Charter of the Adaptive Management Program Committee
Version adopted 26 August, 2024

I. Introduction

The Adaptive Management Program Committee (AMPC) is an advisory committee of the Oregon Department of Forestry (ODF) established by Chapter 33, Oregon Laws 2022, Section 36. Rules regarding the Adaptive Management Program of the Board of Forestry (Board) and the AMPC are also set out in Oregon Administrative Rules (OAR) 629-603-0000 through 629-603-0600. The AMPC is described in OAR 629-603-0300. This charter is adopted as required by OAR 629-603-0200(2).

II. Purpose of the Adaptive Management Program Committee (AMPC)

The members of the AMPC are committed to sustainable forest practices and the protection of species in the habitat conservation plan (HCP) through the achievement of biological goals and objectives as set by the department for an approved HCP. The AMPC will achieve this commitment by supporting the purposes of the Adaptive Management Program[1]:

(a) Ensure timely and effective change as needed to meet biological goals and objectives.
(b) Provide predictability and stability of the process of changing regulation so landowners, regulators, and interested members of the public can understand and anticipate change.
(c) Apply best available science to decision-making.
(d) Effectively meet biological goals and objectives with less operationally expensive prescriptions when feasible.

III. AMPC Operations

<u>Meetings</u>

The co-chairs and ODF staff shall schedule AMPC meetings as needed for conducting the AMPC's business. Additionally, an AMPC meeting will be scheduled if at least four AMPC members request it in writing.

An ODF staff person shall serve as Secretary to the AMPC and send an agenda for each upcoming meeting to AMPC members at least 7 days prior to each meeting. The agenda will include all items scheduled and indicate items that may potentially be up for a vote at the upcoming meeting. In addition, any two AMPC members may add an agenda item, provided that such request be made in writing at least 15 days before the upcoming meeting. The AMPC secretary will use their best efforts to provide notice of upcoming votes sufficient for AMPC members to confer with related organizations and interested parties prior to an AMPC meeting at which a vote is to be taken.

Quorum for holding an AMPC meeting shall be six voting members of AMPC[2]. For the purpose of holding a vote on substantial decisions, at least seven voting AMPC members shall be present.

All AMPC members are responsible to be prepared for and attend meetings, whether in person or virtually. If a member cannot attend, they should attempt to secure a proxy from their organization or caucus. Preparation should include reviewing information related to an upcoming meeting, consulting with their organization/caucus and interested parties, acquiring and

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[1] OAR 629-603-0000(5)
[2] Voting members are specified in Section 36(3), Chapter 33, Oregon Laws 2022.

organizing any necessary contributions, and being informed on and prepared to discuss the agenda items.

The AMPC will guide the adaptive management process and shall strive for full consensus in committee decision-making. The AMPC will use Robert's Rules of Order for meeting procedures around decision making and to allow the co-chairs to run meetings effectively. AMPC meetings and communications will comply with Oregon public records and open public meetings laws[3].

For each AMPC meeting, ODF staff shall develop an executive summary of AMPC discussions. The AMPC shall consider approving the executive summary at the subsequent AMPC meeting.

Communications

The efficacy of the committee depends on excellent working relationships. Therefore, the AMPC will conduct their business collaboratively, with mutual respect, and with shared responsibility for desired outcomes.

Official AMPC communications with the Board regarding reports, research questions, policy recommendations, and other non-administrative matters will be made by the co-chairs or by other AMPC members as determined by the AMPC, subject to the provision on presentation of minority positions.

AMPC reports and recommendations sent to the Board of Forestry are to include:

A. A majority position adopted by the AMPC; and,
B. Minority positions from the AMPC membership, if any were formed and holders of that position request that such position be brought to the board. If a minority position is brought to the Board, an AMPC member holding such position shall present the position to the Board when the majority position is presented by the co-chairs.

AMPC members will maintain the integrity of the Committee in public forums by avoiding:

- Discussing ongoing AMPC deliberations or pending discussions that concern specific conclusions or recommendations. While AMPC members are free to publicly discuss the subjects that may come before the AMPC, they must explicitly state they are not speaking on behalf of the AMPC. Members may refer questions to ODF staff;
- Categorizing other members' or groups' supposed positions;
- Misrepresenting discussions by omissions; and,
- Communicating in other ways that undermine trust amongst AMPC members.

The co-chairs may, following discussion with ODF staff, provide factual information about the AMPC and its work in public and media settings. On occasion, the AMPC may agree on broader statements to be made by AMPC co-chairs or designated members, or ODF staff, to the public or media. This process maintains both respect and good working relationships on the AMPC and public trust in the process.

