

1.0 Executive Summary

In the United States and around the globe, governmental agencies use marine protected areas (MPAs) as a tool to manage human impacts in ecologically and culturally sensitive areas. Defined in the U.S. as "any area of the marine environment that has been reserved by Federal, State, territorial, tribal, or local laws or regulations to provide lasting protection for part or all of the natural and cultural resources therein" (E.O. 13158, Federal Register, 2000), MPAs are designated through various processes that attempt – some more successfully than others – to merge the prerogatives of often disparate stakeholder groups with the physical needs of complex ecological systems.

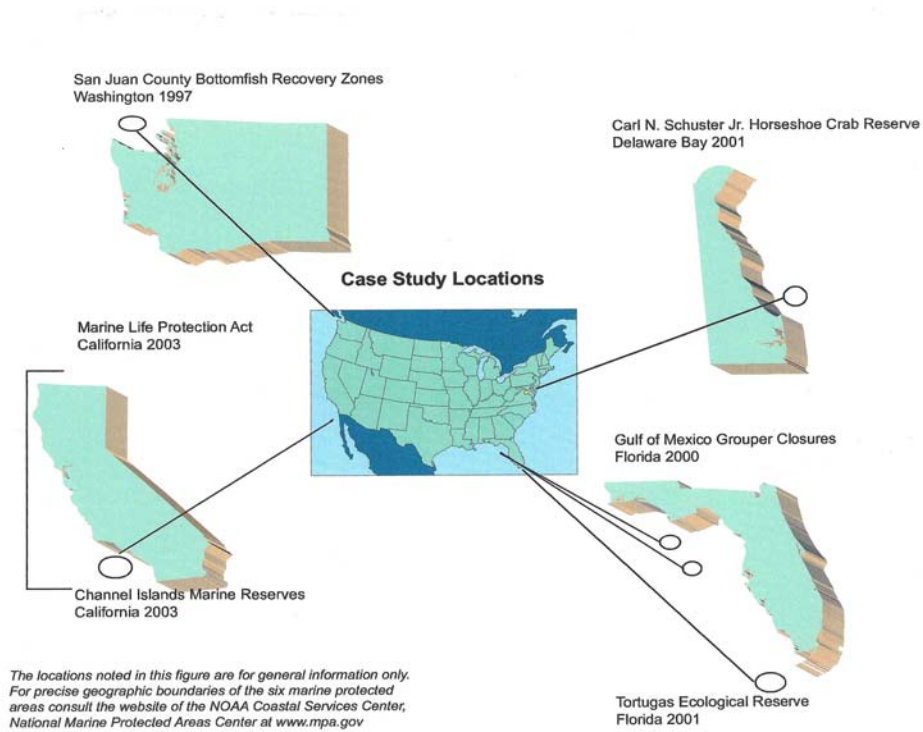
This report is a study of six separate and distinct efforts to designate MPAs in the United States. Based on the assumption that within their unique details lie lessons that can be broadly applied to other efforts, the case studies were carefully selected to represent diverse geographic areas and a spectrum of social, political, and ecological complexity. The assumption was correct. Through review of the written record and numerous interviews with those intimately involved in and affected by the six MPA designation processes, patterns emerged that formed the basis for important, broadly applicable lessons.

Case Studies

The six case studies that form the analytical basis of this report, illustrated in Figure 1, are:

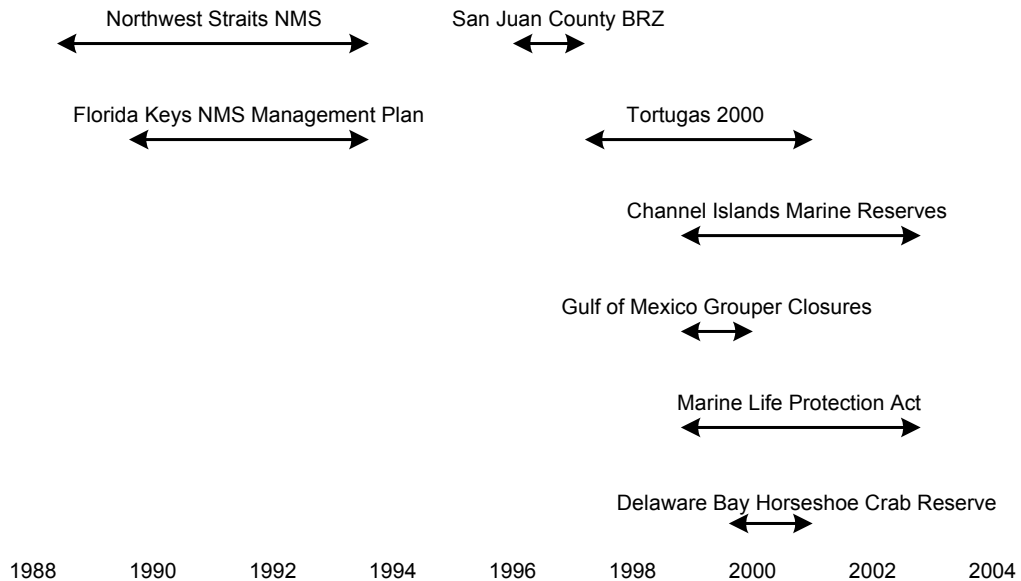
- The attempt to designate a National Marine Sanctuary in the Northwest Straits and the related establishment of Bottomfish Recovery Zones in San Juan County, Washington
- The designation of the Channel Islands Marine Reserves off the Coast of Santa Barbara, California
- Phase I of the establishment of marine reserves under California's state-wide Marine Life Protection Act:
- The creation of the Tortugas Ecological Reserve in the Florida Keys
- Grouper Closures off the coast of Florida in the Gulf of Mexico
- The establishment of the Carl N. Schuster Horseshoe Crab Reserve in Delaware Bay.

Figure 1. Locations of the six case studies that form the basis of the evaluation. Size of case studies not to scale.



The case studies cover the period from the late 1980's through 2003 and extended from one year to approximately five years in length (Figure 2).

Figure 2. Timeline for each of the case studies. NMS refers to national marine sanctuary and BRZ to bottomfish recovery zones.



While all are unique in their settings, historical backgrounds, degree of conflict, scope, and other essential characteristics, clear themes emerged from the case studies that provided the basis for explicit findings and recommendations.

Findings and recommendations

The findings and recommendations from the case studies were derived, analyzed, and then synthesized into lessons learned and, ultimately, the report's Findings and Recommendations. To ensure their relevancy and usefulness to agency managers, the lessons are organized to coincide with the typical stages of an MPA process, from inception through designation and review.

Setting the Stage

Beginning with “setting the stage”, the report reveals the critical role that history, process design, goal setting, and science all play in laying the foundations for a productive effort to designate an MPA. While it may seem obvious that MPA processes do not emerge from a vacuum, several case studies revealed that avoidable challenges surfaced when process managers failed to take the time to fully understand the social, political and ecological landscape that informs a designation process. These historical factors often reveal the motivations and goals of stakeholders, and, when understood, support a more nuanced approach to avoiding or diminishing potential conflict.

Surprisingly, some process managers also overlooked (or at least undervalued) the central role that authorizing statutory or regulatory language plays in determining explicit goals and objectives. Vague or confusing expressions of goals with respect to a designation effort can lead to ambiguous and conflicting expectations about roles and outcomes, as well as other serious pitfalls. Managers should therefore clearly articulate the underlying authority driving governmental action and then build on that authority to develop, as much as possible given their sometimes fluid nature, meaningful statements of goals. This will help participants know what is at stake for them and understand precisely how stakeholder advice, decisions, or recommendations will affect authorized decision making.

Process Management

Once initiated, MPA efforts turn to the “process management” phase of a designation. Process management factors include political considerations, the presence or absence of effective leadership, conflict management techniques, the role and timing of map making, and the availability of resources to fund a process. All these elements affect how efficiently and effectively a process moves through the inevitable twists and turns that occur in any designation. The case studies demonstrate that even processes that appear to be a straightforward application of scientific information to resource questions are significantly affected by their political settings and the push and pull of how user groups perceive the potential impacts of the proposed MPA(s). If not carefully managed and planned for, these allocation, socioeconomic, and political considerations can dominate a process. Effective leadership at the political, agency, stakeholder, and process levels is also a significant factor in the success or failure of a designation effort, as is the availability of skilled, interest-based conflict management tools.

