

CHARTER

Administrative Performance Measures Working Group

Timber Regulation and Forest Restoration Program

June 10, 2015

Mission and Background

Mission The Mission of the Administrative Performance Measures Working Group is to develop performance measures for administrative transparency and efficiency, as called for by Assembly Bill (AB) 1492.¹

In AB 1492, the Legislature finds that “...the state’s forest practice regulatory program needs to develop performance measures to provide transparency for both the regulated community and other stakeholders.” [Public Resources Code (PRC) § 4629.1]. And, the Legislature expresses the intent to “Promote transparency in regulatory costs and programs through the creation of performance measures and accountability for the state’s forest practice regulatory program...” and “Identify and implement efficiencies in the regulation of timber harvesting between state agencies.” [PRC § 4629.2(f-g)].

Program accountability and efficiency both require tracking of staff activities at the timber harvest review team agencies² to understand how staff members are spending their time and what outputs are achieved through their efforts. Program accountability also considers whether review team staff is performing necessary and appropriate functions pursuant to AB 1492. Review team agency staffs have begun working to develop approaches to better track and account for staff activities and outputs.

While providing useful information, there are limits to meaningfully accounting for output productivity. These limits exist because while units of outputs may be readily quantified [e.g., number of timber harvesting plans (THPs) or nonindustrial timber management plans (NTMPs) reviewed, number of preconsultation meetings, number of field inspections conducted], these outputs are not homogenous commodities. Rather, timber harvesting permits vary greatly in scope (e.g., number of acres), intensity of management activity (e.g., single tree selection versus clearcut harvesting), and complexity (e.g., presence of listed species, sensitive riparian habitats, water quality issues, and slope stability). The greater these factors are for a timber harvesting permit, the more staff time it will take for preconsultation, review, approval, and inspection for a permit.

A critical element of transparency and accountability is the ability of members of the public to easily access harvesting permit documents, both while a permit is under review and after its approval. CAL FIRE has for some time provided a timely posting of many timber harvesting permit documents (e.g., THPs, NTMPs, preharvest inspection reports, registered professional forester (RPF) responses to agency questions, and amendments) via a file transfer site (<ftp://thp.fire.ca.gov/THPLibrary/>). CAL FIRE also provides an on-line geographic information system that makes certain spatial information about timber

¹ http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB1492&search_keywords=

² Departments of Conservation (California Geological Survey), Fish and Wildlife, and Forestry and Fire Protection under the California Natural Resources Agency; and the State and Regional Water Boards under the California Environmental Protection Agency.

harvesting available to the public
(http://calfire.ca.gov/resource_mgt/resource_mgt_forestpractice_gis.php).

Some stakeholders have requested that additional types of documents or information be posted (e.g., notices of commencement for THPs, completion and stocking reports, exemptions and emergency notices, emails shared or exchanged among the review team members), and that more readily searchable document formats be used. The Natural Resources Agency and CAL FIRE have been jointly working with stakeholders to better understand their concerns and to work with the review team agencies to investigate potential ways to improve the posting of timber harvesting related documents.

Some stakeholders also have communicated their concerns about challenges to providing their input to the harvest plan review process. Specific challenges identified include getting their comments submitted within the timelines for the review process (which are dictated in statute and regulation) and the manner in which much of the interagency review work occurs (via electronic or phone communications among review team members and permit applicants rather than open public meetings). All of the review processes of the state agencies are conducted to be compliant with CEQA, the Forest Practice Act, and the Forest Practice Rules. However, stakeholders often desire greater online access to the timber harvesting documents and related information being developed, as well as greater access to the interagency discussions that are occurring during harvesting plan review and the decision-making process.

The Redding Pilot Project³, whose initiation predates AB 1492, took an initial step to investigate opportunities to improve administrative efficiency and accountability in the timber harvesting permit review process. The Project resulted in 11 recommendations, which partially address the requirements stipulated in AB 1492.

In addition to the general language of AB 1492 regarding administrative transparency and efficiency, AB 1492 requires annual reporting of very specific information about harvesting plan review activities conducted by the review team agencies. These requirements are (see PRC § 4629.9):

A listing, by organization, of the proposed total costs associated with the review, approval, and inspection of timber harvest plans and associated permits.

1. The number of timber harvest plans, and acreage covered by the plans, reviewed in the 2011–12 fiscal year (FY), or the most recent FY.
2. To the extent feasible, a listing of activities, personnel, and funding, by department, for the forest practice program for 2012–13, or the most recent FY, and the preceding 10 FYs.
3. The number of staff in each organization dedicated fully or partially to (A) review of timber harvest plans, and (B) other forestry-related activities, by geographical location in the state.
4. The costs of other forestry-related activities undertaken.
5. A summary of any process improvements identified by the administration as part of ongoing review of the timber harvest process, including data and technology improvement needs.
6. Workload analysis for the forest practice program in each organization.
7. In order to assess efficiencies in the program and the effectiveness of spending, a set of measures for, and a plan for collection of data on, the program, including, but not limited to:

A. The number of timber harvest plans reviewed.

³ The Redding Pilot Project reports are available here: http://resources.ca.gov/forestry/redding_pilot_project/

- B. Average time for plan review.
- C. Number of field inspections per inspector.
- D. Number of acres under active plans.
- E. Number of violations.
- F. Evaluating ecological performance. [Please note that this last item is addressed by the Ecological Performance Measures Working Group.]

