Exploring Collaborative Governance: Case Studies of Disruptions in Coastal Zone Management Collaborations and Resulting Effects upon the Collaborations and Outcomes

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EXPLORING COLLABORATIVE GOVERNANCE: CASE STUDIES OF DISRUPTIONS IN COASTAL ZONE MANAGEMENT COLLABORATIONS AND RESULTING EFFECTS UPON THE COLLABORATIONS AND OUTCOMES

by

Roselyn Zator

A Dissertation
Submitted to the Faculty of The Graduate College in partial fulfillment of the requirements for the Degree of Doctor of Philosophy Department of Public Administration
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Western Michigan University
Kalamazoo, Michigan
August 2011
This study examined disruptions in collaborative governance in four state coastal zone management commissions or councils in California, North Carolina, Rhode Island, and South Carolina. The comparative case study used qualitative analysis of pre- and post-disruption conditions. The disruption was defined as a chain of events that started with a loss or diminished level of public trust in the decision-making of the commission or council. The loss of public trust led to changes in the external environment meta-variable (political action) that affected (disrupted) the institutional design and relationship dynamics meta-variables of the commissions or councils.

To better understand the effects of disruption on the collaborations, a conceptual model was derived from the literature review of collaborations and collaborative governance. The study sought to identify (a) how the pre-disruption meta-variables and outputs of the collaborations were consistent with or different from the expectations of the conceptual model derived from the literature, and (b) how the disruptions to these collaborations impacted their post-disruption institutional design, relationship dynamics, public trust, and policy outputs, thus assessing the resiliency of collaborations.
The study revealed that the conceptual model represented the activities of the coastal zone commissions and councils and identified the importance of key meta-variables to effective collaborative governance. Public trust was shown to play multiple significant roles in collaborative governance, and the resiliency of collaborations was discussed, calling for further research.

The study also revealed that post-disruption actions in three of the four cases strengthened the collaborative model, enhanced transparency in decision-making, and restored public trust and policy outputs. The fourth case (South Carolina) had the opposite results as expected, as the disruption eliminated collaborative decision-making.
ACKNOWLEDGEMENTS

I would like to express my sincere appreciation and gratitude to my committee members Dr. Matthew S. Mingus, Dr. Richard K. Norton, and Dr. James A. Visser for their extremely helpful and thoughtful comments and suggestions with this dissertation. Special thanks goes to my Chair, Dr. Visser for his continued support and taking the time to work with me and coach me on this long and winding road.

Special thanks to Dr. Greg Mitchell for providing inspiration for me to take on this enormous task late in life as he had done prior to me.

Lastly, and most importantly, I would like to thank the love of my life, my husband, Dennis Wojcik without whose support, love, understanding, and constant encouragement I would not have been able to complete this. I dedicate this dissertation to him along with my everlasting love and affection!

Roselyn Zator
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CHAPTER 1
INTRODUCTION AND OVERVIEW

1.1 Introduction

The dissertation’s purpose was to explore disruptions in collaborative governance. The study was a comparative case analysis that focused on collaborative governance in four Coastal Zone Management Act commissions or councils across the U.S. These cases were of particular interest because each of them experienced disruptions that may have affected their collaborative abilities. The disruption included a chain of events that started with a loss or diminished level of public trust in the decision-making of the commission or council. The loss of public trust led to changes in the external environment meta-variable (political action) that affected (disrupted) the institutional design and relationship dynamics meta-variables of the commissions or councils.

The concept of disruptions was complex. Therefore, the first step in the study was to derive a conceptual model from the literature on collaborations. The conceptual model was then used in testing pre-disruption conditions of the four commissions and councils and whether their experience was consistent or diverged from the expectations of the conceptual model. Then the post-disruption conditions of the four commissions and councils were analyzed to identify how the disruptions to these collaborations impacted their post-disruption institutional design, relationship dynamics, public trust, and policy outputs, thus assessing the resiliency of collaborations.
This study was necessary because over the past few decades collaborative governance has emerged as a new strategy of governing. And, although it has been studied extensively across a range of public sectors to evaluate its effectiveness, studies focusing on its resiliency to disruptive events or even on disruptive events themselves were lacking in the scholarly literature.

My interest in this topic started with the awareness that public administrators were using collaborative models for decision-making and management more and more, as compared to top-down public hierarchies. Collaborations were especially favored when circumstances or policies involved management of difficult problems, change, or where the public questioned how the government was handling existing situations. This was especially evident in environmental policy and management where all three circumstances prevailed. As land was developed and water appropriated, increasing resource scarcity made it difficult for decision-makers to craft solutions that gave something to everyone (Wondolleck & Yaffee, 2000). Collaboration remedied this by its inclusion of multiple interest groups and shared decision-making, becoming an ad-hoc boundary spanning mechanism that fostered an integration of disparate interest, values, and bodies of information while promoting trust and building relationships (Wondolleck & Yaffee, 2000). Ansell and Gash (2007) defined collaborative governance as a governing arrangement where one or more public agencies directly engaged non-state stakeholders in a collective decision-making process that was formal, consensus-oriented, and deliberative, and that aimed to make or implement public policy or manage public programs or assets. They conducted a meta-analytical study of existing literature, developed a model, and suggested that future research may be designed to take advantage
of “natural experiments” in collaboration where there are multiple independent cases of collaboration operating under the auspices of a similar regulatory program.

Many aspects of collaborations were examined in the literature, including characteristics, key factors that contributed to success, outputs, outcomes, public participation, the role of government, and evaluations of collaborations, but further “natural experiments” were still needed. The question also still remained whether and how collaborations would be affected by disruptions.

It is important to study disruption to evaluate the ability of the collaboration to adapt to change, identifying if certain variables of collaboration are affected differently and, if so, how this relates to the resiliency of the collaboration. Also collaborations are chosen by public administrators specifically in situations of change, difficulty, or uncertainty to achieve higher levels of social and environmental performance (Innes & Booher, 1999). Therefore if they are the tool to deal with change it is imperative to understand their adaptive ability to handle change or disruptions.

