

THE WILLIAM D. RUCKELSHAUS CENTER

UNIVERSITY OF WASHINGTON

Washington Coastal Marine Advisory Council Situation Assessment

March 2012

The Washington State Department of Ecology (Ecology), on behalf of the State Ocean Caucus (SOC), is coordinating a new coastal stakeholder advisory body focusing on marine and ocean policy issues on Washington's Pacific Ocean Coast (from Cape Flattery south), including the estuaries of Grays Harbor, Willapa Bay, and the lower Columbia River. This new coastal body will advise the State Ocean Caucus (SOC), an interagency team, on ocean policy and management issues along Washington's Pacific Coast.

On request of the stakeholders who helped design the process, Ecology has retained the William D. Ruckelshaus Center (Center) to serve as neutral convener. The Center is a neutral resource for collaborative problem solving in the state of Washington and the Pacific Northwest, providing expertise to improve the quality and availability of voluntary collaborative approaches for policy development and multi-party dispute resolution. The Center is a joint effort of Washington's two research universities (University of Washington and Washington State University). Additional information on the Center is available at www.ruckelshauscenter.wsu.edu

The purpose of this situation assessment was to preview the issues, objectives, timelines and desired outcomes of the coastal group. This report represents an effort to reflect the input received from members all of whom were interviewed, via telephone, by staff at the Center. This input will inform the meeting planning process, so that the coastal groups meetings and materials are appropriate to the situation, creative and conducive to making consistent progress.

What follows is a brief background, followed by a summary of key themes heard in the interview responses, and concluding with recommendations from the Center on the design and structure of the process as the project moves forward.

Background

In February 2011, the four Coastal Marine Resource Committees (MRCs) met to discuss the formation of a MRC partnership to address Coastal and Marine Spatial Planning (CMSP) and other issues that affect the coast as a whole. Motivations for the discussion included: the desire to collaborate identified at a then recent MRC Summit in the SOC's 2010 Report to the Legislature (SSB 6530) on CMSP; and proposed legislation from Pacific County MRC to form a coastal entity to address that recommendation. The discussion resulted in general agreement that

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a formal MRC partnership group was not necessary, because the structures and mechanisms for the MRCs to coordinate were already in place. MRC members present would instead move forward with the formation of a “coastal entity” relative to CMSP implementation. The results of the discussion were put together in a report to the SOC on February 23, 2011.

A subset of participants from this meeting met in March 2011 to look in detail at an appropriate organizational model for this new entity and the governance structure within which it could fit. Referring to themselves as the “Big Chew Commission,” the participants discussed the purpose of a new coastal entity and considered two organizational models for it—one proposed by the SOC and another by MRC members. Participants decided to develop a hybrid version from the two proposed models. The group met in April and again in May 2011 to work towards an agreement on the new hybrid model, the representation, selection and appointment of stakeholders, and how the proposed coastal group would make decisions.

After the May meeting, another subset of the participants met to put together a draft charter, to help the “Big Chew Commission” reach an agreement on the structure and makeup of the proposed coastal group. The “Big Chew Commission” met in June 2011 to edit and refine the charter and achieve consensus on the future process for forming the new group. The draft charter was presented to the SOC with a recommendation on the need to form a coastal stakeholder advisory body.

The SOC determined the best mechanism for responding to this recommendation was to form this group as an advisory group to the State Ocean Caucus. Department of Ecology, as coordinator for the State Ocean Caucus, coordinated the process to officially form the group. To reach a decision on stakeholder representation of the new coastal group, participants of the “Big Chew Commission” voted on a proposed list of categories of stakeholder seats it had put together at previous meetings. A survey was created and participants selected the number of seats (zero, one, two, three or four) they wanted each stakeholder category to have represented on the new group. The results were averaged and equally weighted across the four MRCs, and the majority vote of each category chosen.

With input from MRCs and state agencies, Ecology sought nominations for stakeholder seats in September 2011. Coastal MRC representatives and state agencies then reviewed nominations and provided a consensus recommendation to Ecology’s director on the individuals to appoint to stakeholder seats on the new group. In addition, coastal MRCs each have a seat and they self-selected these representatives and their alternates.

Coastal MRC representatives and agencies provided names of potential organizations that could act as neutral convener. Ecology then followed up with these entities and inquired as to their interest and funding requirements. The Coastal MRC representatives and agencies then interviewed the neutral conveners and agreed on selecting the William D. Ruckelshaus Center to serve in this role. Ecology and Coastal MRC representatives asked the Center to serve as neutral

convener to facilitate the group's quarterly meetings and provide support for meeting logistics and administration.

