our primary objective is to provide the best possible science without the constraint of arbitrary timelines. Five years from now, no one will remember the time constraint, but the quality of the science will be judged for decades to come. So I suggest deleting this paragraph as it appears unnecessary.

Commented [AM32]: What is "them"? If we can't agree I don't know how we table it and also "move it ahead"?

Commented [DK33]: A future date or set of triggering conditions. Revisiting an issue can potentially wait until a study is completed and the data is available to inform the issue, for example.

Commented [AM34]: Do we want this option at the SAG level too?

Commented [AM35]: Sometimes we make this plural and other times not. I guess just make it consistent.

Commented [HB36]: What does this mean? What happens?

Commented [AM37]: Sometimes we use days, sometimes calendar days, sometimes weeks. Let's clean up throughout and make consistent.

Commented [AM38]: Meaning 14 days after the completion of Stage I which is at the time of the informal meeting? Let's be really clear.

Commented [WB39R38]: A visualization of all the timelines would be helpful for me.

Commented [AM40]: This could be really restrictive and potentially unfair for some participants. I think we should just consider making this two weeks.

Commented [AM41]: I think this is a bit vague and confusing.

Commented [HB42]: This classification needs a CMER consensus vote or a completed Guided Decision Making process.

Commented [HB43]: Before CMER final approval, who ...

Commented [HB44]: The AMPA's job is facilitation ...

Commented [co45]: Please see my other comment on t ...

Commented [DM46]: No, see my previous comment; ...

Commented [AM47]: I think we should make it clear ...

Commented [DK48]: If a change in caucus representatio ...

Commented [AM49]: Right?

Commented [HB50]: Please insert this text here: At ...

Commented [WB51R50]: I think this is already covere ...

Commented [DM52]: Generally, but not always. Scienc ...

Commented [WB53]: I am uncomfortable with this ...

Commented [AM54]: Why this addition here, and not f ...

board manual interpretation, or to research priorities/questions that are primarily policy in nature or are directions from TFW Policy. When the AMPA and CMER co-chairs, ~~together with disputants,~~ categorize an issue/question as policy, several steps exist in the ~~guided decision making process~~ Guided Decision-Making Process. The AMPA will inform the parties which

⁶ Examples of causes of stylistic issues: People have varying writing styles, which should generally be left up to the discretion of the author, unless unclear, etc. Some people are splitters, while others are lumpers – neither is right or wrong. Some people want to include the bare minimum necessary, while others prefer more context and details – again, neither is right or wrong. These are matters of personal choice.

Commented [DK55]: There have been past situations where a SAG has agreed that something is clearly a policy issue and asked for the opportunity to directly address them for clarification without going through these other steps. Is this still possible to do? If so, it should be spelled out.

issues have been categorized as policy issues and inform them of the date upon which the issue(s) will be presented to TFW Policy. The AMPA will provide a written statement to TFW Policy summarizing the background on the issue/question and the kind of guidance that CMER is requesting. This summary will be complete within 14 days after the issue has been categorized as a policy issue and will be based upon the original or revised position papers. The AMPA will combine all disputant issue/question(s) that were categorized as the policy issues into a single document and identify critical timelines for resolution. The non-consensus CMER representatives Disputants will have 7 days to review and comment on this document prior to delivery to TFW Policy.

The next step includes the AMPA finalizing the document considering CMER disputant feedback, summarizing received comments and forwarding it to the TFW Policy Committee along with a recommendation. The disputing parties and other interested CMER participants should attend the TFW Policy meeting when the issue/question is discussed. At this stage, TFW Policy can:

1. Resolve the issue through regular TFW Policy business,
2. Choose to initiate Stage 1 dispute resolution within TFW Policy,
3. Table the issue(s)/question(s) for later discussion and resolution.

TFW Policy through the AMPA will inform CMER of their guidance.

Resolving Technical Issues: Technical issues are scientific in nature.