Figure 1 at the end of this Charter shows how the Administrative Performance Measures Working Group fits in with other elements of the AB 1492 program and with the Board of Forestry and Fire Protection's Effectiveness Monitoring Committee.

Duties of the Administrative Performance Measures Working Group

1. Identify, collect, analyze, interpret, and report the program administrative and implementation data that are needed to demonstrate administrative performance and efficiency.

Tasks:

- A. Build on the lessons learned and relevant recommendations made as a part of the Redding Pilot Project.
- B. Conduct informal outreach to stakeholders to better understand the kinds of program efficiencies and administrative performance measures that are important to them.
- C. Identify measures of administrative performance and the data needed to inform these measures, including the tracking and accounting of staff activities and outputs.
- D. Working with the Interagency Information Systems Working Group, develop information system solutions to routinely collect and analyze these data. Utilize existing information systems to the extent feasible.
- E. Review the administrative data reporting done in past AB 1492 Annual Reports and modify as needed to ensure that it (i) appropriately reflects the efforts of the review team agencies, and the reporting requirements of AB 1492 and PRC § 4629.9 in particular, and (ii) provides the public with meaningful information on administrative performance and efficiency.
- F. Identify any staff resource or budgetary constraints that make it problematic to achieve the needed level of administrative performance and efficiency tracking and reporting; provide recommendations on what is needed to address these constraints.
- G. At appropriate points as work progresses, conduct periodic outreach to key stakeholders and experts on an individual or collective basis, including public meetings or workshops.

2. Identify opportunities to improve the format, scope, transparency, and accessibility of process-oriented and substantive information related to the submission, review, approval, implementation, inspection, and enforcement of timber harvesting projects. To the extent feasible, make these improvements.

Tasks:

- A. Follow up on relevant recommendations made as a part of the Redding Pilot Project.

- B. Continue to work with stakeholders who have already been engaged with the review team agencies on these matters.
- C. Reach out to other stakeholders for input.
- D. Identify needed improvements to the format, scope, transparency, and accessibility of process-oriented and substantive information related to the submission, review, approval, implementation, inspection, and enforcement of timber harvesting projects.
- E. Work with the Interagency Information Systems Working Group to develop information system solutions to problems and opportunities identified. Utilize existing information systems to the extent feasible.
- F. Where crosscutting issues are identified, work with the Data and Monitoring Working Group and the Ecosystem Performance Measures Working Group.
- G. Identify any staff resource or budgetary constraints that make it problematic to achieve the needed levels of transparency and accessibility; provide recommendations on what resources are needed to address these constraints.
- H. As above process evolves, review work product with and receive feedback from the AB 1492 Advisory Committee at appropriate points in the process.

Preparation of a Work Plan

Upon establishment, the Administrative Performance Measures Working Group will develop a Work Plan. The first Work Plan will address the activities necessary to complete the duties described above in a timely fashion. The Working Group will review the Work Plan at the end of each fiscal year, or other times, as needed, and update it as necessary. All Work Plans will be submitted to the AB 1492 Leadership Team for review and approval. Stakeholder input will be solicited on draft Work Plans.

Tentative Major Milestones

More details on the timing of the completion of tasks will be developed in the Group's Work Plan. The time to completion of these milestones begins when the Work Plan is completed. Some tasks with specific timelines are:

1. Conduct informal stakeholder outreach on program efficiencies and administrative performance measures. Complete within 3 months.
2. Develop initial revisions to administrative performance data reporting. Complete within 6 months.
3. Complete the development of administrative performance measures. Complete within 9 months.
4. Implement interim solutions for collecting and analyzing administrative performance measures. Complete within 12 months.
5. Longer-term information management solutions for collection and analysis of information will be developed by the Interagency Information Systems Working Group, in collaboration with the other Working Groups
6. Milestone dates for Task 2 will be developed as part of the Working Group's Work Plan.

Based on the outcomes of processes, these timelines may need to be adjusted.

Working Group Membership and Leadership

The Working Group will be composed of staff from the review team agencies. One member will be from the University of California Cooperative Forestry Extension staff. The review team agencies will select a

Chairperson and a Vice Chairperson for the Administrative Performance Measures Working Group. The Vice Chairperson will chair meetings of the Working Group in the absence of the Chairperson. The AB 1492 Leadership Team requests each agency to assign at least one staff person and a back-up person to the Working Group.

Subcommittees

The Working Group may establish subcommittees as needed to accomplish its work. The subcommittees will operate with well-defined scopes of responsibility and clearly articulated tasks and timelines.

Consultation

When additional expertise is needed to assist the Working Group and/or its subcommittees in completing their work, assistance may be requested from the review team agencies non-timber program staff, or from other state and federal agencies, such as NOAA Fisheries, U.S. Fish & Wildlife Service, USDA Forest Service, or from professional and scientific organizations, and educational or research institutions.

