

A CASE STUDY ANALYSIS OF A PARTICIPATORY PROCESS
IN FISHERIES MANAGEMENT

By

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ABSTRACT

The purpose of this study was to evaluate the experiences of participants in a participatory process in environmental management and to examine relative contributions of process features and the achievement of social goals to participants perceptions of their experience. I examined the case of the North Carolina Marine Fisheries Commission Sea Turtle Advisory Committee, an ad-hoc advisory committee composed of scientists, fishermen, and managers convened to develop solutions to reduce sea turtle-fishery interactions in North Carolina inshore waters. I conducted semi-structured interviews with participants about their experience on this committee. I recorded and transcribed audio of the interviews and coded participant responses using NVivo software. Most participants categorized their experience as positive overall, citing the achievement of social goals rather than the production of substantive recommendations. Participants were most satisfied by the level of motivation of their fellow participants, but least satisfied by the lack of responsiveness from the lead agency, the Marine Fisheries Commission. The committee's achievement of its goals was further hampered by poor facilitation, which resulted in confusion about the goals and scope of the process. Despite significant setbacks, all committee members responded that they would consider participating in a participatory process again in the future.

TABLE OF CONTENTS

Introduction	5
Methods	8
Results & Discussion	16
Conclusion	27
Recommendations	28
References	30
Tables	32
Appendix A	37
Appendix B	39

INTRODUCTION

Participatory processes are forums for the incorporation of public values in decision-making (Creighton, 2005). They are widely used in environmental management by government agencies to accomplish a range of purposes from simply informing the public, to engaging them in problem-solving, to negotiating long-term agreements. These varied purposes required different amounts of effort from participants and level of commitment from the convening agency. The best design for a process depends on the decision that needs to be made and the context of the issue under consideration (Creighton, 2005).

There is a wide body of literature lauding the value of participatory processes in producing more substantive decisions in management. Comprehensive assessments of participatory processes (Beierle & Cayford, 2002; Irvin & Stansbury, 2004; Creighton, 2005) have shown that, when well-executed, they can bring about a number of beneficial results, including:

- Improved quality of decisions – involving the public forces agency managers to re-evaluate assumptions and refine objectives. Members of the public can also bring on-the-ground knowledge to the table that could aid in the implementation of a policy.
- Minimized costs and delay associated with conflicts during implementation - involving the public in decisions allows for the resolution of conflicts during the design phase of a policy, reducing the likelihood of confrontations or litigation during implementation.
- Consensus building – intensive, deliberative participatory processes can bring about consensus between disparate interests.
- Trust and credibility building – public participation can improve the relationship between managing agencies and stakeholders.

- Increased knowledge – the public can become educated about issues and agency activities through participation in decision-making, as well as acquire skills in leadership and working with others. Similarly, the institution becomes educated about public values, needs, and concerns.

Recently, a National Research Council panel on public participation in environmental decision-making (NRC, 2008) conducted an assessment of participatory processes across the United States in different fields of environmental management, such as watersheds and climate change. They concluded that public participation improves the quality and legitimacy of a decision and improves results, such as environmental quality or social goals. The panel recommended that participatory processes be incorporated fully into environmental decision-making, and that government agencies should approach participation as necessary for the development of sound policy rather than just a mandated procedure (NRC, 2008).

There is a general consensus in the literature that participatory processes are useful for enhancing the value of environmental decisions. The success of a participatory process is greatly influenced by the context in which it takes place (i.e. pre-existing relationships) and its process features (i.e. responsiveness of lead agency, quality of deliberation). Beierle and Cayford (2002) found in their analysis of 239 participatory processes that process features, particularly the responsiveness of the lead agency and the motivation of participants, had the strongest correlation with success. They concluded that well-executed processes can succeed despite challenges posed by the context or design. These results suggest that careful attention must be paid by lead agencies to the execution of process features and that public participation may be substantially improved by ensuring the maximization of these features.

Participatory processes, particularly more deliberative ones, can be quite costly and require a significant commitment of time, effort, and resources from participants as well as the convening agency (Beierle & Cayford, 2002). And, while useful in many cases, participatory processes are not a silver bullet and can occasionally make matters worse (Irvin & Stansbury, 2004; NRC, 2008). Thus it is important that participatory processes be designed and executed to increase their chances of success and critically evaluated to understand where they may be improved.

The purpose of this study was to evaluate the experiences of participants in a participatory process in environmental management. Specifically, I sought to understand the contribution of process features and the achievement of the social goals of participatory processes as defined above, to participants satisfactions or dissatisfactions with a their participatory process experience. Specifically, I sought to understand the extent to which the participatory process met the expectations of participants with respect to its goals – its purpose or objective – and the nature of its authority – the extent to which the committee’s findings or recommendations would influence management decisions as indicative of its role in the overall regulatory structure. I was also interested in what motivated committee members to participate in such an intensive participatory process and, given the high level of commitment, whether their experience serving on the advisory committee affected their willingness to participate in future participatory processes. I explored these questions using the North Carolina Sea Turtle Advisory Committee, an ad-hoc committee formed by the North Carolina Marine Fisheries Commission to address interactions between sea turtles and North Carolina commercial fisheries as a case study.

METHODS

Case Study

The North Carolina Sea Turtle Advisory Committee (STAC) was established as an Ad-Hoc Subject-Matter Advisory Committee by the North Carolina Marine Fisheries Commission (MFC) in 2003 to develop recommendations for the reduction of interactions between inshore fisheries and sea turtles in North Carolina inshore waters. Increased strandings of sea turtles on beaches along the inshore sounds of North Carolina in the fall of 1999 were attributed to commercial gillnet fisheries operating in Pamlico Sound, North Carolina. Research by the National Marine Fisheries Service (NMFS), the federal agency charged with managing federal and protected marine resources, and North Carolina's Division of Marine Fisheries (DMF), revealed that much of the mortality was likely due to the large mesh gillnet fishery occurring in deeper waters of Pamlico Sound. These findings triggered closures in 1999-2003 of large areas, and later the entire waters, of Pamlico Sound, a traditional commercial fishing ground for North Carolina commercial gillnet fishermen. DMF applied and received a Incidental Take Permit (ITP) under Section 10 of the Endangered Species Act from NMFS for the Pamlico Sound large mesh gillnet fishery to allow the incidental catch of sea turtles below a certain threshold. DMF also worked with NMFS to develop and institute the conservation plan as required under the Permit for the newly formed Pamlico Sound Gillnet Restricted Area (PSGRA) to manage the use of fishing gear and monitoring of protected species bycatch in the commercial gillnet fishery in this area (STAC, 2006; Gearhart, 2003).