Public administrators choose collaborations for various reasons in addition to change situations, for example in response to legislative mandate or successful past experience with similar arrangements. But, another reason that demands further discussion is that collaborative arrangements were pursued to restore the public’s lost trust in traditional top-down hierarchies or bureaucracies. The public lost trust because they wanted more from their government institutions, specifically increased (a) public involvement, (b) democratic legitimacy, (c) local involvement, and (d) government capabilities, and collaborative arrangements were created to provide these improvements. This not only begged the question whether the collaboration restored public trust but this
interesting connection between public trust and collaborations demanded a more thorough examination to assess the relationship between collaboration and public trust.

This study provided the ability to assess collaborations, disruptions, and public trust and better understand the independent and dependent relationships. Starting with clear definitions of disruptions and public trust was a key step in the study. Disruption as a chain of events was defined earlier in this section. Public trust referred to the public’s positive perception of institutions because they included public involvement, local involvement, democratic legitimacy, and functioning government capabilities. To further expand on this definition, public involvement referred to the public’s desire to participate in decision-making whereas local involvement referred to the desire to have individuals close to the issue (or controversy) participate. Democratic legitimacy pertained to the public’s concern that government institutions worked democratically (served all people equally) and were legally accountable to the people. The public wanted functional government institutions that performed the job well including being flexible, with long-term vision, and without burdensome legal and administrative processes.

A conceptual model (derived from the literature) identified the collaborative meta-variables that included two independent meta-variables: institutional design and relationship dynamics, and two dependent meta-variables: public trust and policy outputs. The model also included the influence of the context meta-variable—the external, political environment which played a role in the disruption. Assessing public trust was of special importance not only because it was an output meta-variable but it played two other roles. With its emphasis on public and local participation and democratic legitimacy, public trust was integral to the independent meta-variables, and was integral
to the disruption as it was first step in the chain of events. With all these difficult concepts, the conceptual model was expected to assist in understanding the collaboration with its meta-variables (pre-disruption), the disruption, and then the effect of the disruption on the resiliency of the collaboration (post-disruption).

1.2 Research Objectives

The purpose of the dissertation was to examine:

1. How the pre-disruption meta-variables and outputs of the collaborations were consistent with or different from the expectations of the conceptual model derived from the literature.

2. How the disruptions to these collaborations impacted their post-disruption institutional design, relationship dynamics, public trust, and policy outputs.

The study examined four independent cases of collaboration operating under the auspices of the national Coastal Zone Management Act, specifically the California Coastal Commission, North Carolina Coastal Resources Commission, Rhode Island Coastal Resources Management Council, and South Carolina Coastal Council. These cases were selected because they met the criteria established in the study for commissions or councils using collaborative decision-making. They also—most importantly—experienced disruptions in the collaborations associated with the loss of public trust. The dissertation was a comparative case study based on a blended qualitative approach focusing on documentary evidence and interviews of key informants to the four commissions or councils.

The three research questions were:
1. How are the institutional design, relationship dynamics, public trust, and policy outputs of the pre-disruption Coastal Zone Management Act commissions and councils consistent with the expectations of the conceptual model derived from the literature?

2. How are the institutional design, relationship dynamics, public trust, and policy outputs of the post-disruption Coastal Zone Management Act commissions and councils affected by the disruption?

3. How do the institutional design, relationship dynamics, public trust, and policy outputs of the post-disruption Coastal Zone Management Act commissions and councils reflect (a) destruction of the collaborative approach to decision-making, or reflect (b) resiliency by returning to a collaborative state (though perhaps altered in structure or dynamics)?

1.3 Findings and Conclusions in Brief

The study revealed that the conceptual model represented the activities of the coastal zone commissions and councils and identified the importance of key meta-variables to effective collaborative governance. Public trust was shown to play multiple significant roles in collaborative governance, and the resiliency of collaborations was discussed, calling for further research.

The study revealed that post-disruption actions in three of the four cases strengthened the collaborative model, enhanced transparency in decision-making, and restored public trust and policy outputs. The fourth case had the opposite result as was expected, as the disruption eliminated collaborative decision-making.
The commissions’ open, transparent decision-making meetings were crucial in building relationships, improving communications, identifying problems, and identifying the consequential remedies or solutions. These meetings also allowed the public to participate and monitor consistency and fairness increasing their trust in the process and the collaboration.

1.4 Organization of the Dissertation

The Results chapter includes a section for each case study. Each case study presents a particular state coastal zone management commission or council and discusses pre-disruption, disruption, and post-disruption conditions through the lens of the independent and dependent meta-variables. The Analysis chapter includes two sections: one comparing the pre-disruption conditions of the four cases to the conceptual model; and the other assessing how the disruptions affected the post-disruption condition of the four cases. The Conclusion chapter answers the research questions, as well as addresses further research.
CHAPTER 2

LITERATURE REVIEW

2.1 Executive Summary of Literature Review

Twenty-five years ago a collaboration scholar, Barbara Gray (1985), defined collaborations as 1) the pooling of appreciations and/or tangible resources, (e.g. information, money, labor, etc.), 2) by two or more stakeholders, 3) to solve a set of problems which neither can solve individually. Since then, numerous scholars studied the field, as public administrators pursued collaborative models as compared to top-down public hierarchies for decision-making and management, including reasons for the pursuit such as the public’s trust in government. Scholars also studied characteristics, outputs, and outcomes of collaborations and examined public participation and government’s role in the collaborations. Scholars developed models of collaborative governance; identified key variables associated with successful collaborations, and discussed failures of collaborations. The literature though lacked studies that examined disruptions to collaborations and subsequent affects.