Public Input and Participation

Public input and participation are a very important part of the work that this Charter describes. The Working Group will be guided in this by the document, *Timber Regulation and Forest Restoration Program Public Process Approaches*.

AB 1492 Advisory Committee

The work of the Administrative Performance Measures Working Group will be subject to periodic review and advising by the AB 1492 Advisory Committee. The responsibilities of the Advisory Committee are spelled out in its charter.

Review and Modification of this Charter

The AB 1492 Leadership Team is responsible for the approval of this charter and its maintenance and modification over time. The Leadership Team will provide the public with the opportunity to comment on any significant changes it proposes to make to the charter. The Leadership Team will review the charter at least annually to determine if any modifications are warranted.

EMC at Board of Forestry and Fire Protection

AB 1492 Program at CA Natural Resources Agency and CA Environmental Protection Agency

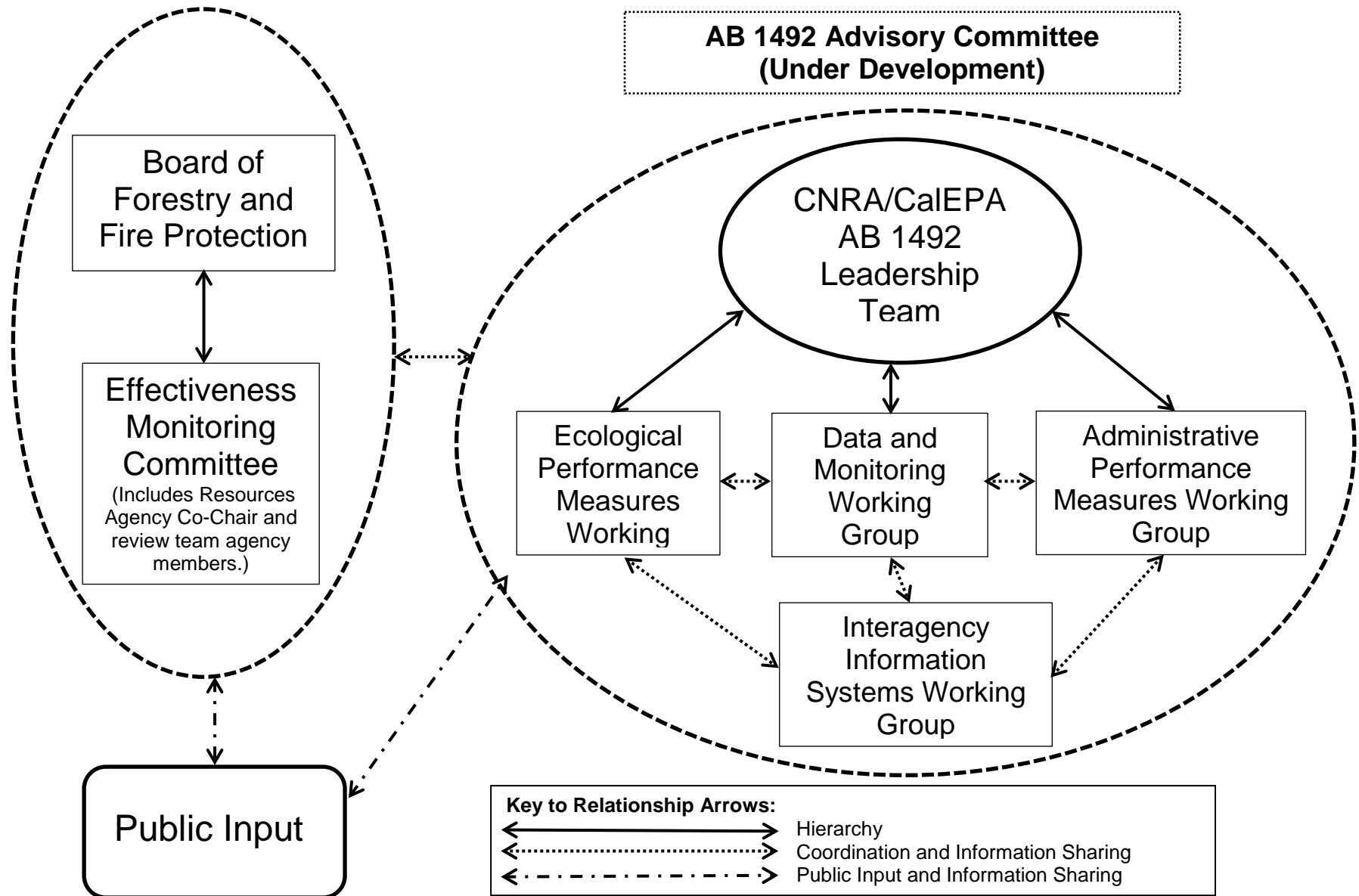


Figure 1. Organizational Framework for AB 1492 Program Structure and its Relationship to the Board of Forestry and Fire Protection and its Effectiveness Monitoring Committee.