CMER will not initiate a dispute on an issue in a Final Report that directly relates to the ISPR standard 8 questions (8.5.3). The ISPR process is intended to provide an independent, expert peer review and provide recommendations pertinent to the study by providing responses to these standard 8 questions to determine if the scientific studies that address program issues are scientifically sound and technically reliable.

When the AMPA and co-chairs, together with disputants, categorize an non-consensus issue/question as technical, CMER has 6 months to resolve the dispute.

The default is for the AMPA to convene formal mediation prior to initiating a binding arbitration panel. The process may go directly to the arbitration panel if there is consensus to do so. The AMPA will hire a professional mediator to organize and manage discussions between or among the parties with the clear purpose of reaching consensus on the disputed issue(s)/question(s). The mediation process will have up to 3 months, or the shortest practical time frame, to resolve the question/issue (i.e., no blocking vote). If through mediation consensus can be reached, the decision is returned to CMER for formal adoption through a vote and the Guided Decision-Making Process is complete if no other questions/issues remain in dispute.

If formal mediation is not successful at resolving the issue(s)/question(s) in dispute, the AMPA will convene a binding arbitration panel to resolve the dispute(s) using the default pathway.

The AMPA will work with the ISPR Managing Coordinator to set up the panel. The arbitration panel will review the technical issues identified by the AMPA and CMER co-chairs, disputants and categorized as a technical issue, and the position papers written by the disputants, along with any other documents or references the AMPA determines to be relevant to the dispute. The panel has the option of requesting an open discussion with the disputants to seek context or clarify that could help with resolution of the dispute. The panel will use their professional expertise to review -and resolve the technical dispute(s), and-including identifying any language, analyses, or interpretations that need to be revised, or any other remedy necessary to resolve the technical dispute, as appropriate.

The arbitration panel's findings will be forwarded through the AMPA to the disputants and product authors. The authors who will make any necessary changes to the document to comply with the arbitrators' findings and direction. The AMPA will return the revised document to the panel/arbitrators for review and approval that recommendations were appropriately implemented, and CMER co chairs will review the (revised) document to determine if it is consistent with arbitrators' findings, and work with the authors as necessary until they are

Commented [DK56]: Calendar? Business days? These dates could make holidays tricky without some clarification or some "or other agreed upon date" language.

Commented [AM57]: What is a "revised position paper"? This is the only mention of it in this document.

Commented [DK58R57]: Yes, when can you revise a position paper? That step should be included earlier in the document.

Commented [AM59]: Please review to ensure that my edits actually meet the intent of this statement.

Commented [AM60]: What are the "Received comments" the comments on the document that the AMPA provided, or the comments in the position papers?

Commented [AM61]: This seems inconsistent with what I thought above. I thought the point of this document was to provide it to Policy for feedback/comment, but here it seems that the document is forwarded to Policy along with a recommendation from the AMPA? Let's be clear and consistent. At this point, it is not clear to me.

Commented [DK62]: Can they directly ask clarifying questions to the disputants? This would be very helpful and should be listed if so.

Commented [AM63]: I'd prefer making it clear that TFW Policy provides their decision and guidance/direction to CMER and providing a timeline (unless tabled).

Commented [DM64]: Need more details for definition/criteria. For example, technical issues may concern study design, field methods, data analysis, and ...

Commented [DM65]: No, too broad, as almost anything could be judged to be part of 8 questions, thus disqualifyin ...

Commented [co66]: The ISPR process is not perfect so it should be open to review.

Commented [AM67]: I suggest moving this down. It seems to be a detail and we should frontload the process. If ...

Commented [HB68]: The underlying tenant of the Adaptive Management Program was that CMER would, by ...

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Commented [Br69]: may?

Commented [HB70]: Please insert this sentence here. "However, by consensus vote, CMER voting membe ...

Commented [HB71]: I am concerned with the confounding of the ISPR "panel" and the arbitration "pane ...