NMFS also began developing a strategy to standardize and improve its management of protected species interactions with fisheries, specifically sea turtles, in the Gulf of Mexico and along the East Coast. This strategy would take a gear-by-gear approach to managing protected

species interactions with fisheries and was to be implemented in 2003. NMFS sought comments and data from individual state agencies and managing authorities, as well as the public, on local interaction issues and suggested gear-by-gear management priorities. In response to this request for information, and the political fall-out from the recent and continued closures, the STAC was formed (Gearhart, 2003).

The committee was designed by a staff member, Jeff Gearhart, at the Division of Marine Fisheries as part of a course on participatory processes at North Carolina State University's Natural Resources Leadership Institute. He presented the idea to the MFC and received approval and funding to organize the committee as an official committee of the Marine Fisheries Commission (Gearhart, 2003). The final goal of the committee was to:

“... to develop solutions for the reduction of sea turtle interactions in commercial and recreational (rod and reel) fishing gear, while maintaining economically viable fisheries throughout the inshore waters of North Carolina” (emphasis in original; STAC, 2006).

The committee was composed of 12 voting members with expertise in commercial or recreational fishing in the inshore sounds, protected species management, or specifically protected species interactions with fisheries. These members included Technical Advisors from DMF, NMFS, the North Carolina Wildlife Resources Commission (WRC, the agency charged with managing sea turtles in North Carolina), Duke University Marine Laboratory, Environmental Defense, and commercial and recreational fishermen (Table 1). Committee position openings were advertised by DMF, but most committee members stated that their participation was expressly invited by Mr. Gearhart, who was convening the committee. Only one participant mentioned having applied to the position. The committee was assisted by four panel assistants from DMF and WRC and lead by a third-party facilitator. A staff member from DMF also served as a replacement facilitator and liaison to the MFC.

The committee process was divided into four phases: 1) information gathering, 2) compilation of data, 3) problem identification/solution development, and 4) report completion (STAC, 2006). The STAC met approximately bi-monthly during the first three phases of the process and then monthly during the compilation of the report. The committee's work lasted from October 2002 and May 2006 (Price, pers. comm., 2008). The process was designed in the initial proposal to take approximately 18 months to complete, however the actual committee took almost three years to complete its report, which it did in May of 2006 and presented to the Marine Fisheries Commission in February 2007. Committee members were widely distributed across eastern North Carolina (Table 1), so committee meeting locations varied, but all were open to the public.

The originator of the project, Mr. Gearhart, left DMF almost immediately after convening the STAC in 2003 and was replaced by another DMF staff member, Blake Price, as the DMF Technical Advisor on the committee. Two of the commercial fishing representatives also left the committee part-way through the process when they were appointed to the MFC. They continued to attend meetings and participate, but were replaced with other commercial fishermen in voting positions on the committee (Price, pers. comm., 2008).

The STAC provided an excellent opportunity for me to explore my research questions. Having concluded, it allowed me to interview participants about their experience serving in all phases of the process. Most of the participants were also located in close proximity to my own location, enabling me to interview them in person. Approximately two years had passed between the time the STAC completed its document and the start of my project. This intervening period may have provided some distance from the process and allowed STAC members to give a more objective assessment of their feelings at the time of their participation, or may have affected their

ability to remember some of the details of the process. However, all of the participants are still involved in North Carolina fisheries or sea turtle management and so are likely aware of any follow-up on the STAC's recommendations.

Data Collection

To examine participants' experiences, I conducted semi-structured interviews with participants in the Sea Turtle Advisory Committee. My protocol was developed and exempted from review as consistent with the guidelines of the Duke University Institutional Review Board for the Use of Human Subjects. I defined "participants" as individuals who had made a significant commitment to the process, officially as voting members or assistants, and contributed to the deliberations of the committee or were witness to these deliberations. Thus "participants" included the voting-members, panel assistants, and facilitators as listed in the committee's final report (Table 1). I contacted participants by email and by telephone to solicit their participation in my study. As members of a public committee, their contact information was readily available on the DMF website or I was able to retrieve it from other committee participants. I provided each participant with a consent form detailing the background, purpose, and protocol of my study (Appendix A). I also went over this consent form verbally with participants to highlight important points such as their right to stop the study at any time or to decline to answer any of my questions. Of the 18 listed participants, I was able to interview 12, including all of the Technical Advisors, panel assistants (with the exception of Parks Lewis, who was deceased), and facilitators. I was also able to interview one commercial fisherman. Repeated phone calls to the other commercial fishermen that participated in the process were not returned.

I conducted interviews in person or by telephone and recorded them using a Digital Voice Recorder to ensure accuracy of transcription. The interviews typically lasted less than one hour. I asked participants specifically to categorize the process overall and describe some of the things that worked or didn't work in the committee. I asked them general questions about different phases of the process and components of the design to jog their memories of their time on the committee. I allowed participants to direct the conversations and asked questions to clarify points or to ensure that my interviews with all participants touched on the same topics (Appendix B). Audio recordings of the interviews were transcribed verbatim in preparation for analysis.

Data Analysis

I analyzed interview transcripts by coding participants' responses using NVivo software (Version 8.0). Coding is a method of analyzing qualitative data that involves the labeling and categorization of individual pieces of qualitative data (i.e. a word, sentence, or paragraph). The sentence or paragraph can be labeled for the topic under discussion using a *topic code* or some attribute of the participant or context using a *descriptive code*. The researcher can also analyze a passage for a deeper meaning or how it fits into a pattern or theme in the data and assign this passage an *analytic code*. Coding allows the researcher to organize the data and examine the relationships between individual codes to find trends or themes in the text (Morse, 2002).

