

FOREST PRACTICES BOARD

Special Board Meeting and Field Tour – November 28 & 29, 2023
Adrift Hotel Conference Room, Long Beach, Washington

Collaboration Workshop

Members Present:

Alex Smith, Chair, Department of Natural Resources
Chris Conklin, Designee for Director, Department of Fish and Wildlife
Dave Herrera, General Public Member
Kelly McLain, Designee for Director, Department of Agriculture
Meghan Tuttle, General Public Member
Pene Speaks, General Public Member
Rich Doenges, Designee for Director, Department of Ecology
Steve Barnowe-Meyer, General Public Member/Small Forest Landowner

Members Absent:

Ben Serr, Designee for Director, Department of Commerce
Cody Desautel, General Public Member
Frank Chandler, General Public Member/Independent Logging Contractor
Wayne Thompson, Timber Product Union Member
Vickie Raines, Elected County Commissioner

Staff:

Karen Zirkle, Assistant Division Manager, Policy, and Services
Marc Engel, Senior Policy Advisor
Patricia Anderson, Rules Coordinator
Saboor Jawad, Forest Regulation Division Manager
Terry Pruit, Senior Counsel

WELCOME AND INTRODUCTIONS

Chair Alex Smith called the Forest Practices Board (Board) Special meeting to order at 1:30 p.m. Introductions of Board members and staff were made.

Chair Smith welcomed everyone to the half-day Special meeting of the Board. She said Board members had requested an opportunity to discuss collaboration and decision-making process of the Board. The key goals are:

- Tools and principles of effective communication for collaborative decision making.
- Building a common understanding and/or a refresher of the Boards' current decision-making process and sources of information
- Discuss how to apply multi-criteria decision-making framework for major decisions, and;
- Determine next steps following the meeting.

STRUCTURED DECISION MAKING

Joy Juelson, Triangle & Associates, gave a presentation on basic principles of effective communication for collaborative decision-making.

Juelson and Anna Shepherd, Triangle Associates, led the Board members in a communication exercise called “1-2-4-All”. The Board members were provided the following question prompt:

Ten years from now, what is the biggest challenge facing the Board?

The Board members were then invited to consider the question individually before discussing their thoughts in pairs, then in groups of four before finally sharing their thoughts and reflections with the full group. Board members were encouraged to apply the effective communication skills covered during the presentation during this exercise and reflect on how this impacted the exercise for them.

Board member David Herrera shared that his response to the question prompt for the exercise was that the biggest issue facing the Board in ten years will be climate change impacts and the ability of the Board as well as the timber industry to be responsive to those changes. He noted that climate change will necessitate the Board identifying what protective measures need to be taken for forest health, as well as exploration of forests as tools for climate change mitigation via carbon capture.

Board member Herrera noted that the Board is currently facing an immediate need to address its ability to be responsive to these kinds of changes. Related to the communication exercise, Board member Herrera stated that implementing the effective communication skills was difficult to adjust to, and that in general, he feels the Board can communicate effectively.

Board member Rich Doenges noted that while some differences in nuance exist, the other Board members he spoke with during the exercise agree that climate change will be a prominent challenge facing the Board over the next ten years, and that the ability for the Board to adapt and create rule changes at the necessary pace will be a challenge. He also noted that pressure on forest lands due to conversion will be increased as society and culture continue to change.

Related to the communication exercise, Board member Doenges stated that the exercise was a good reminder about the importance of avoiding assumptions and judgement when engaged in collaborative efforts and decision making.

Board member Pene Speaks shared that the challenge she identified is a loss of institutional knowledge and historical background information due to the turnover of the Board’s membership. She noted that the Board often relies on data from long-term studies to make decisions, and that Board membership often turns over faster than data is available. This can make it difficult for new Board members to understand and maintain the original intent of the work. In her reflection on the communication exercise, Board member Speaks observed that many Board members share similar concerns as well as a desire for the Board to maintain its ability to be effective into the future, despite some differences in perspectives when it comes to challenges.

Board member Kelly McLain shared that she agrees with some other Board members that a potential future challenge is the Board's ability to adapt to change environmentally, politically, and socially. She noted that this will be very important for the Board in the future and acknowledged that the process the Board must go through to make decisions takes time, and that the scope of the Board's responsibilities make it challenging to adapt quickly. She suggested that the Board explore a decision-making process that allows for more flexibility to deal with change.

In her reflection on the communication exercise, Board member McLain observed that fear of the future was a potential trigger for her in her communications with her colleagues on the Board. She also noted that it was helpful when other Board members questioned her assumptions.