2.2 Background of Environmental Management Collaborations

Koontz and Thomas (2006) claimed that if the 20th century was the era of the administrative state, then the 21st century may be the era of the collaborative state. This seemed particularly apparent for environmental issues, where decision-making processes
increasingly shifted from public hierarchies to multi-sector collaborative arrangements. One of the most remarkable trends in environmental policy and management in the U.S. over the past few decades has been growth in more inclusive, participatory efforts to involve multiple stakeholders in decisions. Proponents of collaborative environmental management argued that the collaborative process emerged as a healthy response to policy gridlock and litigation grounded in interest group pluralism (Snow, 2001), and that collaboration led to better decisions (Wondolleck & Yaffee, 2000). Others, influenced by the emergence of non-point source pollution as a primary contributor to environmental degradation, concluded that centralized, federally controlled efforts were insufficient to solve many environmental problems (Durant, Fiorino, & O’Leary, 2004) and thus led to collaborative efforts. Government attempts to facilitate collaborative environmental management become widespread, though rather than calling for a reliance on government officials and agencies to solve environmental problems, the approach called for empowering a community of stakeholders including the public to contribute meaningfully (Koontz & Johnson, 2004).

Starting in the late 1970s, decision-makers for complex environmental problems that transcended political and administrative boundaries started to experiment with collaborative-planning approaches as exemplified by the Chesapeake Bay Program, the first estuary in the nation to be targeted for restoration as a both an identified watershed and ecosystem (Mandarano, 2008). By the late 1980s, based on the success of such programs (Kennish, 2000), Congress established the National Estuary Program (NEP), an ecosystem management program that encouraged and promoted the development of collaborative partnerships between federal, state, and local governments and local
stakeholders. The Coastal Zone Management Act enacted in 1972, the cornerstone of federal efforts to protect and manage the nation’s coastline, also called for federal, state, and local collaboration.

By the 1990s, collaborative environmental planning approaches were pervasive in federal, state, and local government programs as well as grassroots initiatives (Kenney, 2000; Koontz & Thomas, 2006; Yaffee et al., 1996). For example, the U.S. Environmental Protection Agency (EPA) began its Community-based Environmental Program, the U.S. Department of Interior encouraged the use of collaborative “habitat conservation plans” for land owners to comply with Endangered Species Act requirements, and the U.S. Forest Service emphasized collaborative planning with stakeholders (Carr, Selin, & Schuett, 1998; Wondolleck & Yaffee, 2000). Eighteen federal agencies that managed land and ecosystems featured collaboration as a central tenet (Carr et al, 1998; Morrissey, Zinn, & Corn, 1994).

In 2000, the Secretaries of the Interior and Agriculture announced a watershed-based approach for land and resource management, calling for agencies within their departments to collaborate with state and local governments, citizens, and interest groups (USDA & USDOC, 2000). Many state governments also supported collaborative efforts especially for watersheds by providing watershed partnerships with resources such as funding, technical assistance, and personnel (Bidwell & Ryan, 2006; Steelman & Carmin, 2001).
Public trust issues led to the abandonment of top-down hierarchical decision-making to collaborations that engaged the public in decision-making efforts. These changes were spurred on by legal challenges from interest groups that wanted more involvement or more effective involvement than that of traditional methods (Griffin, 1999). Cortner and Moote (1999) suggested that social conditions, including changing expectations about citizens’ roles in policymaking and the distrust in the ability of government agency experts to take action independent of citizen demands, contributed to the rise of collaboration. Focht and Trachtenberg (2005), in their work on collaborative approaches in watershed management, noted an erosion of public trust in bureaucracy led to collaborative approaches. Other researchers identified additional reasons for the public’s dissatisfaction or distrust in government agency actions that contributed to the movement towards collaborative efforts, including the lack of or inadequate address of people’s interests (Cooper, Bryer, & Meek, 2006), and inflexibility, short-sightedness, costly legal and administrative conflict, as well as an overall distrust in the government environmental regulatory system with its fragmented authority (Fiorino, 1999; Kagan, 1999).

Over the past twenty years, the traditional approach to water management was criticized, in part because of the increased complexity and conflict in water resource issues. There was a general dissatisfaction with leaving important decisions largely to the agency experts, who often resided far from the local controversy and lacked democratic legitimacy. There was an increased skepticism about the ability of highly legalistic
agency processes to craft viable, long term solutions to water resource problems which paved the way to a new approach that of collaboration (Sabatier, et al., 2005).

Not only did traditional water management approaches face criticism, overall trust in government declined dramatically from the late 1960s to the 1990s (Pew Research Center, 1998). Research suggested that one of the few ways that agencies could rebuild trust is through greater public control over decision-making (Schneider, Teske, & Marschall, 1997; Slovic, 1993). Wondolleck and Yaffee (2000) with their work in natural resource management believed that collaboration in resource management could help rebuild a sense of trust in government institutions by providing fertile ground for the development of heightened sense of citizen involvement and responsibility.

Beierle and Konisky (2000) analyzed previously written case studies in an effort to measure the degree to which public trust was restored in collaborative environment management systems. Although the concept of trust was complex and multi-dimensional, they defined it as: (a) increased confidence in the abilities of the agency and how well it did its job, (b) perceptions that the agency would “do what is right” by making decisions consistent with participants’ views, or (c) a sense that the process undertaken by the agency was legitimate. In the sixteen cases where they attempted to measure the improvement in the level of trust, six improved, five stayed the same, and five decreased.

To summarize—and as reflected in Beierle and Konisky’s (2000) definition—the public lost trust in top-down approaches because the public wanted (a) improved government capabilities, (b) public participation, and (c) democratic legitimacy. They also wanted participation by individuals close to or local to the issues (or controversy).
(Sabatier, et al., 2005) in their government institutions. Governments responded with collaborative approaches including public participation.