Commented [co72]: Delete "technical" as the panel should be able to conduct their own classification scheme ...

Commented [co73]: delete

Commented [co74]: "issue classification papers written by the disputants...."

Commented [co75]: Add this line after this one: "The arbitration panel will review the issues identified by the ...

Commented [HB76]: The arbitrators need to approve if the authors revisions adequately responded to the arbitro ...

~~confident the authors have adequately responded to the arbitrators' findings. If the AMPA, co chairs, and/or authors cannot agree on final language, the AMPA will decide final language.~~ Once this step is complete, the document is considered final, pending ISPR (if necessary), and does not need CMER approval. If the document does still need to go through ISPR, the AMPA will forward to the Managing Editor the necessary documents for ISPR, including identification of the technical issue(s) that were resolved through arbitration, along with the arbitrators' findings.

Once the document has been approved by ISPR, the document is brought back to CMER for final approval. CMER members who are not in consensus to approve the document at this time must clearly identify the technical issues they object to, which should only be changes-revisions to the document that resulted from the ISPR review. Any topic or issues resolved through arbitration ~~are not considered~~ cannot be technical since the issue has already been addressed through the arbitration process at this time, but instead and will be treated as a process issued disputes.

~~Alternately, if there is consensus in CMER to go through formal mediation instead of binding arbitration, the AMPA will hire a professional mediator to organize and manage discussions between or among the parties with the clear purpose of reaching consensus on the disputed issue(s)/question(s). The mediation process will have up to 3 months, or the shortest practical time frame, to resolve the question/issue (i.e., no blocking vote). If through mediation reaches consensus can be reached, the decision is returned to CMER for formal adoption through a vote and the Guided Decision Making Process is complete if no other questions/issues remain in dispute.~~

~~If formal mediation is not successful at resolving the issue(s)/question(s) in dispute, the AMPA will convene a binding arbitration panel to resolve the dispute(s) using the default pathway.~~

3.3.4.3 Inform CMER/SAG/TFW Policy of outcome of Guided Decision-Making Process

Once concluded, the AMPA will inform CMER and TFW Policy of the outcome of the Guided Decision-Making Process at the earliest possible opportunity. This update will be in the form of a memo that summarizes how the issues were resolved and what steps are next in the adaptive management process. If the dispute originated in a SAG, the AMPA will forward that memo to the SAG co-chair(s).

Commented [HB77]: The AMPA should not be making technical decisions. Also, this is not necessary if the arbitrators have approved the adequacy of the author's changes.

Commented [HB78]: As stated above and in the next paragraph, CMER needs to provide consensus approval for all documents, including post ISPR documents, that are provided to TFW Policy or the FPB.

Commented [HB79]: This is confusing because it puts arbitration before ISPR. What if ISPR differs from the arbitration?

Commented [AM80]: What does this mean? Maybe we need to clarify where this may be necessary or appropriate, versus not.

Commented [AM81]: With the intent being that things that have already been resolved through this process are no longer part of the review as they have already been through a binding review?

Commented [HB82]: Do we expect ISPR to suggest changes by the report authors after the arbitration? I thought that arbitration was binding.

Commented [HB83]: If CMER members, by consensus vote, agree to be bound by the arbitration results, this statement is not necessary and is confusing.

Commented [AM84]: Maybe we need to clearly separate out a section on arbitration v. mediation and outline up front with basics and considerations for each? Otherwise, this gets lost in the mix and it's not clear at all why CMER would support one v. the other approach.

Commented [co85R84]: Good idea - Mediation could be helpful early on such as in the informal meetings prior to the formal dispute process.

Commented [DM86R84]: Agree. Mediation should be first step in dispute process. Mediation at the least should bring focus on key issues and at best resolve the dispute. Best to have a subject matter expert as mediator or as part of a mediator team.

Commented [AM87]: Pretty vague. Who determines this?

