

# Stakeholder Assessment Memorandum

**Date:** February 5, 2010

**To:** MLPA North Coast Regional Stakeholder Group Members

**From:** Eric Poncelet and Ben Gettleman, Kearns & West

**Re:** Stakeholder Assessment Memorandum, North Coast Process

**Cc:** MLPA Blue Ribbon Task Force members

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This stakeholder assessment memorandum presents our summary findings from interviews we conducted with a broad cross-section of Marine Life Protection Act (MLPA) North Coast Regional Stakeholder Group (NCRSG) nominees. We conducted 58 interviews, including interviews with the 32 nominees appointed to the NCRSG. Interviews were conducted by facilitation team members Eric Poncelet and Ben Gettleman of Kearns & West. These interviews and this memorandum represent a key part of our preparation to facilitate the NCRSG process and will inform ongoing process design.

Several overarching findings emerged from the interviews:

- Stakeholders are keenly interested in the MLPA Initiative North Coast Project. The stakeholders interviewed want MLPA implementation to take into account the unique qualities of the north coast study region and the broad diversity of stakeholder interests that reside there.
- Stakeholders have considerable local knowledge and experience and are willing to bring this to the process.
- In general, stakeholders recognize the difficulties inherent in designing and proposing a set of marine protected areas (MPAs) that satisfies the diverse interests in the north coast study region.
- Stakeholders emphasized the importance of minimizing the negative socio-economic impacts of MPAs on local communities and of working hard to ensure the buy-in of local communities.

This memorandum is organized into two main sections. Section A summarizes the interests expressed by the stakeholders interviewed. Section B summarizes key views on the north coast project, including issues, potential challenges to overcome, and keys to success.

## A. Stakeholder Interests

In the interviews, respondents expressed a wide variety of interests with regard to the MLPA and the marine resources of the north coast study region. Many of the respondents expressed multiple interests, demonstrating the complex patterns of resource use and community affiliations in the study region.

### 1. Shared interests

Several of the interests expressed were shared across all of the stakeholder perspectives. Key among these was an interest in addressing the needs of local communities in the north coast study region and, in particular, of minimizing possible negative impacts on people's livelihoods stemming from implementation of the MLPA. Many of the respondents emphasized the importance of achieving buy-in from these local communities in the development of MPAs.

Other broadly shared interests expressed in the interviews included interests in healthy ocean ecosystems; sustainable fisheries; the importance of recognizing traditional tribal marine resource use; policy making informed by sound science and accurate information; and a transparent stakeholder process viewed as legitimate by all.

## **2. Hopes regarding the NCRSG process**

Respondents expressed a variety of other hopes regarding the NCRSG process. These included desires for:

- A process that takes into account the unique qualities of the north coast region, including: the relatively healthy status of many of its marine resources, the close relationships that exist among many of the stakeholders in the region, and the fact that many of the region's stakeholders have a relationship with marine resources in multiple ways.
- A well-informed stakeholder process where stakeholders' views are heard, NCRSG members show respect for one another and emotions are kept in check, where scientific information is well-founded, and which utilizes the knowledge of local experts.
- MPA decisions that represent an appropriate "balance" among stakeholder interests, especially between ecosystem protection and economic needs.

## **B. Views on the Project – Key Issues and Potential Challenges**

Respondents identified a variety of complex issues and challenges facing the MLPA Initiative North Coast Project. Key among these included:

### **1. Achieving multiple benefits and balanced outcomes**

Many respondents believed the NCRSG will have to work hard to find an appropriate balance between conservation, biodiversity, and ecosystem protection goals on one hand, and the avoidance of negative socioeconomic impacts on the other. Achieving this balance is perceived as both a core responsibility and inherent challenge of the NCRSG and MLPA processes.

### **2. Concern over possible negative impacts to local communities and livelihoods, especially given context of existing restrictions**

Respondents typically portrayed the north coast study region as already economically challenged and burdened by many existing fishing restrictions. Respondents were generally concerned that additional MPA restrictions would cause negative socioeconomic impacts, and remarked that this concern has compelled many local community members to oppose the MLPA in the north coast. Some respondents also worried that implementation of the MLPA would have harmful impacts on recreational marine resource use.

