

## **Stakeholder Assessment Memorandum**

**Date:** June 6, 2005

**To:** Central Coast Regional Stakeholder Group Members

**From:** Scott McCreary and Eric Poncelet, CONCUR, Inc.

**Re:** Stakeholder Assessment Memorandum, CCRSG Process

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This Stakeholder Assessment Memorandum presents our summary findings from interviews we conducted with thirty-one primary members of the Central Coast Regional Stakeholder Group (CCRSG).<sup>1</sup> These interviews, and this Memorandum, represent a key part of our preparation to facilitate the CCRSG process.

Twenty of the interviews were conducted in person; the rest were conducted by telephone. Alternate members were not interviewed. The list of questions used to guide the interviews is attached in Appendix 1.

Our overarching finding is that appointees are taking the Marine Life Protection Act (MLPA) Initiative central coast effort very seriously, willing to commit the time, and taking steps to participate effectively. Nearly all appreciated having the opportunity to influence proposals for marine protected areas in the central coast region. Many anticipated that the deliberations would be challenging, but most also see opportunities to find common ground.

This memorandum is organized into four main sections. Section A summarizes the interests expressed by the stakeholders. Section B summarizes key views on the project, highlighting potential challenges and keys to success. Section C synthesizes key information needs called out by the participants. Finally, section D summarizes advice from the CCRSG members to project staff to help prepare for the MLPA Initiative's Central Coast Project.

### **A. Stakeholder Interests**

In the interviews, respondents expressed a wide variety of interests in relation to the MLPA and the MLPA Initiative's Central Coast Project. Many of the respondents also acknowledged that they had multiple interests at stake and thus did not feel comfortable being pigeon-holed into a single interest category.

Many of the interests expressed were common across all of the stakeholder perspectives. One common interest was in ensuring the continued health of marine resources along the central coast. Other commonly-held interests included: supporting sustainable fishing, conserving fragile habitat, designating marine protected areas (MPAs) of sufficient size to enable assessment of meaningful results, accommodating recreational users, supporting continuation of fishing communities/culture, and ensuring that decisions are based on accurate information and built on strong scientific foundation.

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<sup>1</sup> This represents the complete set of CCRSG members appointed as of May 31, 2005.

Respondents also expressed a variety of hopes that they had regarding the CCRSG process. These included a desire to produce recommendations with strong, diverse stakeholder support; making rapid and sustained progress in the CCRSG meetings; and having an open, transparent, and fair stakeholder process characterized by mutual respect and acknowledgement of legitimacy of different interests at the table. Many expressed that hope that the CCRSG recommendations would be given considerable weight by the Blue Ribbon Task Force and the Fish and Game Commission and that political considerations expressed at the level of the commission would not overturn CCRSG recommendations, particularly if they earned broad support at the CCRSG level.

## **B. Views on the Project – Potential Challenges and Keys to Success**

### **1. RSG balance and composition.**

Most participants found the composition of the CCRSG to be reasonably well balanced and the CCRSG to be largely composed of people likely to participate in a constructive manner. However, there were some concerns expressed (see point 2). We heard a few comments from both consumptive and non-consumptive representatives that their interest group was underrepresented. This was more strongly expressed by non-consumptive representatives. Consumptive representatives pointed out some of the difficulties associated with consistent participation by fishermen, due to their need to go out and make a living rather than participating in meetings.

We also heard that certain key perspectives were potentially missing. Examples cited included those of: local governments that are home to fishing communities (mentioned most often), the Monterey aquarium, fishing interests out of Point Arguello, an “old guy” with longstanding knowledge of fishing conditions, peer agencies with a stake in coastal management, hospitality industry/tourism, an otter person from the south, and a “bird person”.

### **2. Participation.**

Most of the respondents found the CCRSG to be composed of people likely to participate in a constructive, collaborative manner. Several cautioned us to watch for tactics that could slow or derail the process. These could include a tendency to wordsmith obsessively; inclinations to revisit the text of the MLPA or the draft framework document; tendencies to request more information to cause delay; confrontational, oppositional styles of engagement; entrenched positions; and supporting litigation as a means to block implementation of the results of the initiative. Respondents urged the facilitation team to exercise strong direction and guidance of meetings to avoid these tactics and instead help the full group to sustain its momentum.