I carefully read each transcript and coded them for specific responses that answered my research questions, but also for other topics and themes that emerged from their comments. I coded entire sentences and groups of sentences where they were required to demonstrate the context of the key sentence. Codes were not mutually exclusive, so I could code one sentence or

passage at several codes in order to accurately capture the complex nature of the participants' meaning, but also the linkages between different codes.

As I read each transcript, I coded how the participant categorized their experience overall as positive or negative (Table 2). To understand the participants' perceptions of the goals of process, I coded whether or not the goals met the participants' expectations. If the participant stated that they were satisfied with the goals of the process or the goals had met their expectations, I coded this passage as Same Goals. If the participant indicated that the goals had not met their expectations, I coded this passage as Different Goals (Table 2). This was sometimes explicitly stated by the participant, but was often imbedded in comments about their satisfaction or dissatisfaction with different aspects of the process, such as the recommendations or the final report. An example of a passage I coded as Same Goal:

“Well, the way I saw the committee was to come up with as much information as possible on what we had on sea-turtles and interactions, was one. You know, “What do we have documented and what type of data sources do we have to rely on? Then, where are we lacking data?” I saw that as one of the goals of the sea-turtle AC. The second one I saw was, okay, “Now we know what these issues are, let's go ahead and try to address them with whatever pertinent recommendations that we can make based on the data that we have.” And I thought---Those were the two things I saw, as far as---I thought they did a good job on it. They hit my outset for what I thought the sea-turtle AC should do” (Interviewee 6, 2008).

In this comment the participant explicitly states what he thought the goal of the committee was to be and that they met that goal and, therefore, his expectations. Conversely, the following passage was coded as Different Goal: “Well, it originally was called, instead of the sea turtle advisory committee, it was called the sea turtle bycatch committee” (Interviewee 3, 2008). In this case, the interviewee only refers to the fact that the name of the committee changed. But, as they offered this comment in the course of the conversation about the goals of the process, it

suggests that they thought that the change in the name was an indication of a change in the purpose of the committee.

To understand the participants' perceptions of the authority of the committee (the capacity of the committee for influencing real management decisions), I coded whether or not the scope of authority met the participants' expectations. If the participant stated that the authority had met their expectations, I coded this passage as Same Authority. If the participant indicated they were not satisfied with the level of authority, then I coded this passage as Different Authority (Table 2).

As I asked specific questions about participants' motivations for participating in the committee and also their willingness to participate in future stakeholder processes, their responses to these were easily coded. With respect to the willingness to participate again, I coded these as willing, hesitant, or not willing (Table 2). In coding the participants' motivations, I took a data-to-theory approach and allowed my codes to emerge from participants' responses. Some of these codes were *in-vivo* codes (the participant's own words), such as the Act as Mediator code, which was given by a participant who stated that they joined the committee because they felt they could "act as mediator" between the different interests (Interviewee 4, 2008). Other motivation codes became more analytic as I coded more of the transcripts and began to notice patterns and themes in the responses. For example, one participant stated:

"...so that's what my interest was because I know there's a problem with turtles being caught in fishing nets, and I know, um, the fishermen often object to not being heard, so I thought well this is a good opportunity to get, people from the industry, people from the government, people from the environmental groups, just everybody, all the stakeholders together and discuss it" (Interviewee 3, 2008).

This passage was coded as Increase Stakeholder Input, because the participant referred to getting people from different sides of the issue together to discuss it. So this was more of an analytical code than an *in-vivo* code.

As I conducted and transcribed more interviews, I began to notice themes in participants' comments about the process. Participants generally expressed dissatisfaction or satisfaction with different aspects of the committee design, process, or outcome. The specific aspect that satisfied or dissatisfied them varied, but could be grouped into these two general categories. In coding the interviews, I allowed the participants' comments to drive my development of topic and analytic codes that described these specific aspects of the process and how I organized them as Sources of Satisfaction or Dissatisfaction, in a more data-to-theory approach (Tables 4 and 5).

An example of one of these codes would be: "I think, I guess I had some expectations that the Commission would kind of take what we did more seriously. I don't think that they really did" (Interviewee 5, 2008). This sentence was coded as Lack of Support from MFC or DMF under Sources of Dissatisfaction, because the participant is expressing disappointment that the MFC did not take the committee seriously. Sub codes were kept as close to *in vivo* as possible in order to accurately capture the meaning of participants' comments. It also allowed the greatest flexibility for comparison of these Sources of Dissatisfaction and Satisfaction as potential causes of the difference or similarity between the expectations of the participants and the actual goals and authority of the committee.

To organize the data, I ranked codes first according to the number of participants that mentioned them and then by the number of times they were referenced in total (Tables 3, 4 and 5). Results are presented as both quantitative (e.g. # and % of responds coded in specific ways) and qualitative (e.g. quotes illustrating typical and exceptional views). I incorporate quotes

throughout the text to demonstrate the reliability and credibility of my codes and enhance the rigor of my analysis (Baxter & Eyles, 1997).

RESULTS AND DISCUSSION

Participant Experiences

The majority of participants categorized their overall experience serving on the committee as positive and all participants identified some aspects of the process as Sources of Satisfaction (Table 3). Describing the reasoning for their overall categorization, participants often cited the achievement of social goals, such as stakeholder engagement or the acquisition of knowledge, more than the production of substantive recommendations or findings as what made the experience positive overall for them (Table 5). For example, one participant noted that they were pleased they were able to make new connections and interact with other stakeholders:

“...it was a great experience, because I got to meet other stakeholders that I normally wouldn’t have met. I actually have a fairly okay working relationship now with some people over at DMF, which historically has not been the case, so it’s good, at least I know who’s over there, who I can call, who might have information, who I can tell people things, who I can talk to if something comes up. It’s good to talk to some of the fishermen, because, you know, it’s, you know, they’re actually real people. And also for them to see that we are not bleeding heart liberals that want to save all the bunnies and things like that, so. Yeah, I mean it was a great, it was a great experience for meeting people and developing relationships with them” (Interviewee 1, 2008).