### 2.4 Characteristics of Collaborations

As the number and types of collaborative activities grew through the 1990s, so did the challenges of understanding the design, management, and performance of collaborative arrangements. The literature on collaboration in environmental management highlighted several characteristics (Margerum, 2008; Mandarano, 2008). First, collaboration involved a broad range of stakeholders representing a cross-section of organizations, interest groups, and people with a stake in the outcome (Healey, 1997; Innes & Booher, 1999; Susskind & Cruickshank, 1987; Gray, 1989). Secondly, collaboration engaged the participants in an intensive and creative process of consensus building (Gray, 1989; Wondolleck & Yaffee, 2000), which led to more creative solutions and increased likelihood of acceptance of the participants (Innes & Booher, 1999; Susskind & Cruickshank, 1987; Weber, 2003). Third, collaboration required a sustained commitment to problem solving (Gray, 1989; Selin & Chavez, 1995; Weber, 2003). Lastly, by working collaboratively, formerly disparate entities produced not only high-quality agreements but also social and organizational changes that enabled the community to achieve higher levels of performance in complex, uncertain, and fragmented policy contexts (Innes & Booher, 1999; Healey, 1997). Collaborative dynamics also related to the literature on consensus building, conflict resolution, group dynamics, and facilitation (Margerum, 2008; Koontz & Johnson, 2004) where it was critical to bring opposite interests into agreement.
The success or failure of collaborative efforts was attributed to many different factors. For example, research suggested the importance of open, two-way communication (Duram & Brown, 1999; Yaffee et al., 1996), public involvement at early stages (Duram & Brown, 1999; Yaffee et al., 1996), agency culture and organization (Thomas, 1999; Kellogg, 1998), leadership (Thomas, 1999), citizen skills and knowledge (Kellogg, 1998), and technical and financial resources (Yaffee et al., 1996). In contrast, opponents argued that collaborative processes relying on consensus do not ensure better decisions (Coglianese, 1999), and that collaboration might actually reinforce existing power disparities rather than promote diverse stakeholder inclusion (Bidwell & Ryan, 2006). Environmental groups especially raised concerns that ranged from condemnation of alternative dispute resolution as a tactic to delegitimize conflict and co-opt environmental advocates, to uncertainty over local control of national resources, and the scientific soundness of negotiated agreements (Britell, 1997; Coughlin, Hoben, Manskopf, Quesada, & Wondolleck, 1999). Kenney (1997) suggested that rather than encouraging local support, more powerful statutory tools to manage environmental issues were needed, making the case for more centralized government control. Believers of the centralized government concept believed that in an environmental crisis, local collaborative groups ended up making decisions based upon individual self-interest rather than community well being.

2.5 Outputs and Outcomes of Collaborations

Studies were not only conducted to evaluate the collaborative process and its characteristics, but also to better understand the types of outputs and outcomes to be
expected from collaborative activities (Koontz & Thomas, 2006). Collaborative outputs are the intermediary causal mechanisms between collaborative processes and collaborative outcomes, though the difference between output and outcomes was not as clear as this definition would indicate because the words seemed to be interchangeable. It was not unusual that an output (such as restoration projects completed) in a particular study be referred to as an outcome in another study. In general, outputs included the following: collaborative agreements reached, restoration or habitat improvement projects completed, public policy changes, land management practices changes, education and outreach campaigns conducted, programs implemented, and land protected from development (Conroy & Berke, 2004; Koontz, 2005; Leach & Sabatier, 2005). These were studied through such means as: group surveys and interviews, document analysis, and government official interviews. Koontz (2005) measured the degree to which collaborative land-use planning efforts led to local policy change. Lubell (2004) measured landowners’ willingness to participate in conservation practices related to the National Estuary Program collaborative efforts. Lawrence (2005) measured the stringency of storm water management plans submitted by local policy makers seeking discharge permits. Yaffee et al. (1996) measured the extent of educational and outreach campaigns to enhance environmental quality. Fleishman (2004) examined the collaborative partnership role in facilitating implementation of government programs.

Although scholars developed many variables for measuring process characteristics and policy outputs, much work remained to be done in order to link these variables with policy or environmental outcomes. The ultimate measure of success was an evaluation showing that collaborative efforts improved a landscape’s ecological health.
Typical environmental outcome criteria included changes in land cover, biological diversity preservation, decreased pollution, improved habitat, improved water quality, and soil and water resources conservation (Koontz & Thomas, 2006). But, it was difficult to identify a causal relationship between an action and its outcomes because there were many variables (i.e., parties, processes, parameters, and programs) that impacted environmental conditions (Koontz & Thomas, 2006; Kenney, 2000) often proving impossible to isolate. The natural variability in environmental conditions also played a role in creating and abating the problem (Kenney, 2000); where environmental conditions (pollution and abatement) often took years to be realized (Kenney, 2000; Koontz & Thomas, 2006). Outcome evaluation has been called a “black box” method because it often does not allow evaluators to determine which variable caused the outcome (Patton, 1986).

Even with the difficulty of measuring outcomes, Mandarano (2008) conducted a research project evaluating the performance of the Habitat Workgroup of the New York-New Jersey Harbor Estuary Program of the National Estuary Program and investigated collaborative environmental planning outputs and outcomes. The case study was based on multiple data sources: primary and secondary documents, interviews, and attendance at meetings. The findings expressed the relationship between outputs and outcomes as a simple flow diagram in which 1) the process spurred learning, 2) learning led to trust amongst stakeholders, 3) learning and trust resulted in institutional changes, and 4) these new behaviors led to environmental outcomes. The outputs included a scientific study with broad stakeholder involvement and prominent stakeholder approval that provided the legitimacy for continued action on behalf of the participants that earlier efforts lacked.
She found that similar to the findings of Leach and Sabatier (2005), the availability of resources (i.e., funds, technical skills, and knowledge) through its network of routine participants and external partners was a critical factor in the realization of environmental outcomes.