Most respondents indicated their intention to attend all of the monthly meetings. A few stated the need to send their alternates at least part of the time. In general, CCRSG members preferred a delayed starting time and early finish time for two-day meetings, as this provides some time to travel between the Morro Bay and Monterey areas. Many of the participants expressed a desire to schedule future meeting dates as soon as possible.

### **3. Science Team role and composition.**

There are multiple concerns, expressed by a wide range of CCRSG members, about whether the role of the science teams has been sufficiently established. There are two main issues here.

- First, several participants questioned whether input from science advisors was being so constrained as to limit the meaningful contributions of scientific information to the MLPA process. One suggested, "Maybe there's been an over-adjustment from the push back that

DFG got when it rolled out draft maps in Round 1". Many participants also expressed confusion as to the role of the MLPA Central Coast Science Sub-Team in the CCRSG effort. Many of the respondents supported a strategy of convening work teams composed of a mix of CCRSG and science team members as a way of bolstering direct interaction among the stakeholders and science advisors.

- Second, many respondents (including a majority of the fishing representatives interviewed) expressed concerns that, on the whole, the Master Plan Science Advisory Team (SAT) is not yet perceived as sufficiently objective. Among the concerns expressed were that some members of the SAT are overly inclined to view MPAs favorably as a central management tool (for reasons of professional advancement or an inclination towards environmental advocacy). Others observed that "skeptics" and those with a strong grasp of socio-economic issues are underrepresented on the SAT. A few of these respondents suggested that lack of stipends may be a factor contributing to a potentially skewed distribution of SAT participation. Some of the CCRSG members recommended making funds available to support the participation of other scientists, perhaps in a peer review role. Several of the respondents cautioned, however, that the CCRSG process avoid becoming a battleground between opposing scientists. To address this concern, several respondents recommended inviting presentations from scientists who have different perspectives from current SAT members.

#### **4. Project funding.**

Many respondents, including several of those representing the fishing community, expressed concern regarding both the funding source and funding mechanism for the MLPA Initiative. These participants viewed the Packard Foundation in particular as having a pro-conservation agenda that is sometimes expressed as an "anti-fishing" orientation. Several of these participants described this as a "conflict of interest" and questioned the legitimacy of the process. Others recognized the potential conflict of interest but did not see this dynamic as unusual for a process that remained ultimately political. When asked how questions of the project's legitimacy might be addressed, participants generally responded that the project would have to demonstrate itself as open, transparent, and inclusive of stakeholder input. As one stakeholder noted, the "proof will be in the pudding." A few others agreed that checking in with concerned stakeholders at various steps in the process might also be helpful.

#### **5. Schedule and timeline.**

Nearly all respondents noted that the timeline is ambitious. Many expressed the concern that the CCRSG will not have enough time to complete its stated goals. Several of these same participants, however, also acknowledged that the compressed time frame may also be an asset by serving to focus people's attention. Others expressed the view that the aggressive timeline is just what the process needs. Some of these respondents recommended developing a clear work plan with steps and milestones well laid out, and revisiting this work plan periodically.

#### **6. Taking account of concurrent initiatives.**

There was wide recognition of the need to take account of (but not get bogged down in) concurrent policy initiatives and to ensure that the MLPA process does not duplicate or conflict with these. Key policy initiatives mentioned included:

- Monterey Bay National Marine Sanctuary and the sanctuary's MPA process.

- California's stated commitment (in the constitution and California Coastal Act policies) to maintain and expand public access to the coast
- Local initiatives focused on resolving local use conflicts in Monterey (which involve city jurisdiction)
- Basin plan regulations of water quality, including agricultural and urban runoff
- NOAA Fisheries (Sustainable Fisheries) effort on the central coast—essential fish habitat initiative
- Existing fishery management regulations

Some respondents suggested that the MLPA Initiative would be more embraced if seen as “integrating” multiple initiatives. Others cautioned that the MLPA not be used to solve problems (e.g., water quality, fishery management) that should better be addressed via other more appropriate policy/regulatory instruments.

