

DRAFT Charge, Ground Rules & Decision Process

South Coast Regional Stakeholder Group

(Draft for Review, Revision and Adoption, October 6 – 7 , 2008)

The following document outlines the operating ground rules for the MLPA South Coast Regional Stakeholder Group (SCRS), including an overview of the SCRS charge and responsibilities and decision-making process. The ground rules have been informed by confidential interviews conducted with a cross section of the nominees for the SCRS, including nearly all of the appointed south coast members, as well as CONCUR's professional experience. These ground rules are intended to foster and reinforce constructive interaction and deliberation among SCRS members; they emphasize clear communication, trust building, respect for divergent views, creative thinking, collaborative problem solving, and the pursuit of mutual gains. The SCRS may decide to reconsider and revise these ground rules if they appear not to be serving the SCRS process.

CHARGE OF THE SOUTH COAST REGIONAL STAKEHOLDER GROUP

Charge of the South Coast Regional Stakeholder Group (SCRS)

- **Charge of the SCRS.** The charge of the SCRS is to develop multiple Marine Protected Area (MPA) proposals for consideration by the Blue Ribbon Task Force (BRTF). In meeting that charge, the SCRS members have three primary goals to achieve for the south coast study region including: 1) Review and refine the Regional profile; 2) Draft and adopt Regional Goals and Objectives and; 3) Draft and refine alternative MPA arrays.

Responsibilities

- **SCRS recruitment and selection.** SCRS members have been appointed by the director of the California Department of Fish and Game (CDFG) and the chair of the Marine Life Protection Act (MLPA) Initiative BRTF. Taken together, appointments were made to achieve a diversity of stakeholder perspectives, expertise, and geography. SCRS members were appointed based on their match with, and commitment to fulfilling, the following selection criteria:
 - Able to bring first hand knowledge and perspective to bear on the marine resources of the MLPA South Coast Study Region
 - Able to balance a regional perspective with localized knowledge
 - Willing to express fundamental interests (as opposed to fixed positions) and to clearly convey the interests of one or more important stakeholder groups
 - Capable of working collaboratively, seeking to integrate the interests of a broad range of constituencies
 - Able to access and use an effective communication network to reach stakeholders not attending the public meetings
 - Committed to completing all aspects of the charge of the SCRS

- **Checking back with constituencies.** SCRSG members have been recruited based upon their ability to ably represent the views of one or more important constituencies. SCRSG members commit to: making themselves available to communicate with interested stakeholder constituents, keeping their constituencies informed of the SCRSG's efforts, and reporting relevant feedback to the SCRSG. In reporting back, SCRSG members will strive to integrate the views of their constituency rather than resorting to a "lowest common denominator" approach. In checking back with their constituencies, SCRSG members will seek to avoid prejudging preliminary proposals still in development by the SCRSG.

Identifying and Considering Alternative MPA Proposals

- **Iterative Process.** The South Coast Project has been structured to allow time for developing and deliberating on multiple, alternative MPA proposals. This process will be an iterative one, with time allocated for Science Advisory Team (SAT), BRTF and public review.
- **Proposals.** SCRSG members will be open to proposals from other SCRSG members or from others outside the SCRSG.
- **Goals and Objectives.** As part of their work, SCRSG members will strive to identify and consider alternative MPA proposals. SCRSG members will consider, using best readily available science and information, how each alternative proposal satisfies the goals and objectives established for the MLPA South Coast Study Region. The result of this deliberation is intended to allow the BRTF, California Department of Fish and Game (CDFG), and the California Fish and Game Commission to understand how the alternative proposals identified will satisfy the MLPA.
- **Preliminary Proposals.** SCRSG work teams may develop preliminary MPA proposals, which should be regarded as tentative and not subject to broad distribution until they have been presented to the SCRSG.

Information Sharing and Joint Fact-Finding

- **Information Gathering and Sharing.** MLPA Initiative and CDFG staff intend to create multiple opportunities for data sharing and joint fact-finding within the SCRSG. Joint fact-finding refers to a process where stakeholders are able to help identify information needs and questions for analysis, where deliberations of scientific advisors are transparent, where data are pooled to support better informed recommendations, and where a serious effort is made of identify and narrow sources of scientific disagreement. SCRSG members are encouraged to be as specific as possible in identifying types of information they believe will support the development of work products, including alternative proposals of MPAs. This information may include a mix of peer-reviewed studies, other scientific studies, field notes from researchers, and first hand knowledge from resource users. Accordingly, SCRSG members are encouraged to contribute their own first hand knowledge to support the work of the SCRSG.
- **Best Readily Available information.** SCRSG members recognize that the MLPA South Coast Project relies on using the best readily available information. Tentative

information will be treated as such. Development of MPA arrays will not be delayed in order to fill any perceived data gaps.

- **Handling Apparently Conflicting Data or Analysis.** In the event that two or more data sets or interpretations appear to conflict, participants will work collaboratively with members of the South Coast Science Sub-Team to narrow or clarify the basis of disagreement. The BRTF may also offer policy guidance on how to address and resolve disagreements over data or analysis.