2.6 Social Outcomes of Collaborations

Besides physical outcomes, scholars also studied the social outcomes of collaborations. Innes and Booher (1999) identified a range of social outcomes such as social capital, political capital, intellectual capital, innovation, institutional changes, and institutional capacity. Research efforts recognized that the consensus building that met the goals and process evaluation criteria of the collaborative efforts would likely result in social outcomes (Conley & Moote, 2003; Innes & Booher, 1999). Ozawa (1991) defined social outcomes as stakeholder learning and mutual understanding of complex problems and showed these outcomes resulted in science-intensive deliberations, when scientific information (e.g., joint fact-finding, expert panel) was produced collaboratively. Two recent meta-studies of watershed management partnerships in California and Washington (Leach, Pelkey, & Sabatier, 2002; Leach & Sabatier, 2005) evaluated social outcomes. A sample of evaluation criteria employed in these studies included the level of agreement reached, improved social capital, restoration projects implemented, and perceived effects on watershed quality. Perceived effects on watershed quality were measured as a surrogate for actual effects because of the difficulty of measuring outcomes (noted above). Building on the findings of the 2002 study, the 2005 study evaluated the interrelationships between outputs and outcomes. The findings indicated that trust and
social capital showed a strong correlation with reaching agreements. However, the 2005 findings revealed that trust and social capital, as opposed to restoration projects implemented, was more related to the participants’ perceptions of the partnership’s effect on watershed quality. Based on this result, the researchers shared critics’ concern that participants’ perceptions of the process’s impact on improving environmental conditions was not a good measure because “stakeholders are too quick to equate satisfying interpersonal relationships with overall success” (Leach & Sabatier, 2005, p. 255).

Koontz and Johnson (2004) in their study of watershed groups in Ohio also employed a surrogate approach in measuring outcomes or accomplishments by asking stakeholders to describe the groups’ most important accomplishments. Although these surrogate methods did not measure outcomes directly they were an indicator of what groups perceived they were accomplishing.

2.7 Public Participation

As identified by a number of investigators, stakeholder participation is a cornerstone in collaborative efforts and a key stakeholder is public or citizen participation (Koontz, 2006; Koontz & Johnson, 2004; Steelman & Ascher, 1997). Collaboration thus differed from traditional participation strategies in that it involved citizens early in government planning processes, and it brought together different parties or stakeholders, with different interests, for face-to-face discussions, and promoted equal decision-making among all stakeholders (Snow, 2001). Involving the public in such endeavors ensured that the public’s interests would be heard.
Scholars believed that the participation of individuals in self-governance and collective choice decision-making was critical for fostering democracy, enhancing human dignity, and increasing the likelihood that social norms and values were incorporated into policy (Koontz & Johnson, 2004; Lasswell, 1951; Wagle, 2000; deLeon, 1988). Collaboration including citizen participation thus led to effective and equitable solutions and more democratically accountable results than traditional adversarial approaches (Fung & Wright, 2001; Weber, 2003). This desire to give the public the venue to participate in policy-making can be seen in Dewey’s (1927) landmark work in political philosophy, *The Public and Its Problems*, which described the pressing political and intellectual challenge of the public to organize itself so that it might intelligently control and attain its shared interests (Bozeman, 2007). He demonstrated a commitment to the notion of public interest, or the interest of citizens in securing desirable social consequences, suggesting that where many share a particular good, there is an especially compelling reason to realize and sustain it. For Dewey the common awareness of this shared interest ultimately defined the social and moral aspects of the democratic ideal, and it is through public talk and participation in the affairs of the local, face-to-face community that this consciousness was formed and solidified.

Public participation could take many forms including referenda, public comments, hearings and citizen advisory committees. Citizen advisory committees (CACs) have been used extensively in the U.S. in the past 40 years at all levels of government (Lynn & Busenberg, 1995). Citizen advisory committees typically were convened by public agencies to represent various interests in developing recommendations about a specific government program or issue. Characteristics of the advisory committee figured
prominently in studies of CAC influence on policymaking. In a seminal paper, Arnstein (1969) argued that citizen input was taken seriously in policy-making when there was access to resources such as funding and technical assistance. Lynn (1987) found that technical expertise and staff support-aided advisory council effectiveness. Nelson (1990) found funding and professional facilitation was helpful and Cohen (1995) identified diversity as a key factor. Lynn (1987) suggested that policy adoption of citizen recommendations was fostered by the existence of prior networks of people and organizations focusing on the issue.

CACs had been used for the development of legislation and regulatory standards, for land-use decisions, for planning, permitting, and cleaning up of industrial and infrastructure projects. In the 1970s and 1980s, CACs began to be used frequently to overcome conflict associated with controversial agency policy making especially the siting of hazardous waste facilities (Lynn & Busenberg, 1995). While there was a large body of literature consisting of guidelines for establishing and running CACs, the body of literature of empirical evaluations of CACs was markedly smaller. Lynn and Busenberg reviewed fourteen empirical studies involving CACs including case studies, large-scale surveys, and consultant reports, and looked at the issues considered by the CACs, including the organizations advised, the definition of success used in the study, and the suggested factors contributing to the success or lack of success experienced by the CACs. One study concluded, on the basis of the public record and perceptions of CAC members, that the greater the independence of CACs from agency control, the greater the influence on decisions. Given the inability of the researchers to manipulate behavior of the CACs and the difficulty of studying comparison groups, the studies used descriptive rather than
experimental approaches. Although the review concluded that some CACs accomplished little while others had significant policy impacts, more importantly the paper called for more systematic and comparable evaluations of CACs. The increased use of CACs, many with the same sponsoring agency, offers an opportunity to conduct comparative evaluation research to test both the operational principles and the outcome variables. One of the most noted recommendations was to collect feedback on public participation efforts. Although most agencies had advisory boards, very few asked their members about whether they “worked.”

2.8 Public Participation in Collaborative Environmental Management

As reported in the literature on collaborations in general, much of the literature on collaborative environmental management emphasized the need for widespread community involvement, especially from private citizens. In 1983 a workshop was held to advance the ecosystem approach to planning, research, and management of the Great Lakes basin and eight of the thirty-three proposed initiatives were to improve citizen participation (Christie, Becker, Cowden, & Vallentyne, 1986). They included establishing an improved system for making environmental/resource development decisions to allow input from all parties involved in or affected by a proposal as well as providing for user group participation in regulatory decision-making and sharing responsibilities for management of resources. Both Duram and Brown (1999) and Cortner and Moote (1999) advocated that collaborative environmental management required support from a broad cross section of society. Scholars linked broad community participation to improvements in cooperation among stakeholders, community organizing.
capacity, data dissemination, and legitimacy of actions, as well as to personal transformations in understanding and interpersonal relationships (Duram & Brown, 1999; Cortner & Moote, 1999).