**7. Regional stakeholder group/sub-group structure and operation.**

Participants expressed strong support for the decision to form a single stakeholder group composed of multiple interests and charged with assisting in the development of multiple MPA options for consideration by the Department of Fish and Game and the Fish and Game Commission. While a few respondents said that the size of the group might prove to be unwieldy, nearly all of them supported the sub-group structure as a means of increasing participation and efficiency. Many said "good idea" when we explained that the rationale that the assignment is to produce a suite of options for the full central coast region, with the potential to make valuable tradeoffs for the whole region. A few participants suggested that during the north and south sub-group meetings, emphasis be placed on those stakeholders with the greatest knowledge of those respective areas.

Nevertheless, respondents expressed varying degrees of uncertainty regarding the extent of CCRSG's decision-making role. Some were also not clear on the role of the CCRSG in relation to the ultimate decision-making bodies. Others questioned the degree to which the CCRSG could frame its own issues or whether these had already been framed in a top-down fashion. Still others desired clarity on the decision rules by which the CCRSG would operate.

**8. Intended goals of MLPA and roles of respective participating groups.**

Many participants were unclear as to the end goal and end product of the CCRSG and the MLPA process. Accordingly, CCRSG members articulated a wide range of views as to the intended goal of the MLPA Initiative. Some viewed it as focused on marine resource conservation, while others described it as oriented toward fishery management. Some saw the goal as involving the consolidation or reorganization of existing MPAs, while others saw it as involving the expansion of existing MPAs. Many of the fishers expressed the concern that the ultimate intent of the MLPA was to increase fishery closures, which could put them out of business.

Respondents also expressed a wide range of views as to the need for and expected benefits of the MLPA Initiative. Some described the MLPA as imperative to ensure the protection of the state's marine resources, while others believed that no new MPAs were needed given the current health of many fisheries.

As well, many respondents expressed confusion or lack of clarity over the role of the CCRSG relative to the MLPA Central Coast Science Sub-Team, the MLPA Blue Ribbon Task Force, and the California Fish and Game Commission. Some of these respondents were also concerned about the relationship between the CCRSG and the Master Plan Framework. Still others were

confused about the role and selection of alternates. Nearly all of the respondents requested that the MLPA Initiative staff provide additional role clarification along these lines.

**9. Handling information developed in previous MLPA efforts.**

Many, although by no means all, of the participants were familiar with some of the information developed in earlier efforts to implement the MLPA. Respondents expressed divergent views as to how information produced in previous rounds of MPA activity should be folded into this central coast process. In particular, several respondents commented on the provisional draft maps that came out of Round 1 (including the public workshops) of the MLPA process. In general, these people cautioned against "reintroducing" the DFG maps and suggested instead that the maps be used as "reference." Others suggested simply making available the "rationale" or "criteria" that went into the preparation of the maps, but not the maps themselves.

Given the compressed schedule of the CCRSG process, many recommended that stakeholders be provided with something to react to. Several added that the process does not have the time to generate all of the science from scratch.

**10. Anticipating potential areas of contention.**

Several stakeholders noted that one key area of disagreement within the CCRSG would likely focus on key locations along the central coast—in particular, the coastlines in Monterey Bay and Carmel Bay. Participants referred to those as "hot spots" that could invite lengthy discussion. Some advised taking steps to place localized use conflict in the context of the broader MLPA Central Coast Project.

**11. Adaptive management for project implementation.**

More than half of the participants were concerned that the results of the MLPA process (and especially the designation of new MPAs) would get "locked in" to place without a robust opportunity to revisit and reopen these decisions. They advocated that the CCRSG's proposal to the Fish and Game Commission specify a process for enforcing, monitoring, and revising the recommended MPA networks. Some feared, however, that funding would not be available to support this later step.

**12. Facilitation Team Expertise and Style.**

Respondents generally expressed the view that it was useful to have facilitators with experience in marine resource issues and urged that we adopt an active, directive facilitation style to stay on track. One respondent observed, "It seemed like we spent two whole meetings just on ground rules last time." Several advised us to strike a balance between attending closely to process needs and ensuring that substantive topics are discussed thoroughly. Many others cautioned against allowing the process to become derailed due to a lack of focus on the goals of the CCRSG or stakeholder efforts to address issues external to the intended scope of the project (e.g., debating the merit of MPAs or the legitimacy of the Master Plan Framework).