Board member Steve Barnowe-Meyer observed that during the communication exercise, he noticed that many Board members identified similar challenges, even though there are some differences in perspectives when it comes to details. He noted that it was helpful to hear the different perspectives of his colleagues on the Board related to the similar challenges that they each identified, and this helped him expand his thinking around these challenges. It was also helpful to hear other challenges that were identified during the larger group discussion.

Board member Barnowe-Meyer also noted that he heard a common theme regarding a desire for the Board to be able to successfully respond to challenges as they arise. There was also a shared desire that the Board adaptively prioritize funding, as well as ensure the continuity of the Board's knowledge base as membership evolves.

Chair Alex Smith observed that in participating in the communication exercise, she had the opportunity to evaluate her assumptions and found that in some cases they were not correct, and that this was helpful. She also noted that in the cases where her assumptions were correct it offered the opportunity for further dialogue and expansion of ideas.

Board member Megan Tuttle shared that it was helpful to have the facilitator model effective communication practices during the exercise.

Board member Chris Conklin shared that the challenge he identified during the exercise is how the Board will show progress related to the Habitat Conservation Plan, as well as how they will agree on what the priority challenges are. He noted the importance of prioritizing measurable actions when it comes to addressing challenges.

Lori Clark and Marc Engel, DNR, presented an overview of the current decision-making structure used by the Board within the Adaptive Management Program and the rule making process.

Chair Smith introduced the topic of new structured decision-making frameworks for the Board to consider implementing, noting that the Board will be making decisions in 2024 that could benefit from an updated framework.

Saboor Jawad, DNR, said staff is asking for the Board's input on the efficacy of the existing decision-making process. He also noted that if the Board decides to adopt a new decision-making framework, DNR staff will ensure that formal guidance and training is provided by working with experts.

Jawad introduced the first model for the Board to consider, Structured Decision Making (SDM), a model which is commonly used in Washington State by natural resource management decision makers. The SDM model has four steps: 1) Define the problem, 2) Define the Objectives and Measures, 3) Develop Alternatives, and 4) Identify Consequences.

Jawad said that TFW Policy Committee is exploring the use of the SDM model, and that its benefits include that it is conducive to identifying agreements and disagreements early in the process.

Juelson provided an overview of additional decision-making models for the Board to consider. These included:

- Stakeholder/Tribal Analysis Combined with the Delphi Method
- Scenario Planning
- SWOT Analysis
- Decision Trees

She noted that the SDM model could be particularly well-suited for the Board as it deals with complex decisions involving multiple, often competing, criteria.

Board member Doenges asked for the status of TFW Policy's decision to implement the SDM framework. Jawad explained that TFW Policy is exploring the option and will hold a facilitated workshop to help determine how it can integrate with their work.

Board member Doenges noted that it would be helpful in aligning the Board's work with TFW Policy, if both groups use the same decision-making process.

Chair Smith noted that a key difference between TFW Policy's work and the Board's work is that the Board receives alternatives from other groups for consideration. It is important that any agreed-to decision-making structure can accommodate this difference.

Board member Barnowe-Meyer shared that his experience in using the SDM model was effective, particularly when making decisions based on objectives. He noted that the process can take time and has challenges, but he feels it is an effective model to successfully bring forward recommendations.

Board member Barnowe-Meyer suggested that if the Board adopts the SDM process it would be beneficial to integrate the structure across the Adaptive Management program to ensure continuity across the different groups.

Chair Smith shared that she has experience with the SDM model from previous work. She noted that in her experience the process is typically focused on agreement around desired outcomes to

inform decision criteria, followed by multiple groups or individuals bringing forward alternatives to be weighed against the criteria. In Chair Smith's experience, a benefit of the SDM model is that it provides objectivity. She noted that she is in support of exploring this model for use by the Board if other members are also supportive.

Board member Herrera shared his concern about changing the Board's existing decision-making process, which he believes is generally effective. He noted that the Board will soon make decisions that were identified years ago, along with the information needed to evaluate the options. He expressed concern that a new decision-making framework might not integrate with information that was identified for incorporation into the existing framework.

Board member Herrera also noted that the Board functions as an interface between policy and science and he is concerned that adopting the same process that the other groups use could result in duplicative work.

Board member Speaks expressed that she is not familiar enough with the existing decision-making process to be able to evaluate its effectiveness. She would like clarification on what the gaps are in the existing process that necessitate the Board to consider a new one. She noted that whether a decision made by the Board is well received does not necessarily indicate whether the process used to make that decision was effective or not.

Board member Barnowe-Meyer responded that part of the reason a new decision-making process is being considered is in response to the state auditor's recent examination of net gains and decision-making processes. He noted that incorporating a new decision-making framework such as the SDM model is intended to be additive to the existing process rather than replacing it entirely.