Dalton (2006) examined how to design processes that effectively involved stakeholders, including the public, in coastal and marine resource management processes. She did this by examining participants’ perceptions of coastal and marine resource management processes. These responses offered insight into the multiple dimensions of participatory process including: influence on decisions, exchange of information, access to the process, and transparent decision-making. Beierle and Konisky (2000) evaluated public participation in environmental decision-making using a “case survey” approach, where an analyst asks a standard set of questions of a written case study, rather than of people. They examined the extent to which participation programs achieved goals more broadly linked to society’s interest in a better functioning environmental management system. Their study was premised on the belief that greater public involvement was needed to remedy two perceived problems. The first perceived problem was that a rigid, expertise-based managerial approach to environmental decision-making produced outcomes that often seemed out of sync with the values and opinions of the public. Often these differences led to dissatisfaction and mistrust of the government’s environmental decisions. The second problem was frustration with a system rife with conflict among competing interests that led to environmental issues ending up in court. To understand whether public participation could address these problems in a particular set of circumstances, they measured success against three of what they termed “social goals:” incorporating public values into decision-making, resolving conflict among competing
interests, and restoring a degree of trust in public agencies. Correlations were measured
between the three goals and context and process attributes. Context attributes were those
that were outside of the control of agencies or participants, while process attributes were
those over which agencies and participants had considerable control.

Four attributes appeared to be consistent with the goals. These were: 1) the quality
of the deliberative process, 2) the quality of communication with government, 3) the
commitment of the lead agency, and 4) the degree to which jurisdiction over the process
was shared. They concluded first, when done well, public participation could achieve
important social goals. Second, the conclusion was that the process of participation
appeared to be more important than the context in which participation took place. In
general, successful participation was highly related to features of the participatory
process, particularly: 1) good deliberative processes with an emphasis on consensus; 2)
good two-way communication between participants and government agencies; and 3)
obvious government commitment to the process. Interestingly, all of these attributes
could be highly influenced by the actions of the lead agencies. The quality of
communication and commitment between participants and an agency, and even the
quality of the internal participatory process, were all affected by agency decisions and
support.

Overall the conclusions from the research offered relatively good news for public
participation. However, a number of issues arose over the course of the analysis that
raised larger questions about the legitimacy and significance of the public involvement
efforts studied. In most cases, the public advisory committees used as the primary means
of participation were unrepresentative (in terms of socioeconomic criteria), were often
missing important interests, and sometimes excluded the most conflictive interest groups.
For the most part, the wider public was unaware of the processes, and consequently many
of the benefits of participation accrued only to the actual participants.

The collective experience of many community-based natural resource
management collaborations developed over the past twenty years suggests meaningful
participation and collaboration a far more complex and difficult process than was
depicted in legislative directive, particularly where management actions challenged
community values or where the scientific basis underlying management proposals were
complex, uncertain, or contested (Fleeger & Becker, 2008). Fleeger and Becker
examined community (public) participation and institutional relationships between the
U.S. Forest Service and local city government in the planning and decision-making
processes of five land management actions. The three types of community involvement
used in the projects included the following: (a) traditional National Environmental Policy
Act (NEPA)-based approach, (b) competitive alternative approach, and (c) open and
iterative process approach. In the NEPA-based approach, public participation was via
public hearings whereas in the open and iterative process; (a) the public participation was
broad-based and diverse, (b) participants defined problems, gathered information, and
developed solutions, (c) science given equal weight with social values, and (d) time
frame determined by participants. The projects that incorporated an open and iterative
process were most effective in building community support for proposed management
actions. The study also revealed the opportunity to employ the structures of local
governance to facilitate community participation, collaboration, and cross-jurisdictional
management arrangements between federal and local agencies. This was a result of the
local governments possessing significant technical expertise, and having developed
effective mechanisms for community participation and enjoying substantial community
support. They suggested that local governance structures and their relationship with the
public or community may play an integral role in engaging the public in collaborative
environmental management.

2.9 Government Agency’s Role and Collaboration

Public participation in collaborations affected the formal institutions and structure
of the government. Both Rhodes (1997) and Osborne and Gaebler (1992) suggested that
government should focus more on steering where it is concerned with enhancing
government’s capacity to act by forging strategic interorganizational coalitions with
actors in the external environment. Steering was largely about setting priorities and
defining goals. This was in contrast to a bureaucracy, where command and control
techniques are utilized, where government was centered on procedural rules and
regulation and the government itself does the work. This literature review on government
agency involvement in collaborations then led to scholarly work on studying
collaborative governance.

Lynn, Heinrich, and Hill (2001) construed governance broadly as regimes of
laws, rules, judicial decisions, and administrative practices that constrained, prescribed,
and enabled the provision of publicly supported goods and services. Their description of
governance included key elements of institutionalism, as well as network theory, and
identified how governance functions at three levels. The institutional level included
stable formal and informal rules, hierarchies, boundaries, procedures, regime values, and
some form of authority and, therefore associated with the theories of bureaucracies. The organization or managerial level included the hierarchical bureaus, departments, commissions, and agencies of government as well as the lateral non-governmental organizations linked by contract and in other ways to government. Therefore, this level was associated more with network or principal-agent theories. The technical or primary work level included the task environment and the carrying out of the public policy and, therefore was associated with management, organizational, or leadership theories. Stoker (2004) argued that as a baseline definition, governance refers to the rules and forms that guide collective decision-making. A focus on decision-making in the collective implies that governance was not about one individual making a decision, but rather about groups of individuals, organizations, or systems of organizations making decisions.