Engaging and discussing the issues was cited by another participant as what made the project worthwhile:

“Yeah...I mean I would, I would say overall the process was...went as well as it could’ve been expected, given I think the emotions that I spoke about earlier that surround those issues. Um, it was painful but I think everyone expected that, it was more, I think, protracted, drawn out, took longer than those folks expected, but in the end I think it was good that we did that and didn’t try to rush through some things” (Interviewee 4, 2008).

Most participants were also impressed with the attitude of other committee members – one of cooperation and a willingness to engage the issues – and the mutual respect for other’s perspectives despite disparate interests as Sources of Satisfaction with the committee (Table 5): “Like I said, there was a lot of different opinions, but everybody listened to everybody real well, and everybody got a long real well. It was good, it was really, really good. I mean, I’m really glad I got involved with it” (Interviewee 11, 2008).

These responses from participants suggest that STAC participants were highly motivated in joining the committee and approaching discussions of the issues and that this was seen as a successful aspect of the process. A closer examination of participants’ motivations for joining further confirms that most of the participants’ entered the process to achieve such “social goals” (Beierle & Cayford, 2002) as increasing stakeholder input and negotiating solutions (Table 3). For example, increasing stakeholder input was cited as a motivation for participating by four participants. One participant noted:

“And so that’s what my interest was because I know there’s a problem with turtles being caught in fishing nets, and I know, um, the fishermen often object to not being heard, so I though well this is a good opportunity to get, people from the industry, people from the government, people from the environmental groups, just everybody, all the stakeholders together and discuss it” (Interviewee 3, 2008).

Another participant wanted to be part of a process that would get specific stakeholder groups more involved: “And the Marine Lab, and also just the fishermen, to get the fishermen involved more” (Interviewee 1, 2008).

Participant motivation is a key component of public participation and was found to be strongly, positively correlated with success as found by Beierle and Cayford in their 2002 assessment. A closer examination of participants’ motivations for joining the committee suggests that the level of motivation entering the process was quite high. And the comments by

participants that other participants' motivation was a source of satisfaction, suggests that the level of motivation remain quite high throughout. Participants seemed motivated by, and had expectations that the committee could achieve, many of the benefits attributed to public participation processes in the literature that were discussed in the Introduction (Beierle & Cayford, 2002; Creighton, 2005). The participants expected the process to increase stakeholder input in the decision-making, produce negotiated solutions, and proactively address a critical management issue (Table 3). However, it was the level of motivation of the other participants and the new knowledge that they acquired that made the process worthwhile overall for most participants (Table 5).

A few participants included the final document as a source of satisfaction with the process. They said they felt it summarized useful information about the nature of sea-turtle interactions with commercial fishing gear in North Carolina:

“it was positive for me, because I learned a lot and I think that we produced a reasonably good report, that at least contains information that will be useful to managers should they choose to use it, which they probably won't, but at least it's there” (Interviewee 5, 2008).

This participant is also noting that the fact that they gained new knowledge was an important source of satisfaction for them and made the experience positive overall. Some participants went a bit further and felt that the document met the goals of the committee:

“Overall, I think the process worked the way I thought it would work and it developed the objectives I thought it needed to develop and the document, I think, suffices and documents exactly what I think they did and is a very well-written, very well-done document that they got out of it” (Interviewee 6, 2008).

Most participants, however, felt that the committee's end goals and product differed from what they had expected and even the stated goals of the process. A few participants mentioned that the lack of substantive findings and recommendations in the final report was a source of

dissatisfaction for them, and was cited as the reason that two of the participants categorized the experience as negative overall:

“...it just keeps coming back to that...um...and nothing’s being done, nothing has changed. So what did we do, we sat and we talked for, I don’t know a year and a half, and what’s been accomplished. What has North Carolina done that was proactive, nothing, nothing” (Interviewee 3, 2008).

This was also represented in a few of the sources of dissatisfaction, particularly the opinion that the report contained weak recommendations, missed the real issue, and produced no real impacts (Table 4). The following participant felt that the committee report completely missed the issue it was convened to address:

“So I...it just, um, again I don’t even think the document that we wrote was necessarily that great. And it didn’t address the problems of bycatch, it didn’t, in North Carolina. I mean, in order to do so you would need to show, give evidence of the bycatch from observer data and from strandings data, the time of year that these are occurring. I think all of our recommendations, we did it fishery by fishery and I think all of them said we need to put observers out on the fisheries to see what the take is, and how much of a problem it is. I mean we could have done that in a month. I mean that’s all we did” (Interviewee 3, 2008).

While the substance of the final recommendations may not have please some of the participants, it is important to note that the participant above is describing displeasure that the committee did not achieve its stated goals – to address problems of sea turtle bycatch in North Carolina fisheries. This suggests that the problem was more an issue of process, in that the committee did not deliberate on the issues or develop the solutions it set out to address and so produced a report that did not meet the committee’s goals. Examining some of the other sources of dissatisfaction for participants indicates that the committee’s the scope of their topic may not have been clear or changed. Specifically, participants stated that the committee’s handling of the issues was too broad, not broad enough, or generally unclear and that the focus wandered. For

example, one participant felt that the committee was receiving presentations on a range of issues not necessarily directly tied to the goal of the committee:

“It started to get...Part of it was that we got so much information. We got information from a lot of different fisheries and people...talking about the Pamlico Sound Gillnet area...And all of a sudden people are talking about long-liners, and people are talking about pound nets in Florida, as if that information was relevant to the mortality rate of turtles in Pamlico Sound or in pound nets in general...Because it is a big issue and everyone recognized there were a lot of factors that [fed] into it, and it was hard to sort of say, “Let’s get all this information, recognize the big issue, but let’s talk about this specific fishery, this specific body of water” (Interviewee 12, 2008).