On the whole, respondents offered the view that the up front interviews and face-to-face meetings with the facilitation team were a good idea.

**C. Participants Identified Several Information Needs**

Participants identified a number of potential information needs. While there was some divergence as to whether all of these information sources are needed, in general, there was broad agreement that most of them would be valuable. As well, there was a strong desire expressed to receive this information or analytic tools as early in the process as possible. The information needs identified fell into the categories of technical information needs and process information needs as follows:

#### Technical information needs

- Description of existing types of MPAs
- Maps or other graphic tools of all MPAs, as well as "de facto MPAs" (e.g. the area off Vandenberg, rockfish conservation area), including rationale
- Status of performance of existing MPAs in California
- A concise summary of experience from other regions showing how MPAs perform (though some discounted the value of experience from tropical ecosystems)
- Status of species and habitat, including endangered species
- Location of spawning areas
- Maps or overlays showing fishing effort
- Maps of access points and haul out points
- Identification of pollution sources and anticipated pollutants of the future
- Socio-economic data for fishing
- Information on the benefit of "networks"
- Definition of terms: network, "replication" of MPAs, "best readily available science", conservation (vs. protection)

#### Process information needs

- Summary of existing regulations applying to the central coast region (NOAA Fisheries FMPs, Central Coast Basin Plan, etc.)
- Summary of existing collaborative efforts (and their goals) in the central coast region (e.g., sanctuary, SLO Marine Interests Group, etc.)
- A summary that clearly lays out the role of the various components of the project (e.g., role of DFG in the process, role of science sub-team, intent of the MLPA, role/influence of funding institutions)
- A description of how the Master Plan Framework was produced and approved
- Participants also expressed general support for a decision support tool that allows simulation of alternate MPA boundaries and computation of areas and ratios included. Ideally, this tool would be linked to another tool that assesses economic impact of MPA boundaries.
- Brief history of past processes (rounds 1 and 2) to get everyone up to speed
- Recap of changes in regulations, science, or biological status since Round 2 (e.g., new rockfish closure, fewer trawlers, new GIS data, changes in MPA science/findings)
- A clear description of the intended look and feel of final product from the central coast effort

### **D. Meeting Preparation Needs – Ground Rules**

When asked, respondents offered a wide variety of potential ground rules that they believed would be helpful in guiding the work of the CCRSB over the coming months. Many also emphasized the importance of enforcing ground rules. Key recommendations include the following:

- Media contact. About half of the respondents commented on the need for a ground rule governing media contact. Several offered caution, describing accounts of past collaborative processes that had run into difficulties when participants began misrepresenting the process or each other's interests in the press. Respondents discussed the following options: 1) deferring contact with the media until CCRSB makes its final recommendations (most widely mentioned), 2) preparation of jointly produced media contact, 3) stakeholders agree not to represent others in the media.

- Decision rule. Many of the respondents discussed the need to clearly establish how the CCRSB would make decisions. Importantly, most respondents did not want to be hamstrung by either Robert's Rules of Order (where all decisions are made by a simple majority) or an unyielding need to reach total unanimity. Most expressed a preference for a decision rule that emphasized consensus building, while noting that achieving complete unanimity on substantive work products might be unlikely. Some participants noted that a decision rule fostering consensus could help address concerns that some participants may have if the CCRSB lacks exact numerical parity among interest groups.
- Respondents recommended a ground rule to guide communication between stakeholders between meetings.

Other specific ground rules recommended by respondents included:

- Everyone will help keep the process on track.
- CCRSB participants will make efforts to represent their constituencies, keep them informed, and strive to ensure buy-in.
- Interaction will be positive and respectful. Personal attacks will be avoided.
- Participants will share and not withhold pertinent information.
- Participants will avoid sidebars during CCRSB deliberations (one person will speak at a time).
- Primary CCRSB members will keep their alternates briefed so the alternates can step in and keep the process moving forward in an effective fashion. This will help minimize "backsliding" during the meetings.
- Participants will disclose their interests (to avoid the pitfalls caused by hidden agendas).
- Facilitators will be prompt in their production of meeting summaries.
- Participants will focus on interests, not positions. Here, respondents recommended spending time differentiating positions from interests and highlighting our interest-based approach. The key concern was avoiding discussions grounded in a "win-lose" mentality.
- Participants will make a "good faith effort" and commitment to achieving the goals of the CCRSB.
- Participants will strive to think creatively and be open-minded.
- Participants will do more than simply oppose the ideas or proposals made by others; they will also propose alternative solutions.
- Participants will avoid revisiting past decisions.