IV. Consensus, Voting, and Substantial Decisions

The AMPC is directed by statute to strive for full consensus in committee decision making by the Consensus Continuum model described in the Private Forest Accord Report. Notwithstanding that intent, the AMPC shall make substantial decisions by a vote that requires at least seven

[3] ORS 192.001 to 192.990

affirmative votes to pass. When a decision is made without reaching consensus, the AMPC shall examine why consensus was not reached and consider ways to achieve consensus in future votes.

Voting

Before voting on a motion, the language of the associated motion shall be displayed in written format so that the entire committee can see the motion. This written format will also serve as the official record of the decision. There will be adequate time for discussion before voting, with the goal of achieving consensus.

Substantial Decisions

The AMPC is authorized to determine what constitutes a "substantial decision[4]." The following are substantial decisions:

1. Initial nominations to the IRST per section (37)(3), chapter 33, Oregon Laws 2022;
2. Research topics;
3. Preliminary research questions per OAR 629-603-0200(3)(c);
4. Input on the IRST's final research questions per OAR 629-603-0200(4)(b);
5. Research agendas sent to the Board per OAR 629-603-0200(5)(c);
6. Approval of reports and recommendations to the Board per OAR 629-603-0200(8)(a);
7. Selection of co-chairperson(s);
8. Adoption of and changes to this AMPC charter per OAR 629-603-0300(2)(g)(C);
9. Approval of AMPC contribution to State Forester annual reports to the Board per OAR 629-603-0100(4).

The above list is not exclusive. If a member makes a motion for a vote and it is seconded, the decision is a substantial decision.

Results of substantial decisions will be maintained in a database of decisions available on the AMPC website and communicated to AMPC members via email.

An AMPC member may appoint a proxy to be present at a meeting for the purpose of casting the member's vote, consistent with the rules for interim members stated in OAR 629-603-0300(5).

Non-Substantial Decisions

Non-substantial decisions by the AMPC are made by informal agreement and without a formal vote.

V. Electing co-chairs

There shall be two co-chairs for the AMPC, elected as a substantial decision by a vote of the AMPC. The co-chairs shall have equal powers, alternate running of meetings, and serve staggered, two-year terms. One of the initial co-chairs shall serve a three-year term to initiate the staggered terms. For the purpose of term duration, initial co-chairs shall be considered to have been elected in January 2023. A co-chair's term shall run from the first AMPC meeting of a given calendar year to the first AMPC meeting of the calendar year two years later (subject to above provisions on initial terms).

At the close of a co-chair's term, the AMPC shall solicit persons willing to act as successor co-chairs from the membership. The AMPC shall encourage new people to serve as co-chairs such that the co-chairs are balanced in their perspectives. The intent is for co-chairs to not serve

[4] Section 36(8), Chapter 33, Oregon Laws 2022

consecutive terms so that there are fresh perspectives and leadership, but the AMPC also wishes to remain flexible on that matter.

The duties of the co-chairs include:

A. Develop meeting agendas and overall work plan, in collaboration with ODF staff;
B. Run AMPC meetings;
C. Participate in AMPC meetings and decisions as an AMPC member;
D. Present AMPC information and recommendations to the Board, subject to provisions of this charter on presentation of minority positions; and,
E. Other duties as they arise.

VI. Subcommittees and Work Groups

The AMPC may create subcommittees to act separately from the AMPC as a whole and to bring work products and recommendations back to the AMPC. If the subcommittee's work is likely to span more than 3 AMPC meetings, each subcommittee shall:

1. Have a brief charter that states the purpose of the subcommittee, its work, initial members, and expected duration (perpetual or a specific term).
2. Give brief reports at the beginning of each AMPC meeting. If a committee has more to report than can be communicated in a few paragraphs, or if they need feedback from the AMPC, they should contact the AMPC chairpersons ahead of the meeting so that the topic can be placed on the agenda.

A subcommittee or work group shall be set up in order to avoid an inadvertent quorum of the AMPC as a whole and will follow public meetings laws when applicable. Where possible, representatives of industry, conservation organizations and agencies will serve on each subcommittee. Thus, each subcommittee should have at least three members (and should not have 6 or more voting members to avoid a quorum).