Another participant similarly felt that the scope was too broad:

“So it’s all about bycatch or fishery interactions. Um, and it’s not... what... happened. Because the next meeting was, ok, what are the other things that affect sea turtles and why can’t we, you know, look at that, and do something about that, and, and, so, it just, it... it... didn’t go very well” (Interviewee 3, 2008).

Participants’ comments also suggest that the committee’s goals changed or were unclear throughout the process. If the committee lost track of its goals and its ultimate purpose, then this may have contributed to the final report not meeting its stated goals in the eyes of some participants. One participant stated explicitly that the goals of the process were unclear: “But I can say that it was unclear to me, at times, exactly what our objective was” (Interviewee 5, 2008). Another participant was bothered by the fact that the name of the committee changed and felt that this signaled a change in the focus of the committee:

“Even though we were, it was pointed out, we kept trying to refocus, and, and I was, when we were talking initially, I actually went back to the paperwork and said whoa, did I misread this? Did I, am I totally wrong here about the reason for it, um but I think the, one of the, the thing, the um, major, I think I still have that, I do have all that paperwork, was the change in the name” (Interviewee 3, 2008).

Still another participant felt that the agendas were unclear, which allowed the committee’s focus to wander and lose sight of the stated goals: “But sometimes it didn’t seem

like there was a clear agenda where we should be going from meeting to meeting and people kept losing sight of what our overall goal was” (Interviewee 2, 2008).

Another common theme that became apparent throughout the interviews was that the facilitator was inexperienced and generally unengaged.

“So there’s um, one girl, her name was Jenny who was the, the moderator for most of it and um, and she was so nice, but um, I think at the beginning she was a little bit timid, and I think she was a little too, maybe she didn’t realize what she was getting into either, but I think she was, for the most part especially in the beginning any kind of discussion, she wouldn’t really pipe in unless it was really going off topic or if we were spending way to much time on one thing and people were getting a little agitated and not getting anywhere with it then she would pipe in but I think in general she, she would sit back a lot and just sort of let us kind of do our thing” (Interviewee 2, 2008).

An unengaged facilitator may explain many of the committee’s issues with unclear rules, goals, and scope. Facilitators serve as leaders and guides in participatory processes, in addition to their role as mediators. The mission of the facilitator is to ensure that all participants feel comfortable enough to be fully engaged in the process and comment freely on the issues under discussion. A good facilitator helps keep the meeting on track and focused, pointing out when the discussion has wandered and monitoring the group to prevent long monologues or accusatory behavior. The facilitator also establishes ground rules for decision-making and can help the committee define their goals and agendas. The facilitator provides enough structure to allow the committee discussion to achieve the goals of each meeting (Creighton, 2002). That the facilitator was unengaged in the STAC process, means that the committee was without a strong leadership and support. Without strong leadership, strong personalities may dominate or push their own agendas, the committee’s discussions may get off topic or the focus of the committee may change entirely as conflicting interests negotiate for position (Creighton, 2002). Indeed, these seem to be some of the issues that arose in the STAC as highlighted by the participants among their sources of dissatisfaction (Table 4). For example, the following participant felt that the

DMF representative and staff took a greater role in directing the process in the absence of strong leadership by the facilitator:

“And it was an interesting, it was interesting because the meetings were run by DMF folks, but there was supposed to be a facilitator, but the facilitator was just not, didn’t have...I think she was kind of in-and-out, and essentially the meetings were run by DMF and so that kind of set the tone for things, so” (Interviewee 5, 2008).

This participant also suggests that the increased involvement by the DMF technical advisor and staff affected the direction of the process and possibly also its results.

This theory is confirmed by the facilitator’s own conclusion that many of the committee’s problems were as a result of an inexperienced and unengaged facilitator:

“I mean, it goes back to really simple things, like, at the eleventh hour people were talking about the mission statement. So it wasn’t really deliberative, like we have consensus on stuff that we’re doing here. And people started working the things at 14 or 15 weeks in. It was sort of like, “Okay.” And I honestly think it would have been more successful had it been professionally facilitated by someone who was putting more effort in” (Scarborough, pers. comm., 2008).

Here the facilitator notes that in the absence of strong facilitation, the committee would return to negotiate already agreed-upon definitions like the goals of the process. The facilitator also admitted to not having a personal commitment to the process and to not putting much effort into guiding the committee or providing support:

“I feel like a lot of the failures that I saw in the process I feel like were mine because I just didn’t do the facilitation in a really deliberative way. It was volunteer for me and I wasn’t putting much planning into it. It was just sort of like I’d show up and we’d go. I know how processes like that should look and they can work, and I just wasn’t especially invested” (Scarborough, pers. comm., 2008).

As raised in an earlier quote, the lack of strong leadership from the facilitator may also have allowed for the multiple roles of the DMF representative, which was among the top sources of dissatisfaction among participants (Table 4). The participants voiced concern that the DMF representative served multiple roles on the committee: as a voting member on the committee, the

organizer, and somewhat de-facto chair of the committee. And that his increased engagement may have affected the legitimacy and objectivity of the process:

“Yeah, I think if there had been stronger facilitation, the collective voice of the committee would have been stronger. And I think DMF led it in some directions that, it would have been better just to have the committee decide which way to go on. So, rather than have DMF run the meetings, there should have been one DMF person with an equal voice at the table with everybody else” (Interviewee 5, 2008).

The DMF representative coordinated staff support for the STAC, prepared agendas, scheduled meetings and presentations. In addition, he served as the committee’s representative to the Marine Fisheries Commission in that he made monthly reports to the commission on the progress of the committee, led the compilation of the final document and presented the final document to the Commission (Price, pers. comm., 2008). As the DMF representative was involved in the original design and formation of the committee, he appears to have stepped in, probably unintentionally, to provide support, leadership, and guidance in the absence of strong leadership by the facilitator. The facilitator admitted that her lack of engagement left an opening that the DMF representative tended to fill:

“...I think there were times when people were just tuned out and not engaged and I think some people felt like Blake was both the facilitator and pushing his agenda through. I think it should have been more clear, like, “He’s here as a representative of Marine Fisheries” because I think that dual role was problematic. And I think I should have been more assertive with taking on other leadership...” (Scarborough, 2008).