Of course, intensive processes cost money, especially when facilitators, process design specialists, and sophisticated process techniques are utilized. But while stakeholder participation and process is an expensive, time-consuming, staff intensive undertaking, the case studies underscore the significant inefficiencies that occur when there is no clear staff oversight of a process, or when staff and management frequently change. In addition, staff must have the experience, stature, and core skills needed to understand and influence a processes' evolution, and to successfully flag and discuss emerging issues with program leadership.

Decisions and evaluation

The final analytical phase of a designation process is the point or points at which decisions are made, and how those decisions and the outcomes they produce are evaluated. Here, the case studies demonstrate the importance of managing expectations among stakeholders by ensuring that participants understand the role they play in making decisions, and what happens to their decisions or recommendations once a participant's role in the process is concluded. Is the process collaborative, consensus building, or simply input for the agency? Precisely where does the decision-making authority lie? Participants must know the answers to these questions.

An issue related to decisions is how they are evaluated once made. A number of the case studies exhibit the problems that can occur when evaluation measures are not designed into a process. Evaluation should not only focus on the degree to which an MPA is meeting its stated goals, but also on the effectiveness of the designation process itself. Obviously the more clear the MPA's goals, the easier it is to design a monitoring system to measure those goals. Where goals are less clear, a secondary process may be required to establish interim and longer-term monitoring targets or benchmarks.

Recommendations

In addition to these broader insights, the evaluation identified a number of specific recommendations.

1. Early planning efforts must include a thorough assessment of past history and its potential effects on stakeholder perceptions and the goals to which they will agree, as well as on their willingness to participate, and the groundrules they will accept.
2. Process managers must have a grasp of the underlying authority for a designation process, as well as the ability to explain it to participants.
3. Managers must have a vision of the process steps from beginning to end, not just the stakeholder participation stage.
4. Managers should design and manage MPA processes with an understanding of stakeholder motivation, an expectation that stakeholder goals will differ, and be prepared to handle disagreements and conflict.
5. Processes should incorporate appropriate flexibility and adaptability. Convenors and process managers should look at the full array of decision tools that are available and not feel locked into a complex consensus model or a rigid fishery management model.
6. Process managers need to remember that scientists are people, with motivations and biases like other stakeholders. Scientists should not work separately from other stakeholders, even on seemingly non-controversial issues. Scientists should be selected to ensure that their skills match the areas of expertise defined by the objectives of the process, and their role made clear to stakeholders.
7. Planners and managers should treat politics as the natural expression of human and interest group dynamics that reflect stakeholders' genuine interests and perceptions. They are part of the policy process and need to be recognized, accommodated and planned for. Such interest group dynamics often lead to conflict, which should be seen as a natural part of such complex processes.
8. Leadership is needed at the political level that initiates and supports the process, at the upper levels of involved agencies that ensure consistent commitment and follow through on decisions, at the process level where facilitation, negotiation, and conflict management skills are crucial, and at the interest

group level, where perceived stature, relationships with constituents, and the effective framing, control, and communication of a core message are important.

9. Value-laden conflicts can and should be addressed through the use of skilled, experienced facilitators. Where possible, third-party process managers should guide the process from the outset. If this is not possible, neutral third-party professional facilitators should at a minimum be employed to run the meetings.
10. Maps have many applications from identifying gaps to analyzing the implications of proposed boundaries. Process planners should consider three important aspects to maps – the process by which they are made, the information they contain, and how, when, and by whom they are used.
11. Upper level managers and agency decision-makers must ensure that key program staff are formally assigned to manage the process from start to finish, and that they have the experience, stature and core skills needed to understand and influence its evolution, and to successfully flag and negotiate emerging issues with the program leadership.
12. Process planners should be familiar with every stage in an MPA designation process, how long each step takes, and how much of it is set in law and regulation. They must know not only the stages of the stakeholder process and how long they will take, but be familiar with actions beyond the stakeholder process, where the stakeholder results go, what weight they carry, where results go in the next stage and how much of this is set in law and regulation. They must be able to communicate the overall picture to participants, and may need to do so more than once to be sure stakeholders do not lose sight of where their deliberations fit in the overall picture, or conceive unrealistic expectations about the outcome.