Ansell and Gash (2007) defined collaborative governance as a governing arrangement where one or more public agencies directly engaged non-state stakeholders in a collective decision-making process that was formal, consensus-oriented, and deliberative, and that aimed to make or implement public policy or manage public programs or assets. Collaborative governance was never merely consultative, but rather a two-way communication (and influence) between agencies and stakeholders, and also a means for stakeholders to talk with each other. The researchers believed agencies and stakeholders must meet together in a deliberative and multilateral process, though they believed public agencies had a distinctive leadership role. Collaborative governance policy making contrasted with adversarialism and managerialism. Adversarial politics did not explicitly seek to transform conflict into cooperation. In an adversarial situation “winner takes all,” whereas in collaborative governance, the goal was to transform the
relationship into a more cooperative situation. In managerialism, public agencies made
decisions unilaterally or through closed decision processes, typically relying on agency
experts to make decisions. This was in contrast to the openness of collaborative
governance where stakeholders participated in decision-making.

Besides defining collaborative governance, Ansell and Gash (2007) conducted a
meta-analytical study of existing literature on the subject and pointed to the value of
collaborative strategies: bitter adversaries learned to engage in productive discussions,
public managers developed more productive relationships with stakeholders, and
sophisticated forms of collective learning and problem solving were developed. They
also provided a general model of collaborative governance (see Figure 2.1). They
described a formal collaboration that involved joint activities, joint structures, and shared
resources, which implied organization and structure. This model identified a series of
factors that were crucial within the collaborative process itself such as trust building,
commitment to process, shared understanding, intermediate outcomes, and face-to-face
dialog. They identified critical variables that influenced whether or not this mode of
governance produced successful collaboration, including: the prehistory of conflict or
cooperation, the incentives for stakeholders to participate, power and resources
imbalances, facilitative leadership, and institutional design. They emphasized that central
to the definition of collaborative governance is stakeholder involvement in the
institutionalization of collective choice decision-making.

Ansell and Gash (2007) recognized their model was merely a basis for further
empirical testing and theory elaboration and suggested that future research may be
Influences

Starting Conditions
- Power-Resource-Knowledge Asymmetries
- Incentives for and Constraints on Participation
- Prehistory of Cooperation or Conflict (initial trust level)

Influences

Institutional Design

Collaborative Process
- Trust-Building
  - Mutual recognition of interdependence
  - Shared Ownership of Process
  - Openness to Exploring Mutual Gains
- Commitment to Process
- Face-to Face Dialogue
  - Good Faith Negotiation
- Intermediate Outcomes
  - “Small Wins”
  - Strategic Plans
  - Joint Fact-Finding
- Shared Understanding
  - Clear Mission
  - Common Problem Definition
  - Identification of Common Values

Outcomes

Facilitative Leadership (including empowerment)


Figure 2.1 A Model of Collaborative Governance

designed to take advantage of “natural experiments” in collaboration where there are multiple independent cases of collaboration operating under the auspices of a similar regulatory program. They also suggested another methodology to compare and identify the effects of collaboration would be to conduct pre- and post-collaborative surveys.
2.10 Collaborative Governance—Variables

Other scholars also supported the importance of variables that Ansell and Gash’s (2007) identified in their collaborative governance model such as: leadership, rules, transparency, skills and expertise, shared learning, and starting conditions. Lasker and Weiss (2003) argued that leaders must have the skills to 1) promote broad and active participation, 2) ensure broad-based influence and control, 3) facilitate productive group dynamics, and 4) extend the scope of the process. Bardach (1998) found that technical clarity and effective leadership improved the probability of successful collaborative performance. However, the key to getting things done in a collaborative setting rests in finding the right combination of administrative capacity (through coordination and elements of hierarchy) and social capacity to build relationships (Thomson & Perry, 2006). In their study of business and nonprofit collaboration, Sagawa and Segal (2000) suggested that coordinating roles needed to be augmented by “relationship managers” whose specific task was to manage and build interorganizational relationships, not just make sure collaboration requirements were being met. Williams (2002) also made a strong case for the importance of boundary spanners—individuals who have the skills to build and manage interpersonal relationships and leadership. Chrislip and Larson (1994) argued that facilitative leadership of a kinder, gentler sort should work from four principles: bring people to the table and help them work constructively, create a credible, open process in which participants have confidence, stimulate broad-based involvement, and sustain hope and participation against the inevitable frustrations.

Ansell and Gash (2007) suggested that clear ground rules and process transparency were important design features that contributed to legitimacy and trust
building (Busenberg, 1999; Geoghegan & Renard, 2002; Glasbergen & Driessen, 2005; Gunton & Day, 2003; Imperial, 2005; Murdock, Wiessner, and Sexton, 2005; Rogers et al., 1993). Clear and consistently applied ground rules reassured stakeholders that the process was fair, equitable, and open (Murdock, Wiessner, & Sexton, 2005). Process transparency meant that stakeholders could feel confident that the public negotiations were ‘‘real’’ and that the collaborative process was not a cover for backroom private deals.

Two other variables must be highlighted because they are essential to the decision-making process: the skills and expertise of the stakeholders, and their shared understanding and learning. In collaborations that included technical issues and problems, it was crucial that stakeholders have the skills and expertise to engage in discussions about highly technical problems (Gunton & Day, 2003; Lasker & Weiss, 2003; Merkhofer, Conway, & Anderson, 1997; Murdock, Wiessner, & Sexton, 2005; Warner, 2006). They then must have a shared understanding of these problems or the relevant knowledge necessary for addressing these problems (Bentrup, 2001; North, 2000; Pahl-Wostl & Hare, 2004). Despite the reality that collaboration was hard to do, collaboration partners that engaged in repeated interactions with one another experienced trial-and-error learning (Thomson, 1999). The learning, though, was two-fold: individual continued education of the technical issues and problems, and then continued shared learning of interpreting rules and technical problems.

Lastly, Ansell and Gash (2007) identified the importance of starting conditions to their model such as political dynamics and power relations within communities and levels of government. Other scholars recognized that collaborative governance was initiated
and evolved within a multilayer context of political, legal, socioeconomic, environmental, and other influences (Borrini-Feyerabend, 1996) or distinguished or influenced by policy and legal frameworks, including administrative, regulatory, or judiciary (Bingham, 2008).