The DMF advisor may not have recognized how his increased prominence was perceived by the other participants in the process. Other advisory committees of the Marine Fisheries Commission use committee chairs, rather than facilitators, that serve in roles as voting members and leaders of the group (Mirabilio & Baker, ND), so this role may not have seemed inappropriate to the DMF advisor. But many participants voiced concern that the direction of the committee may have been influenced by this:

“but when Blake took over, and it...it...kind of changed, and I don't know if it's because of Blake or not but, the fishermen were objecting to them being the cause for turtles, and um, and for turtles being in trouble and they wanted to look, to explore all the different reasons for turtles being endangered, rather than just looking at the one issue of bycatch” (Interviewee 3, 2008).

We see from this quote that the multiple roles of the DMF representative may have further contributed to confusion about the goals of the committee. The affect that leadership by a representative of the convening agency can have on perceptions of the legitimacy and objectivity of the process by participants is why the use of an outside, third-party facilitator is critical. Even if the agency representative is fair and balanced, because they are from the convening agency they may be perceived as pushing their organization's agenda in meetings instead of the committee's interests, especially when the committee is dealing with a contentious issue such as this (Creighton, 2002). However, the STAC was a in the difficult position of already having a third-party facilitator, but just one that was not effective. In the absence of leadership, it is difficult to say what the committee or the DMF representative could have done to remedy this situation, except to hire another outside facilitator with more experience.

The most common source of dissatisfaction among participants was the lack of support from the MFC and DMF for their work and the lack of action on their recommendations. This was cited by most participants as the reason for the fact that the authority of the committee (the capacity of the committee to influence the management policy) did not meet their expectations (Tables 3 and 4). Many of the committee members felt that the commission did not take the committee seriously and had no intention of acting on their findings. Specifically, participants felt this was evident in the general lack of support the Commission and DMF provided for the process, such as by not putting muscle behind their requests for data or by not providing funding for additional presentations: “...again we were told there wasn't enough money to bring

someone else in, etc, etc....” (Interviewee 1, 2008). However, others felt that the Commission just did not have the authority or influence to push other agencies into sharing data:

“I never felt like—Yeah, I guess I could see some people being, like, “Well, if you’re not going to let us look at it...” But I always felt like that was on the people in Florida. Nobody from—Maybe part of the reason nobody from Marine Fisheries put any muscle behind trying to get the information—I’m not sure [something], but I don’t know that they did—but I think they would have had to push the federal people to get that information. And I think that might’ve been some of the politics, was recognizing that wasn’t going to help them apply for the Section 10 permit” (Interviewee 12, 2008).

Participants also felt that the lack of support from the convening body impeded their ability to achieve the committee’s stated goals, as well as additional social goals:

“Yeah, and we really kind of were... when we did eventually make, one of the recommendations we made was that the pound net fishery should get a Section 10 permit, but DMF really pushed back against that, and the Commission, and DMF won’t act on it because they say it would take too much resources” (Interviewee 5, 2008).

And it was also seen by participants as affecting the legitimacy of the process:

“...but it still had to go through the marine fisheries commission and they might not, you know we could go through this entire process and the fisheries commission could look at it and be like, well we don’t like any of those recommendations and just, just you know throw out the whole thing, it just all seemed to be riding on them. We’d done all this work but now it’s ...you know, other group that can either just throw it in the trash and never read it, or really take it to heart and read it from cover to cover and really focus on what we’ve said and do something about it and be, it was like, it was up to them to be proactive about it. So that all of a sudden got really frustrating, knowing that it was dependent on them, you know whether, it wasn’t us saying directly to DMF, you know this is what you need to do so go and do it, it was more like, thanks for your input we’ll give you a call if we have any questions and...” (Interviewee 9, 2008).

It is not surprising that the lack of support from the convening authority was seen by participants as such a crippling factor for the process. Beierle and Cayford found that the responsiveness of the lead agency was strongly and positively correlated with the success of participatory processes. The commitment of the lead agency to participants and demonstrations of that commitment, such as through active deliberation with stakeholders, attendance of

meetings by high-level personnel, and provision of sufficient funding, attest to the legitimacy of the process in the eyes of the participants (Gurtner-Zimmermann, 1996; Beierle & Cayford, 2002). The lack of support was interpreted by participants, in this case, as a reflection of the MFC's opinion of the importance and legitimacy of the process.

The perception of participants that the MFC was slow to act on the committee's recommendations and findings was a further reflection of the illegitimacy of the process in their eyes and proof that the authority of the committee was not as they expected. Davis (1996) noted "if citizen participants are misled into thinking their decisions will be implemented, and then the decisions are ignored or merely taken under advisement, resentment will develop over time." Indeed, the lack of support from the Commission was the main reason given by participants for why they were hesitant to return to a participatory process. The MFC may have been supportive of the STAC's efforts and have never intended to mislead the committee participants into believing their role and authority was any more prominent than it was, but this is how it was perceived by participants. In addition, most participants felt that the MFC had not taken any action on their recommendations, though this is in fact not the case. Only a few participants seemed to know about and mention the two recommendations of the committee that the MFC was implementing. This suggests that the MFC may not be effective in following-up with participants of the process and communicating the fruits of their efforts. Thus, this is further confirmation that good communication, and commitment, on the part of the lead agency is the most important factor, more than context or other process factors, in determining the success of public participation (Beierle & Cayford, 2002).

Despite the many frustrations that participants described with the process, all said that they would be willing to participate in a committee again, primarily citing the importance of

participatory processes in providing stakeholder input and engaging the issues. Indeed, several participants expressed interest in reconvening the STAC on an annual basis to examine new data and update their recommendations. Three participants expressed hesitation at participating again, namely because of the lack of support they perceived from the Commission. But they also stated that if the process was more carefully designed and was fully supported by the convening agency, then they would consider participating again. The fact that participants are willing to participate after being dissatisfied with a committee process demonstrates their faith in the ability of participatory processes, when carefully executed, to bring about substantive decisions. It also reflects just how impressed participants were with the level of motivation of their fellow committee members. When asked if they would participate again, one participant stated:

“I’m a proponent of committees...the other ones...I mean, there’s a hundred and fifty, you know, and it’s amazing that the people will come and freely give up their time, you know, and some of these meetings last...And it is the commercial folks, to me, that are coming all the way, they’re driving all that distance, the meetings are set, you know, we might not get out of here until 9:30 or 10:00 at night and they have to drive all the way home, and they will do that. For the better good, sort of” (Interviewee 7, 2008).