Overall, these suggestions coalesce around a reasonable series of guidelines that are incorporated in the proposed Ground Rules for the CCRSB.

## **APPENDIX 1**

### **Stakeholder Interview Questions<sup>2</sup>**

#### **Your Background:**

1. In brief, please tell us a little about your professional background and your current position and responsibilities.
2. What has been your involvement to date in discussions related to the establishment of Marine Protected Areas (MPAs) under the MLPA?

#### **Your View of the MLPA Initiative and Your Interests:**

3. In your view, what is the MLPA Initiative trying to achieve, and what is the role of the RSG?
4. What are your organization's interests in the MLPA and the establishment of an improved network of MPAs for the central coast?

#### **Learning from Past Efforts:**

5. Were you involved in past efforts to recommend a network of Marine Protected Areas? In your view, what worked in these efforts, and what could have been done better?

#### **Useful Approaches:**

6. What are the keys to success for the RSG and the project more generally?
  - [Probe] What would help you contribute most productively to the RSG?
  - [Probe] Do you know of past similar stakeholder collaborative efforts that might serve as helpful models for this project? What key elements of these past efforts made them successful?
  - [Probe] What opportunities are there to integrate the diverse stakeholder interests involved in the development of a proposal for effective networks of MPAs as required by the MLPA?

#### **Issues to be Addressed:**

7. In your view, what are the key challenges or barriers facing the project?
  - [Probe] What concerns do you have with the RSG's role and how it operates?
  - [Probe] Participants in the CCRSG represent a wide variety of stakeholder perspectives. CCRSG meetings will also be supported by MLPA and DFG staff as well as technical expertise in the form of a Science Advisory Regional Sub-Team.
    - Do you have any questions or concerns about the role of MLPA or DFG staff in this project or the credibility of the scientists in the mix?
    - What could we do to help clarify these respective roles?

#### **Process Design and Preparation Needs:**

8. *Representation.* You should have already received a list of the CCRSG representatives. The aim has been to produce a representative stakeholder body. What is your view on the representation?
9. *Meeting structure.* [Describe anticipated meeting schedule/locations and sub-group structure.] Are you comfortable with northern representatives attending the meetings focused on southern goals/profiles and southern representatives attending the meetings focused on northern goals/profiles?

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<sup>2</sup> We were flexible in applying this instrument; we sought to pose all the questions to all respondents, but adopted a conversational style in the interviews.



10. *Participation and scheduling.* The first CCRSG is scheduled to take place in the Monterey Bay area on June 8-9 (1.5 day meeting). Future meeting dates are anticipated as follows [review draft schedule prepared by I-Team].
  - a. Do you anticipate being able to attend all of these meetings? Which are you likely to miss?
  - b. Are you willing to commit to work with your alternate to ensure continuity of representation of your interests? How do you envision coordinating with him/her?
  
11. *Building on past efforts.* [Describe past MLPA processes and outcomes—rounds 1 and 2.] Based on your knowledge of past MLPA efforts, what is the most appropriate way to build on past work regarding:
  - a. Development of regional goals
  - b. Development of regional profiles
  - c. Evaluation of existing MPAs
  - d. Recommendation of a network of MPAs
  
12. *Information needs.*
  - a. What specific information would be helpful to support these deliberations? Please recommend specific documents or presenters.
  - b. Are there key documents from past processes that would be particularly useful?
  
13. *Ground Rules.* When facilitating collaborative groups, we typically put forward draft ground rules that cover areas such as “Participation,” “Representation,” “Information Sharing,” and “Media Conduct.” What ground rules would you recommend including to help members work together effectively?

**Other Comments, Questions, or Advice**

14. Do you have any other questions, comments or advice for us? You are welcome to send us any additional thoughts by email (eric@concurinc.net).