Chair Alex Smith added that the SDM model is beneficial when it comes to identifying interests among the Board when it is presented with alternatives by facilitating conversations about how interests will be weighed early in the process. Chair Smith also noted that a significant challenge facing the Board is the fact that there is often a large time lag between when studies are identified and when the related decision comes to the Board. This means that some Board members would make decisions despite not having been involved in the initial studies. She suggested that the Board consider whether any changes can be made to how decisions are brought to the Board to be more effective.

Engel said that the SDM model would be beneficial in evaluating options when they are presented to the Board by the TFW Policy Committee.

Chair Smith asked the Board if they would be open to having a presentation by a subject matter expert on Structured Decision Making and how that framework might apply to the Board's work.

Board member Conklin shared that he agrees with much of what had been shared by other Board members and is interested in exploring how SDM might fit into the Board's current process. He requested a visual aid to support this conversation.

Board member McLain expressed that it is important to ensure that Board staff can share information with Board members effectively. She acknowledged that adding special meetings for the Board is challenging but that they are valuable for being able to fully evaluate alternatives.

Chair Smith asked the Board members if the field tour was helpful. The Board members responded that they did find it helpful and appreciate opportunities to see the impacts on the work on the ground.

Board member McLain said she would like to have the opportunity to see the Board's decisions applied to multiple different landscapes to better understand the outcomes of Board decisions as well as evaluate alternatives.

Chair Smith noted that in the past they have held a panel for other decisions, and asked if that has been helpful. Board members agreed that it is helpful to be provided with background information and to understand the considerations that have gone into what is brought before the Board.

Board member McLain noted that presentation slides are valuable as an information sharing tool and suggested that those be shared with the Board in advance when important decisions need to be made.

Chair Smith suggested that upcoming decisions be introduced during a meeting and then decided on at the following meeting.

Board member McLain suggested that at least one of the Board's four quarterly meetings be held on the eastside of Washington State. She also noted that some other groups that make decisions at a similar level to the Board meet more frequently.

Board member McLain noted that the Board faces a challenge when there is a large time gap between when information is presented and when decisions need to be made.

Chair Smith suggested that the Board give further exploration to incorporating a Structured Decision-Making model into the Board's decision-making process at the February 2024 meeting.

BOARD MEMBER HERRERA REMARKS

Board member Herrera wanted to share that this is his last meeting and wanted to express his appreciation to those that attended the November 8, 2023 meeting. He then continued to share his journey on the Board that began in 2018.

LIMITS ON DISCUSSIONS AND COLLABORATION OUTSIDE BOARD MEETINGS UNDER THE OPEN PUBLIC MEETING ACT (OPMA)

Terry Fruit, Senior Counsel, provided a refresher on the OPMA which included:

- Can Board members collaborate outside meetings?
- What are the limits of those conversations?
- When is a special meeting necessary?

PILOT RULEMAKING DISCUSSION

The Board has discussed the need to find alternatives to pilot rulemaking. This had followed a staff presentation that underscored the apparent lack of Board authority to suspend its own rules, a key requirement for any pilot rule making alternative not relying on the Administrative Procedure Act.

Numerous Board members showed interest in working with staff to collaborate and to build recommendations that the Board can adopt.

Saboor Jawad, DNR, recommended two options for the Board to consider moving forward:

1. Form a Board Committee and meet regularly in open public meetings.
2. Staff to continue working on alternative(s) and consult individual Board members.

All Board members present were interested in participating and it was agreed by the Board members that the entire Board would address this topic, not a Board Committee.

Meeting adjourned at 5:20 p.m.

Field Tour

Members Present:

Alex Smith, Chair, Department of Natural Resources
Chris Conklin, Designee for Director, Department of Fish and Wildlife
Dave Herrera, General Public Member
Kelly McLain, Designee for Director, Department of Agriculture
Meghan Tuttle, General Public Member
Pene Speaks, General Public Member
Rich Doenges, Designee for Director, Department of Ecology
Steve Barnowe-Meyer, General Public Member/Small Forest Landowner

Members Absent:

Ben Serr, Designee for Director, Department of Commerce
Cody Desautel, General Public Member
Frank Chandler, General Public Member/Independent Logging Contractor
Wayne Thompson, Timber Product Union Member
Vickie Raines, Elected County Commissioner

The Forest Practices Board, along with staff and members of the public met in the parking lot of the Adrift Hotel in Long Beach, Washington to head to the Nemah area for a field tour. The field tour provided the Board members an opportunity to see Marbled Murrelet ideal habitat and a more typical managed forest.

No public comment was taken and no Board action occurred during the tour.

Field tour ended at 2 p.m.