



DEPARTMENT OF  
NATURAL  
RESOURCES

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## MEMORANDUM

January 26, 2022

**TO:** Forest Practices Board

**FROM:** Saboor Jawad, Adaptive Management Program Administrator *asj*

**SUBJECT:** Request to reallocate projected MPS balance for dispute resolution

This memo requests Forest Practices Board (FPB) to approve the reallocation of \$179,000 from current projected positive balance in the [Master Project Schedule \(MPS\)](#). The requested funds will be added to \$45,000 you approved for dispute resolution in May 2021. If you approve this request, line 20 of the MPS will reflect \$224,000 as funds available for dispute resolution this biennium (\$112,000 each for FY22 and FY23).

Reallocation is needed to cover higher-than-budgeted costs of an on-call mediation and facilitation contract for TFW Policy Committee (\$164,000) and an on-call technical arbitration panel for the Cooperative Monitoring Evaluation and Research (CMER) committee (\$60,000).

TFW Policy Committee currently has five ongoing disputes while CMER has one study design awaiting technical arbitration. In August 2021, TFW Policy Committee passed a motion requesting additional funds for dispute resolution<sup>1</sup>. The State Auditor's Office has recommended establishing on-call dispute resolution contracts for both committees of the Adaptive Management Program (AMP)<sup>2</sup>.

This request is only for reallocation of surplus funds to increase funds shown in line 20 of the existing MPS. I am requesting your approval for two reasons:

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<sup>1</sup> TFW Policy Committee passed a motion at their August 2021 meeting: "Steve Barnowe-Meyer (SFLO) moved that Policy approve a facilitation and mediation budget request to the Forest Practices Board at the August Board Meeting"

<sup>2</sup> Forest Practices Board approved [workplan](#) for the implementation of [SAO Recommendations](#)

- Reallocation now allows CMER to initiate technical arbitration and TFW Policy Committee to enter mediation if existing disputes get elevated to stage two without waiting until May 2022 for the full MPS approval.
- The requested reallocation exceeds my discretionary authority as approved by the Forest Practices Board

TFW Policy Committee is currently deliberating the reallocation of surplus funds to other AMP priorities. I will transmit the balanced MPS with TFW Policy Committee's recommendations for your consideration of approval in May 2022.