VII. AMPC deadlines

The AMPC shall use its best efforts to perform its work so as to comply with the deadlines specified in the Statute and Rules. The AMPC has the following deadlines:

A. Preliminary research questions: October 31 in 2023, and July 1 in succeeding years;
B. Research agenda[5]: July 15 of odd-numbered years;
C. Assist ODF with budget presentation[6]: September Board meeting of odd-numbered years;
D. AMPC report to Board[7]: within 90 days of receipt of reports from IRST; and,
E. AMPC work with ODF staff to present AMPC report for Board decision[8]: by the second regular Board meeting after presenting AMPC report to Board in VII.D.
F. AMPC will consider proposed preliminary research questions in the fourth quarter of odd years, starting in 2025.

In the event of any delay in achieving deadlines, the co-chairs shall communicate such delay to ODF staff and to the Board, as they deem appropriate.

[5] OAR 629-603-0200(5)(c)
[6] OAR 629-603-0200(5)(d)
[7] OAR 629-603-0200(8)(a)
[8] OAR 629-603-0200(8)(b)

VIII. Research Questions Process

Document purpose:
To outline the process for moving research questions from conception to the AMPC deciding to develop preliminary research question packages per OAR 629-603-0200(3), and to document the status of questions in that process.

Proposing research questions

Section A. Frequency for reviewing proposed preliminary research questions
The AMPC will consider proposed preliminary research questions in the fourth quarter of odd years, starting in 2025. *(Note: this deadline will also be added to section VII of the charter).* However, the AMPC may decide *ad hoc* to develop a preliminary research question package per OAR 629-603-0200(3), based on e.g., natural disasters, regulatory/legal issues, unforeseen circumstances, and emerging research, as well as Board recommendations or federal agency recommendations.

Section B. Proposing preliminary research questions

a. At least 6 weeks before the AMPC meetings discussed in Section A, ODF staff will place a call for preliminary research question proposals from AMPC members.
b. When an AMPC members proposes preliminary research questions, the following information is required in 500 words or less:
    i. The rule, Biological Goals and Objectives (BGOs)[9], or issue the question relates to; and,
    ii. The outcomes and/or concerns the proposer would like to learn about.
c. ODF will communicate each proposed preliminary research question to the AMPC at least a week in advance of the meeting at which they will discuss the questions.
d. Per rule[10], the Board of Forestry may direct the AMPC to develop preliminary research questions.

Note that proposed preliminary research questions that the AMPC considers but does not move into developing preliminary research question packages[11] may be considered at subsequent AMPC meetings described in section A.

Section C. Background information for discussing proposed preliminary research questions
To inform AMPC discussions on proposed preliminary research questions, ODF staff will develop background material on the questions, including items such as:

a. Useful information about the question based on communication with the AMPC member or other entity who proposed the question;
b. Information outlined above in Section B.b;
c. Whether the question is directly relevant to the BGOs or addresses other rules;
d. The current budget situation;
e. The status of the current research agenda (e.g., timing, awarded contracts, RFPs in development, IRST work plans);

[9] Per OAR 629-603-0000(6)(c)
[10] Per OAR 629-603-0200(3)(b)
[11] Per OAR 629-603-0200(3)

f. Other relevant information including context, urgency, and need (e.g., HCP status); and,

For proposed preliminary research questions that the AMPC has previously considered, a summary of these previous discussion(s).

IX. Long-term effectiveness of the AMPC

The AMPC member terms may be renewed and new AMPC members appointed per OAR 629-603-0300(3). The AMPC recognizes that its long-term success depends on maintaining and strengthening relationships between AMPC members. A key part of this continuity is successful onboarding of new members. This onboarding will include:

A. Introduction to current AMPC members and ODF staff serving the committee;
B. Explanation of AMPC purpose and function;
C. Review of this charter, statutes, and rules;
D. Summary of AMPC decisions and history; and,
E. Other measures to inform and welcome new members.

ODF staff will maintain a written operational document capturing this information, to be updated regularly.

Succession of co-chairs will include conversations between outgoing and incoming co-chairs and ODF staff to support the success of incoming co-chairs.

X. Review and updating of the AMPC charter

The AMPC will review this charter at least biennially, generally taking place at their first meeting of odd years. The charter may be amended at any time by a vote of the AMPC per the substantial decisions element of this charter. Any such amendment must be consistent with statutes and rules and must be promptly reported to the Board. The latest version of this charter will be available on the AMPC website.