CONCLUSION

As a case study, the North Carolina Marine Fisheries Commission Sea Turtle Advisory Committee demonstrates the importance of careful implementation and execution of process features, like leadership and the responsiveness of the lead agency, to achieve success in a participatory process. The STAC was carefully designed and included the use of a third-party facilitator to ensure the objectivity of discussions. But the committee was hampered in achieving its goals by poor leadership and little demonstration of support from the MFC, which resulted in confusion about the goals and authority of the process and called into question the legitimacy of the committee in the eyes of many participants. Despite having the opinion that the final report

lacked substantive recommendations, many committee participants expressed interest in continuing their work on the STAC. Participants were motivated by many of the same social goals that bring environmental managers to convene stakeholder processes: to engage stakeholders and incorporate public input to improve the value of decisions. And the fact that participants were able to recognize that level of motivation in their fellow participants was enough for many of them to categorize their experience as positive overall.

RECOMMENDATIONS

The purpose of this study was not to evaluate the design of the Sea Turtle Advisory Committee or the design of the Marine Fisheries Commission committee structure, but rather to provide an examination of the perceptions of participants of the STAC and the sources of these perceptions. But my results have highlighted a few points that I think would be valuable to point out and pass on to the MFC.

- The MFC should consider instituting a standard procedure for evaluation or mechanism for feedback for their advisory committees. The MFC has a well-established committee structure with dozens of committees and over 200 advisors, which operates fairly effectively to produce management plans and regulations for North Carolina state fisheries. However, considering the substantial investment of time and effort on the part of participants and of resources and commitment from the MFC and DMF, it would be worthwhile to ensure that the committees are being executed effectively and achieving quality results. An auditing procedure that elicits feedback from participants and perhaps even from Commission members about the effectiveness of the committees could be enough to prevent effective management from being hampered by the common pitfalls of

public participation processes. In addition, the auditing procedure should assess the effectiveness of the MFC at communicating its visions of the goals and authority and the importance of participation to its advisory committees. Effective communication will be especially important as coastal and fisheries management moves to a more ecosystem-based approach that requires engaging stakeholders from a much wider variety of backgrounds and perspectives and that may have very different expectations of participatory processes.

- The MFC should hire a third-party facilitator for all of its contentious, ad-hoc advisory committees. As has been demonstrated here, a good facilitator is crucial to success of participatory processes. In addition to facilitation, some consulting firms provide staff support to the process in the form of note-taking, agenda preparation, and other logistical needs. The use of a third-party consulting firm to organize and facilitate contentious ad-hoc advisory committees would alleviate concerns among participants that the convening agency is biasing the process.

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TABLES

Table 1: Committee Participants

Name	Position	City
Voting Members		
David Beresoff	Commercial Fisherman	Wilmington
Henry Daniels	Commercial Fisherman	Bellhaven
Dr. Michelle Duval	Environmental Defense Technical Advisor	Raleigh
Bill Foster	Commercial Fisherman	Hatteras
Dr. Matthew Godfrey	NCWRC Technical Advisor	Beaufort
David Hilton	Commercial Fisherman	Ocracoke
Catherine McClellan	DUML Technical Advisor	Beaufort
Joanne Braun-McNeill	NMFS Technical Advisor	Beaufort
Blake Price	NCDMF Technical Advisor	Morehead City
Jim Radford	Recreational Fisherman	Raleigh
Dr. Andy Read	DUML Technical Advisor	Beaufort
Charles Van Salisbury	Commercial Fisherman	Englehard
Assistants		
Alan Bianchi	NCDMF	Morehead City
Wendy Cluse	NCWRC	Atlantic Beach
Parks Lewis	NCDMF	Morehead City
Katy West	NCDMF	Washington
Facilitators		
Jenny Scarborough	Non-voting facilitator (10/2003-2/2006)	Ocracoke
Jess Hawkins	NCDMF–Non-voting facilitator (2-5/2006)	Morehead City

Note: Table replicated from STAC Report, 2006.

Table 2: Coding Scheme

Meta Code	Sub Code
Overall Experience	Positive Negative
Perception of Goals	Different goals Same goals
Perception of Authority	Different authority Same authority
Motivations for Participating	Work or interest in topic Make connections Increase stakeholder input Develop negotiated solutions Proactive management Act as mediator Dispel myths Interest in process
Willingness to Participate Again	Willing to participate Hesitant Not willing to participate

Table 3: Responses of Participants

Meta Code	Sub Code	% Participants	# Participants
Overall Experience	Positive	83%	9
	Negative	17%	2
Perception of Goals	Different goals	58%	7
	Same goals	42%	5
Perception of Authority	Different authority	58%	7
	Same authority	42%	5
Motivations for Participating	Work on or interest in topic	75%	9
	Increase stakeholder input	33%	4
	Obligation	25%	3
	Develop negotiated solutions	25%	3
	Proactive management	17%	2
	Make connections	17%	2
	Act as mediator	8.3%	1
	Dispel myths	8.3%	1
	Interest in process	8.3%	1
Willingness to Participate Again	Willing to participate	75%	9
	Hesitant	25%	3
	Not willing to participate	-----	0