GROUND RULES

Participation and Collaboration

- **Active, focused participation.** Every participant is responsible for communicating his/her perspectives and interests on the issues under consideration. Voicing these perspectives is essential to enable meaningful dialogue. Everyone will participate; no one will dominate. Only one person will speak at a time. Everyone will come to the meetings prepared, and help keep the meetings on track.
- **Respectful interaction.** Participants will respect each other's personal integrity, divergent viewpoints, values and legitimacy of interests. Participants will listen courteously while others are speaking. Participants will refrain from using deliberate misinformation, any personal attacks or stereotyping.
- **Integration and creative thinking.** In developing, reviewing and revising work products, participants will strive to be open-minded and to integrate each other's ideas, perspectives and interests. Disagreements will be regarded as problems to be solved rather than battles to be won. Participants will attempt to reframe contentious issues and offer creative solutions to enable constructive dialogue. Where participants do not support a specific solution or proposal they are encouraged to offer their own solution
- **Effective Communication.** Participants acknowledge the importance of communicating with other SCRS members regarding MPA proposal development ideas and issues including e-mail and discussions outside of formal SCRS meetings. Participants commit to bringing concerns about adherence of individual SCRS members to the groundrules, MPA proposals or process for discussion to the facilitation team rather than expressing such concerns in a manner that undermines the respect of any individuals or process.
- **Satisfy Mutual Interests.** Participants will work to satisfy not only their own interests but also those of other SCRS members. Participants are encouraged to be clear about their own interests and to recognize the important distinction between underlying interests and fixed positions.
- **Commitment to ground rules.** SCRS members commit to adhere to these ground rules, as a set of mutual obligations, once they are ratified. SCRS members are encouraged to help uphold and enforce these ground rules. If an SCRS member consistently deviates from these ground rules, that member may be replaced by another person upon confirmation by the director of CDFG and the chair of the BRTF.

Commitment to process

- **Good faith effort.** Participants will make a good faith effort to achieving the goals of the project on the schedule proposed.
- **Come Prepared.** Participants will review meeting materials in advance of the meetings and come prepared to address the meeting objectives.
- **Meeting Attendance.** Meetings will start on time. Participants who know that they will be absent, late, or have to leave early will inform project staff in advance and coordinate with their alternates as needed.
- **Cell phones on silent.** Cell phones, pagers and other electronic devices will be turned off or set to “silent” mode.

Media Contact

- **Webcast.** SCRS meetings are public and will be simultaneously webcast. Audio and video archives of the meetings will be available on the MLPA website a few days after each meeting.
- **MLPA Media Contacts.** Media contacts regarding the project from a “big picture” perspective will be handled by MLPA Initiative and CDFG staff. First contacts should go to Jordan Traverso, CDFG Deputy Director of Communications, Education and Outreach, at (916) 654-9937, or Annie Reisewitz, MLPA Initiative Media Relations Liaison at 858-228-0526.
- **SCRS Media Contact.** On occasion, reporters may contact individual SCRS members for comment about a particular issue. Members who are contacted by the media will speak only on behalf of their group or constituency. After commenting, please contact an MLPA Initiative communications person listed above to give them a “heads up” that a media entity is working on a story.
- **Representation to Media.** SCRS members recognize the need to maintain a balance between providing timely information to constituents and making statements to the media that could undermine the success of the MLPA process. SCRS members agree to avoid: a) making statements to the media that may prejudice the project’s outcome, b) representing another group’s point of view or characterizing their motives, or c) stating positions on preliminary proposals while they are still in development or refinement by work teams or by the SCRS.
- **Media Subcommittee.** SCRS members will refer requests for additional contacts to MLPA Initiative and CDFG staff listed above or the SCRS contact list. If needed, the SCRS may convene a multi-interest media subcommittee to work with MLPA Initiative and CDFG staff to develop briefings for the media.
- **Use of Key Outcomes Memoranda.** In briefing constituents, SCRS members are encouraged to rely primarily on key outcomes memoranda to be produced for the meetings.

SCRS DECISION PROCESSES

Decision Rules

- **Strive for Broad Based Support for Proposals.** SCRS members will strive to achieve a high level of consensus (i.e., broad based agreement) in developing and advancing alternative proposals for MPAs. The intent here is to strive for MPA proposals that earn broad-based support across SCRS members' interests. The intent is not to accord SCRS members a "de facto" veto on substantive issues. The objection of a few SCRS members will not be grounds to impede progress.
- **Use of "Straw Votes".** SCRS members recognize the need to make simple process agreements to move the effort forward. SCRS facilitators may use "straw votes" to track progress and help the group arrive at short-term decisions to propel the process forward in an efficient fashion. A straw vote is a method used for polling the SCRS on a particular issue and typically involves asking each primary SCRS seat to indicate their preference on a particular issue.