Key Themes

Purpose and Role

- All members were asked about their understanding of what the new coastal body was being asked to do. Many responded that they are not certain or have only a partial understanding. When asked to describe what they *think*, the group is being asked to do, most said that the group will be providing advice to the SOC on ocean policy issues important to coastal stakeholders. Many believe the scope of the process is unclear, particularly the topics they are being asked to provide input on or how the group's advice will be used. Almost all members cited Coastal and Marine Spatial Planning (CMSP) as the topic they believe the group will be most involved with.
- Several members expressed concern about other members' understanding of the group's purpose. Some indicated they were aware of other members' intention to put forward legislation to restructure the group. Many suggested the group develop a common understanding on the purpose of the group at the first meeting. Some asked that clarity on purpose and role be provided to members by Ecology and the SOC at the first meeting. Many suggested the group develop a vision/goals statement and define roles and duties of the parties involved at the first meeting.
- Some members expressed concern with the formation and current structure of the coastal body and believe the proposed legislation (SSB 6169) better represents the "bottom-up" approach they advocated for during the "Big Chew" discussions. They expressed some level of skepticism with the state agencies' commitment to consider or act upon the concerns and interests of coastal stakeholders. Some expressed frustration with the agencies approach to forming the group and changes they believe were made to the draft charter by the SOC and Ecology without their consent.

Goals, Outcomes, and Criteria for a Successful Process

- All members concluded there is something to be gained by participating in the coastal body and nearly unanimously stated that the new group provides an opportunity to put forth a "*voice for the coast*" that will better inform the state about the objectives and concerns coastal stakeholders have about ocean policies. They believe that the coast is underrepresented in terms of the attention it gets relative to other regions such as Puget Sound or the Columbia River.
- Members see the coastal body as an opportunity to build a more complete and common understanding among members and the agencies about each other's interests and the

rationale for their positions. Many expressed hope that the group will engage in productive communication and work together to resolve issues and move towards shared solutions. Several believe the group will allow for more open, honest dialogue among the members and between the stakeholders and agencies. Such dialogue was commonly suggested as necessary to building trust among participants and achieving the goal to build a common understanding.

- Many provided overarching goals and outcomes for the process, including good participation and attendance in meeting, productive discussions, building among members, and being able to reach consensus on decisions. Other goals and outcomes included: providing recommendations on CMSP; promoting conservation efforts; identifying funding sources for coastal and marine related projects; collaborating with coastal MRCs to implement coastal projects; and preserving existing coastal uses.
- There were a number of ideas on how to make the process successful. In general, members recommended a process that is structured, efficient, and has clearly defined goals and objectives. Members suggested clarity in and agreement on roles and responsibilities of members, SOC, and Ecology; agreed upon operating procedures and approach for working together; and that the group identify specific, tangible tasks to tackle during the first year.

Opportunities and Challenges

- There is broad support among members for the group being involved in the state's development and implementation of CMSP. Almost all members listed CMSP as a priority; however, the level of involvement and role members described varied. Some suggested the group put together a written product for the SOC that explains the objectives and concerns coastal communities have regarding CMSP. Other members suggested specific priorities, strategies or approaches the group could assist the state and coast in implementing, including data gathering, mapping, and education and outreach efforts. And some suggested that the group could evolve and become the coastal coordinating entity for CMSP listed in Recommendation 18 of the SOC's report to the Legislature on CMSP (SSB 6350).
- Additional opportunities suggested included:
 - Advising on and providing education and outreach for the Tsunami clean-up response.
 - Advising on and providing education and outreach for oil spill prevention and response efforts.
 - Being involved in the development of coastal mapping and demographic studies.

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- Collaborating with MRCs to implement projects.
- Providing education and outreach support to coastal communities.
- Many members believe reaching agreement on issues or identifying areas of common ground will be a challenge for the group due to the wide range of interests of members. Many involved in the “Big Chew” discussions spoke of various challenges the group faced in reaching agreement on issues and some are concerned the group will face the same challenges. Many believe having a neutral convener will be helpful to keep the group on task and working towards common ground.