Table 4: Sources of Dissatisfaction Coding Scheme

Meta Code	Sub Code and Rank	
Sources of Dissatisfaction	1. Lack of support from MFC or DMF	28. Presentations
	2. Multiple roles of DMF	29. Complexity of process
	3. Impeded access to info	30. Lack of fisheries committee experience
	4. Process length	31. Report not binding
	5. Legitimacy	32. Lack of transparency
	6. Leadership	33. Unrealistic expectations
	7. Impeded continuation	34. Missing phase
	8. Unclear rules	35. Weak recommendations
	9. Facilitator not engaged	36. Inability to focus on issue
	10. Inadequate representation	37. DMF resistant
	*11. Inter-agency conflict	38. Missed real issue
	12. Scope not broad enough	39. Agency/Fisher conflict
	13. Objectivity	40. No accountability
	14. Organization/Logistics	41. Final presentation
	15. Self-interest	42. Solutions not enacted
	16. Authority unclear	43. Social goals not achieved
	17. Agenda or goals unclear	44. Censorship
	18. Constraint on participation	45. Lack of NOAA support
	19. Scope too broad	46. No real impacts
	20. Decision-making mechanism	47. Unspecified roadblocks
	21. Views not captured in final product	
	22. Not enough authority	
	23. Personality conflicts	
	24. Pressure from above	
	25. Facilitator inexperienced	
	26. Facilitator not third-party	
	27. Scope unclear	

* Denotes last issue coded in at least half of participants.

Table 5: Sources of Satisfaction Coding Scheme

Meta Code	Rank and Sub Code	
Sources of Satisfaction	1. Mutual respect	19. New information/data
	2. Cooperation	20. Clear agenda
	3. Engaged issues	21. Informative presentations
	4. Personally gained knowledge	22. Views captured
	5. Engaged stakeholders	23. Clear scope
	6. Decision-making mechanism	24. Clear goals
	7. Good facilitation	25. Brought attention to issue
	*8. Built rapport	26. Share own perspective
	9. Willingness to engage	27. Regulations not expanded
	10. Solutions enacted	28. Regulations more specific
	11. Achieved goals or mostly	29. Set example
	12. Identified areas for improvement	30. Proactive management
	13. Final report	31. Objective DMF advisor
	14. Stakeholder input	32. Clear authority
	15. Made contacts	33. Grievances aired
	16. Changed others' minds	34. Final presentation
	17. Stakeholder representation	35. Group exercises
	18. Dispelled myths	

* Denotes last issue coded in at least half of participants.

APPENDIX A: Consent Form

Consent Form

Advisory Committees in Resource Management: A Case Study

You are invited to be in a research study of the role of advisory committees in resource management. You were selected as a possible participant because you participated in the Sea Turtle Bycatch Advisory Committee of the North Carolina Marine Fisheries Commission. We ask that you read this form and ask any questions you may have before agreeing to be in the study.

This study is being conducted by: Melissa Vasquez, Master of Environmental Management candidate at the Nicholas School of the Environment and Earth Sciences at Duke University.

Background Information

Purpose of this study: To examine the role of advisory committees in resource management. Advisory committees are used in many areas of environmental management, especially fisheries, at both the state and federal level. But there are often discrepancies in the perceived and actual purpose and role of advisory committees in the management structure. Using the Sea Turtle Bycatch Advisory Committee as an example, we will evaluate the purpose of an advisory committee, its objectives, and its use in the management structure of North Carolina state fisheries. We will study the advantages of, and constraints on, the committee. We will also compare the different perceived roles of the committee among its members, facilitators, and the State fisheries managers (convening authority).

Procedures:

If you agree to be in this study, we would ask you to do the following things:
Allow yourself to be interviewed by the researcher about your participation in the STAC, your perception of the process and its goals and results. The interview will take about one hour. With your permission, I would like to audio-tape the interview so that I can prepare an accurate transcript. The recordings will be erased once they are transcribed. I may also wish to contact you at a later time to clarify comments made during the interview.

Risks and Benefits of being in the Study

The risks of participation are: We intend to publish the results of our study. To protect your confidentiality, your name will not be used in any final report of this study without your permission. However, your name and affiliation with the committee are published in the STAC meeting minutes, the final committee report, and on the Division of Marine Fisheries web site, which are available to the public. If you would like to participate anonymously in this study and are concerned that your comments may be identified from this public information, we will consult with you on the use of your interview in any manuscript before submitting it for publication.

The benefits to participation are: There are no benefits to you for participating in this study.

Voluntary Nature of the Study:

Participation in this study is voluntary. You may choose not to answer any question and may stop the interview at any time.

Contacts and Questions:

The researcher conducting this study is: Melissa S. Vasquez. You may ask any questions you have now. If you have questions later, **you are encouraged** to contact her at Duke Marine Lab, 135 Duke Marine Lab Road, Beaufort, NC 28516, (971)207-1943, msv2@duke.edu. Dr. Lisa M. Campbell is the project supervisor and may be contacted at the same address, (252)504-7628, or lcampbe@duke.edu.

If you have any questions or concerns regarding this study and would like to talk to someone other than the researcher(s), **you are encouraged** to contact the Chair of the Committee for the Protection of Research Subjects at (919) 684-3030.

You will be given a copy of this information to keep for your records.

Statement of Consent:

I have read the above information. I have asked questions and have received answers. I consent to participate in the study.

Signature: _____ Date: _____

Signature of Investigator: _____ Date: _____

APPENDIX B: Interview Guide

Check List

Introduction to project and purpose – interested in process more than conclusions

Explain procedure – interview, audio recording, transcribing, follow-up

Confidentiality

Consent form

Starting recording

How did you get involved with the STAC?

Had you participated in a committee before?

Overall categorization – what are some of the things that worked well or didn't work well

Negatives

Positives

What was the climate surrounding the process like?

Group dynamics

Consensus – the final document states that decisions were made by consensus. How did that work?

Constraints on process – i.e. funding, access to info, data; were you satisfied with the presentations?

Representation - constraints on participants?

How was the facilitation?

Can you tell me about the direction of the discussions; was it clear there was a direction?

At the outset, what did you see as the purpose of the STAC? Were you satisfied with this? Did it achieve this purpose?

Are the recommendations binding? Did you think they were going to be?

Were you satisfied with the final document?

How was it presented to the MFC?

What made you decide to participate? Big commitment

How has your experience affected your willingness to participate in an advisory committee or other participatory process in the future?