### **3. Challenge of incorporating Tribal marine resource uses**

Many respondents acknowledged the importance of adequately addressing tribal rights and uses in the MLPA Initiative North Coast Project. Respondents were concerned that the process would be hindered by confusion and lack of clarity over how to deal with tribal sovereign rights and other sovereignty-related issues. A few pointed out that the MLPA, when written, did not adequately contemplate tribal interests and rights, and that there is a key difference between tribal and fishing interests. Other related issues identified by respondents included how best to address tribal confidentiality issues, and the importance of treating tribal governments with respect in the process. Both tribal and non-tribal respondents strongly recommended that the state enter into discussions with the tribes to address these issues and provide clear guidance to the NCRSG. In general, respondents did not view the MLPA as the appropriate venue for addressing broader sovereignty issues.

### **4. Mistrust of the planning process**

Several respondents described a general sense of mistrust that exists among many north coast residents regarding the MLPA Initiative and, in particular, the perceived funding source (Resources Legacy Fund Foundation). Some in the study region believe that the north coast project already has predetermined outcomes, and that “back room” deals have been made outside of the public eye. Further, others believe that there has not been a sufficient effort to acknowledge and incorporate local expertise and knowledge, and that doing so would lead to a better-informed process.

### **5. Mistrust of the science supporting the MLPA Initiative**

Some respondents expressed a sense of mistrust regarding the science supporting the MLPA Initiative. They described concerns over what they perceived as incomplete and untimely scientific information (e.g., regarding the location of kelp, seaweed gathering, tribal uses, substrate layers). Some were also fearful that science may be used to serve special interests. For these reasons, these respondents predicted the science will likely be met with scrutiny during the NCRSG process. In addition, some respondents expressed the view that social sciences (socio-economic, etc.) should be better represented in the scientific evaluation process.

### **6. Sense of government over-imposition**

Some respondents presented the view that the MLPA represents an unfair and unnecessary imposition by the government. They questioned the legitimacy of a government agency telling people where, how, and when to fish, particularly when there are already considerable regulations intended to do so. In their view, the north coast study region has already been significantly affected by government regulation of natural resources, and there is a fear of yet more governmental “taking” of land and resources. These respondents believed that due to some of the unique features of the north coast study region (e.g., sparse population, harsh weather that limits the number of fishing days, and the generally good condition of marine resources), MLPA implementation in the north coast is not as important/necessary as in other parts of the state.

### **7. Other concerns**

Respondents expressed a variety of other important concerns, including:

- *Concerns over safety issues.* Several respondents cited safety concerns as being paramount in the siting of MPAs. These respondents advocated for keeping local reefs open for fishing to help ensure “safe harbor.”
- *Overemphasis on fishing.* Some respondents viewed the MLPA as overly focused on fishing and not focused enough on other issues that also could have potentially negative impacts for north coast marine resources (e.g., development, industrialization, oil/gas development, wave energy).
- *Concerns over the role of media.* Some respondents expressed concern over how the MLPA Initiative may be reported in the media. While some acknowledged the importance of the media in ensuring an open and transparent process, others were concerned about the media reporting on incorrect or premature information and making it more difficult to build local buy-in.
- *Enforcement concerns.* A few respondents pointed out the lack of state funding for enforcing MPA regulations. They stated that poaching is a big issue and may end up undermining the effectiveness of an MPA network.

## 8. Keys to Success

In their discussions of key issues and potential challenges, respondents recommended several key ways to help ensure the success of the NCRSG process. These recommendations included:

- NCRSG members must search for solutions that balance multiple stakeholder interests.
- NCRSG members must give serious consideration to all viewpoints, be willing to compromise, and seek mutual gains.
- The NCRSG process must be informed by sound science and accurate information.
- NCRSG members and the public at large need to feel that they are being listened to and that their concerns are being seriously considered.
- The NCRSG needs to build effectively off of the hard work done by community groups in preparing the Round 1 external proposed MPA arrays.
- Tribal interests must be addressed early in the NCRSG process.
- The NCRSG process must acknowledge the unique characteristics of the north coast.
- The NCRSG process must involve broader constituencies and reach out to local communities and solicit their input.
- NCRSG members must be firmly committed to work toward accomplishing their charge and achieving the goals of the MLPA.