Hopes, Concerns, and Expectations

- Most members believe the group should operate by consensus; however, many are concerned about situations where one or two members on the group could block the group from reaching consensus. Many suggested the group have a clearly defined process for consensus decision making but that a backup process (such as majority voting) be available.
- A variety of perspectives were given associated with the composition of the group, selection of members, and participation of non-members in meetings. Almost all members believe state agencies and tribes should be invited to attend meetings. Many suggested the group be open to the idea of adding seats if necessary.
- Some members are concerned the group does not equally represent the broad interests of the coast. Unequal representation between the north and south coast was of greatest concern. Another is associated with the way members were appointed to the group, in that some believe the seats recommended by the “Big Chew” were not agreed upon by all the participants.
- Members nearly unanimously stated that they expect their fellow group members to work collaboratively and towards consensus, to be open and listen to others ideas and interests, and to put the good of the coast ahead of their own individual interests.
- Expectations of the SOC and other government liaisons include attending meetings when invited; taking the advice the group provides seriously by providing written feedback on the advice given, including stating clearly how the advice will be used; and keeping the group informed on state and SOC efforts.
- Most members are comfortable with Ecology coordinating the group, though some would prefer to be providing advice directly to the Governor’s Office. Members expect Ecology to carry information to and from the SOC and the tribes, to not dominate the process, and

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to work with the group and the neutral convener to coordinate meetings, materials, and tasks.

- The neutral convener is expected to keep the group focused on agreed upon tasks and agenda items, to ensure meetings operate smoothly, and to be fair and balanced - not favoring a particular interest.

Charter and Ground Rules

- Some members of the group were not involved in the “Big Chew” and therefore are completely unaware that a draft charter for the group had been created. Some members who were involved in the “Big Chew” had yet to see the final draft charter. Other members said they have seen the final draft charter and some of them expressed frustration that Ecology and the SOC made revisions to the charter they did not support.
- When asked what was important in the charter, common responses included variations of the following:
 - Clearly define the roles of the coastal body, how the groups advice will be used, and how the SOC will respond to that advice.
 - Clearly define the roles of Ecology, the SOC and the neutral convener.
 - Clearly define consensus and the process for making decisions. Indicate that members are to work collaboratively and towards consensus.
 - Describe the process for adding of new members to the group.
 - Describe attendance requirements of members and attendance expectations of other participants, such as SOC, tribes, public, etc.
 - Allow members to select alternates, and describe their role and responsibilities.
 - Describe terms and the selection process for renewing or replacing seats.
 - Indicate that members are to be open and listen to others ideas and interests.
 - Members must put the good of the coast ahead of their own individual interests.

Meeting Scheduling

- Most members prefer meetings on Wednesday through Friday and prefer a 10am-2pm meeting time, since it allows for reasonable travel. Most said they do not prefer meeting in Olympia, that meetings should be held at coastal locations.

Recommendations

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Presented below are the Center's process design recommendations based on the key themes of this assessment report.

- Not all members have a common information base when it comes to the background and history leading up to the formation of the coastal body and the current proposed legislation that reestablishes the group under the Governor's Office. To ensure all members are on the same page, the first meeting should provide a background and update, including background on the "Big Chew" and the legislation, and an opportunity for members involved to discuss.
- Members asked for clarity and common understanding on purpose, role and responsibilities of the group. The group should discuss and agree on a charter/operating procedures and ground rules at the first meeting. The Center, having expertise in helping groups develop charters/operating procedures and ground rules, recommends the current charter be updated so that it reflects the input of the members of the group not involved in the "Big Chew," to foster further ownership of the process. When suggested during the interviews, most members' indicated this was both fair and important.
- There are a number of topics members believe the group should address, yet recognize addressing all of them in four meetings is unlikely. To prioritize topics and build a shared approach for addressing them, the Center recommends working with the group to build a shared vision and work plan. Ecology and the SOC should also suggest specific issues on which advice from the group would be especially timely and useful. The group can then decide which of these issues it wants to include in its work plan.
- Because the group is an advisory (not decision-making) body, it does not need to make decisions by voting or majority rule. Rather, the group's authority and effectiveness will come from the degree that it is able to express a unified "voice of the coast" on issues of importance to coastal communities. For this reason, the group will be well-served by using a well-defined and -conducted consensus process. The Center recommends that it work with the group to adopt a consensus methodology that serves the group well, including mechanisms for ensuring full and fair discussion of issues, timely determination of whether the group can establish full or partial consensus on those issues, and (where consensus cannot be reached) expressing the different opinions held and the rationale behind those opinions.

If you have questions or would like additional information, please contact Amanda Murphy, neutral convener, at 206-219-2409 or amanda.g.murphy@wsu.edu