Commented [AM88]: What is this?

Commented [AM89]: I think we need to clearly articulate up front that once a mediation or arbitration is initiated through the dispute process, CMER members who do not participate in the dispute cannot "vote down" something that comes from one of those processes, correct?

Commented [AM90]: It's not clear to me in this doc if there is a clear distinction between GDM and our dispute resolution process. Sometimes it seems we use these interchangeably, but I actually think they are different? GDM can be a part of the dispute resolution process.

Commented [DK91R90]: If this is true, it should be stated at the very top of this section, along with clear guidelines on how to know which process to use and directing readers where to find the dispute resolution section when relevant.

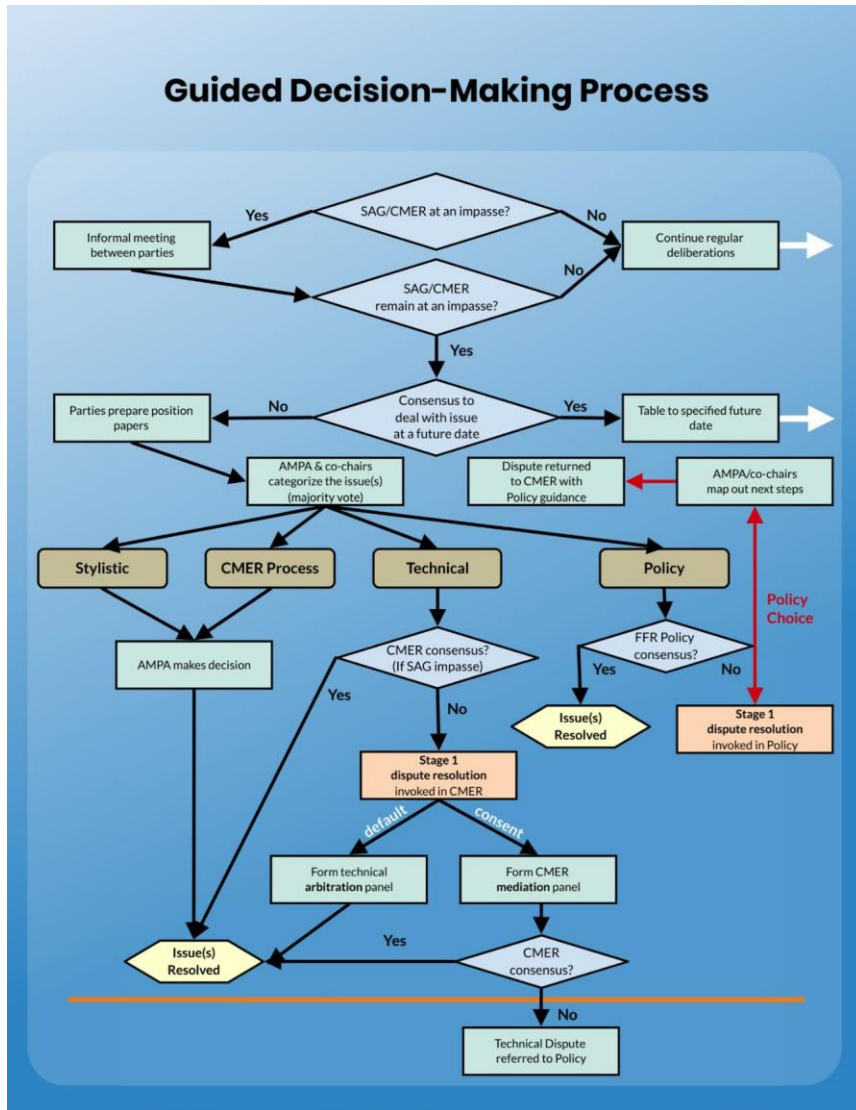


Figure 3-1: Flow chart showing the Adaptive Management Program Guided Decision-Making Process