Signatures of voting members (representation):

_____	_____
Barnes, Seth (OFIC)	Bugni, David (OSWA)
_____	_____
Detwiler, Stacey (Wild Salmon Ctr.)	Firman, Julie (ODFW)
_____	_____
Gerlach, Wendy (COLT)	Kulla, Casey (Oregon Wild)
_____	_____
Robison, Jason (LCIS)	Seeds, Josh (ODEQ)
_____	_____
Sullivan-Astor, Amanda (AOL)	Tucker, William (AOC)

Signatures of non-voting members:

_____	_____
Coble, Adam (ODF)	Kratz, Kim (NOAA/NMFS)

Appendix

Functions of the AMPC per Section 36, Chapter 33, Oregon Laws 2022:

(7) The committee shall:

- **(a)** *Guide the adaptive management process.*
- **(b)** *Set the research agenda of the Independent Research and Science Team established in section 38 of this 2022 Act and recommend to the board the team's budget.*
- **(c)** *Assess the scientific findings in a report prepared by the team and prepare a report that identifies alternative actions, including no action, to address resource issues identified in the team's report.*
- **(d)** *Submit the committee's reports to the board.*
- **(e)** *Assist the board in the ongoing process of identifying and modifying resource objectives.*
- **(f)** *Review reports related to compliance monitoring and enforcement.*
- **(g)** *Submit recommendations to the board concerning rule adjustment, guidance, or training.*
- **(h)** *Strive for full consensus in committee decision-making.*

Membership of the AMPC per Section 36, Chapter 33, Oregon Laws 2022:

(3) The board shall select a voting member from among two candidates recommended by each of the following 10 entities:

- **(a)** *The Oregon Forest and Industries Council.*
- **(b)** *The Coalition of Oregon Land Trusts.*
- **(c)** *The Associated Oregon Loggers.*
- **(d)** *A conservation organization collectively selected by Beyond Toxics, Cascadia Wildlands, Klamath Siskiyou Wildlands Center, Oregon League of Conservation Voters, Oregon Stream Protection Coalition, Oregon Wild, Portland Audubon and Umpqua Watersheds, which were parties to the Private Forest Accord Report dated February 2, 2022, and published by the State Forestry Department on February 7, 2022.*
- **(e)** *The Oregon Small Woodlands Association.*
- **(f)** *The Commission on Indian Services.*
- **(g)** *A recreational or commercial angling organization collectively selected by Northwest Guides and Anglers Association, Pacific Coast Federation of Fishermen's Associations, Trout Unlimited and Wild Salmon Center, which were parties to the Private Forest Accord Report.*
- **(h)** *The Association of Oregon Counties.*
- **(i)** *The State Department of Fish and Wildlife.*
- **(j)** *The Department of Environmental Quality.*

(4) If an entity described in subsection (3) of this section ceases to exist, the board shall determine

a successor entity that represents the same interests.

(5) The board shall:

- **(a)** *Select one representative of the State Forestry Department to serve as a nonvoting member.*
- **(b)** *Invite one representative of the National Marine Fisheries Service and one representative of the United States Fish and Wildlife Service to serve on the committee as nonvoting members.*

<u>Member Terms per Section 36, Chapter 33, Oregon Laws 2022:</u>

(6) The voting members and the nonvoting member described in subsection (5)(a) of this section shall serve for terms of four years and may serve an unlimited number of terms.

<u>Requirements of the AMPC charter per OAR 629-603-0300:</u>

(2) The AMPC shall develop its operating procedures through a charter approved by the AMPC. The charter shall include:

- (a) *A values statement on the purpose of the AMPC, including the need for ongoing good relationships.*
- (b) *Ground rules for AMPC member interactions.*
- (c) *Determination of what constitutes a substantial decision per section 36(8), chapter 33, Oregon Laws 2022.*
- (d) *Process for selecting chairperson(s). The chairperson shall have the usual duties and powers of a presiding officer.*
- (e) *Roles, expectations, and representation on subcommittees.*
- (f) *Regular deadlines including the deadline specified in OAR 629-603-0200(3)(c).*
- (g) *Measures to maintain and improve the long-term effectiveness of AMPC, including:*
  - (A) *Succession management procedures;*
  - (B) *Onboarding of new AMPC members; and*
  - (C) *Regular review and updating of the AMPC charter.*

References

Forest Practices Act (ORS 527) and associated rules (OAR Chapter 629).

Adaptive Management Program rules: OAR Chapter 629, Division 603.

The Private Forest Accord Report published by the State Forestry Department on February 7, 2022, and incorporated by reference in Section 2(1)(a), Chapter 33, Oregon Laws 2022.

Legislation that led to new rules (including the Adaptive Management Program) and the associated HCP: Senate Bill 1501 that later became Chapter 33, Oregon Laws 2022.