Cooperation with BRTF & South Coast Science Sub-Team (Science Sub-Team)

- **Cooperation with Science Sub-Team.** SCRS members will work cooperatively with the Science Sub-Team in developing options and work products. The Science Sub-Team will assist the SCRS by reviewing draft documents, addressing scientific issues and information provided by the SCRS, and helping to frame and refer policy challenges to the BRTF. At their discretion, MLPA Initiative and CDFG staff may plan for joint meetings or work sessions of the SAT or Science Sub-Team and the SCRS.
- **Briefings to BRTF.** The BRTF is expected to provide policy guidance to the SCRS on each iterative round of draft MPA proposals. SCRS members will have an opportunity to present focused briefings on the progress of MPA proposal development to the BRTF.

Primary and Alternate SCRS members.

- **Attendance.** All SCRS members, both primary and secondary, will make every effort to attend all of the SCRS meetings.
- **Seating.** During SCRS meetings, the following participants will be seated at the main table: primary SCRS members (or alternates when primary members are not in attendance), the MLPA BRTF liaison, Science Sub-Team members in attendance, lead MLPA Initiative and CDFG staff, and project facilitators. SCRS alternates, other staff, and members of the public will be seated nearby.
- **Coordination.** Primary SCRS members will work with their alternates to ensure that they are informed regarding SCRS deliberations. This will enable alternates to step in effectively as needed and keep the project from "backsliding." Primary and alternate members are encouraged to confer in advance of the meetings, and prior to straw votes

when possible or during meeting breaks. They are also encouraged to confer with their broader constituencies at these times.



- **Meetings.** Discussion at SCRSG meetings will principally involve primary SCRSG members, members of the South Coast Science Sub-Team, and MLPA Initiative and CDFG staff. Primary members may call upon their alternates to address issues outside of their areas of expertise. At their discretion, meeting facilitators may call upon alternate members. Alternate members are expected to actively participate in breakout sessions.
- **Voting.** One vote per seat (primary/alternate) will be used during plenary sessions and primaries will confer with their alternate in advance of the straw vote, when possible.

Multi-interest Work Teams

- MLPA Initiative staff expect to form cross-interest group work teams to develop constructive, integrative work products during and between SCRSG plenary meetings. The aim of such work teams is to encourage integrative options and work products rather than work products put forward by a single bloc or interest group.

Public Comment

- **Public Comment at SCRSG meetings.** Designated times at SCRSG meetings will be agendized for public comment. Efforts will be made to schedule public comment at consistent time slots and keyed to important SCRSG work product discussions, and to be held at the time agendized. At all other times of the meeting, comments and discussion will be only among SCRSG members and alternates, Science Sub-Team members, and MLPA Initiative and CDFG staff.
- **Focus on Work Products.** To the extent possible, public comments will be directed toward the work effort, products, or process of the SCRSG. Comments on subjects external to the MLPA should be directed to other forums.
- **Other opportunities.** Members of the public are encouraged to convey their comments to relevant colleagues who serve as SCRSG members or alternates. Members of the public are also encouraged to submit comments in writing (via email to MLPAComments@resources.ca.gov). Written comments will be distributed to SCRSG members.
- **Speaking Time.** Public comments may be limited to up to 3 minutes per individual speaker. The SCRSG facilitation team will exercise flexibility in allocation of speaking time depending on the number of individuals wishing to address the SCRSG.
- **MLPA Response.** The MLPA Initiative Team will respond as appropriate to questions and suggestions posed in public comment portions of SCRSG meetings.

Participation of Federal, State and Local Agencies

- Given the significant portion of the south coast study region that is under the jurisdiction of federal, state, and local agencies, the active participation of these agencies is welcome and encouraged in the south coast process.

Role of Facilitation Team

- **Neutral Facilitators.** The SCRSG facilitation team is non-partisan; they have no stake in any particular set of alternative MPA proposals. They will not act as an advocate for particular outcomes. The facilitators will strive to ensure that all SCRSG members clearly articulate their respective interests and to assist members to complete their work in a well-informed, efficient and timely fashion.
- **Foster Alternatives with Mutual Benefit.** The facilitation team will seek to foster approaches to meeting management, and to the identification and consideration of alternative MPA proposals, which maximize joint gains and mutual benefit.
- **Efficient Use of Time.** The facilitators will strive to structure meetings and discussion so as to make efficient use of members' time. This includes providing materials in advance of meetings, assisting with keeping the discussion focused and monitoring discussions so that no individual or idea dominates.
- **Facilitators' Discretion.** The facilitation team will use its discretion in guiding meetings and may propose agenda adjustments. The facilitation team may also use straw voting to track a range of preferences on emerging issues and gauge the level of support for alternative options.
- **Key outcome memoranda.** The SCRSG facilitation team will prepare key outcomes memoranda to summarize the main results of the SCRSG meetings. These key outcomes memoranda will summarize key decisions made, issues discussed, and the next steps identified for moving the project forward and does not strive to serve as a meeting transcript.. The facilitators will strive to prepare key outcomes memoranda within 10 days of the meetings.