2.11 Decision Making/Collective Action

The last topic remaining to be discussed is to better understand the process whereby individuals or stakeholders come together in a collaborative process to make decisions. Collaboration placed an emphasis on a commitment to something larger than the individual and an integrative process that treated differences as the basis for deliberation in order to arrive at “mutual understanding, a collective will, trust and sympathy and the implementation of shared preferences” (March & Olsen, 1989, 126).

The above statement sets the basis for the discussion regarding Ostrom’s (1990, 1998) works on individual self-interests, rational choice theory, collective action, and trust. Rational choice theorists believed that self-interest drives decisions and actions. As outlined by Buchanan and Tullock (1962), there are only two key assumptions: 1) the average individual is a self-interested utility maximizer, and 2) only individuals, not collectives, make decisions. Public workers therefore were not motivated by the desire or need to serve the public or by the public interests, but rather by their own self interests.

Ostrom (1998) identified trust, reciprocity, and reputation for trustworthiness as three core factors that increased the likelihood of collective action and outlined a scenario whereby even a self-interested public servant could serve the public interest because of these core group factors. Bardach (1998) identified trust as a key element in his model of interagency collaborative capacity, and the findings of Huxham and Vangen’s (2005) and
Thomson’s (2001) extensive research on collaboration led them to conclude that trust was a critical component of collaboration, though trust building took an inordinate amount of time and nurturing. Reciprocity, where there was mutual dependence upon one another, referred to a family of strategies that could be used in social dilemmas involving: (1) an effort to identify who else is involved, (2) an assessment of the likelihood that others are conditional cooperators, (3) a decision to cooperate initially with others if others are trusted to be conditional cooperators, (4) a refusal to cooperate with those who do not reciprocate, and (5) punishment of those who betray trust (Ostrom, 1998). All reciprocity norms shared the common ingredients that individuals tended to react to the positive actions of others with positive responses and the negative actions of others with negative responses. When many individuals used reciprocity, there was an incentive to acquire a reputation for keeping promises and performing actions with short-term costs but long-term net benefits (Kreps, 1990; Milgrom, North, & Weingast, 1990; Miller, 1992). Thus, trustworthy individuals who trust others with a reputation for being trustworthy (and try to avoid those who have a reputation for being untrustworthy) could engage in mutually productive social exchanges, even though they are dilemmas. A reputation for being trustworthy, or for using retribution against those who did not keep their agreements or keep up their fair share, became a valuable asset. Designing rules to enhance these core factors like trust was challenging, and in cases where collaborative partners were unwilling to monitor their own adherence to the agreed-upon rules, the resulting ability to build a credible commitment was lost and joint decision-making became unlikely.

Building trust among stakeholders was crucial to decision-making and face-to-face communication appeared to be essential to building trust. Consistent and replicable
findings indicated that substantial increases in the levels of cooperation were achieved when individuals were allowed to communicate face-to-face (Ostrom, Gardner, & Walker, 1994, Dawes, McTavish, & Shaklee, 1977; Frey & Bohnet, 1996; Hackett, Schlager, & Walker, 1994; Isaac & Walker, 1988, 1991; Orbell, Dawes, & van de Kragt, 1990; Sally 1995). Consequently, exchanging mutual commitment, increasing trust, creating and reinforcing norms, and developing a group identity appeared to be the most important processes that made communication efficacious. With repeated chances to see and talk with each other, participants assessed whether they trusted each other sufficiently to reach agreement regarding the level of joint effort. Individuals judged one another's trustworthiness by watching facial expressions and hearing the way something was said. In summary, the individual attributes that were particularly important in explaining behavior in social dilemmas included the expectations individuals had about others' behavior (trust), the norms individuals learned from socialization and life's experiences (reciprocity), and the identities individuals created that projected their intentions and norms (reputation). Ostrom (1998) argued that evolutionary heritage has “hard-wired us” to learn norms of reciprocity and trust, so that over time, institutional change was possible, and collective action achievable.

It should be noted and cannot be discounted in the discussion of collaborations that the discussion above assumes that individuals in social dilemmas react collectively even though their self-interest identity wants to achieve individual or organizational missions. Undoubtedly this causes tension, but as Thomson and Perry (2006) found, when problems were of sufficient urgency to all stakeholders, collaboration goals trumped individuals’ self-interests.
2.12 Collaborative Governance—Recap

This literature review focused on collaborations that are highly structured network structures. The following recap of collaborations could also describe network structures, though network structures also include innovative approaches to governance evidenced in their outcomes and processes. These innovative approaches are not discussed here but rather this dissertation is more focused on traditional collaborative arrangements (Keast, Mandell, Brown, & Woolcock, 2004).

To recap the preceding literature review, collaborations are characterized by the following: (a) broad range of stakeholders with a stake in outcome, (b) intensive, creative process, (c) commitment to problem solving, (d) achievement of higher levels of performance associated with complex issues, and (e) opposite interests brought into agreement.

The literature review, especially as referenced in the Characteristics of Collaboration, Government Agency’s Role and Collaboration, and Collaborative Governance—Variables sections, identified a number of scholarly articles recognizing factors that contributed to the success of collaborative efforts and collaborative governance. Many of these factors were valued by a number of researchers. A list of these factors is included in Table 2.1 to be further examined in the Conceptual Model, Research Design, and Methodology chapter for inclusion in the conceptual model.
Table 2.1

Success Factors

1. Public involvement
2. Democratic legitimacy
3. Local involvement
4. Government capabilities – (inflexibility, short-sightedness, costly legal and admin conflict, fragmented authority)
5. Procedural legitimacy including rules, transparency
6. Broad participation
7. Agency culture and organization
8. Technical and financial resources
9. Skills and knowledge
10. Commitment to process
11. Collective choice decision-making
12. Two-way communications
13. Face-to-face dialog
14. Trust building
15. Shared understanding, learning, and process
16. Prehistory of cooperation or conflict
17. Incentives for participation
18. Power-Resource-Knowledge Asymmetries (Power Imbalances)
19. Political, legal, economic, environmental
20. Policy Outputs
21. Stakeholders perception of the collaborations effect on the environment

2.13 Collaborative Environmental Management Example: CZMA

In this final section, I provided a summary of an example of collaboration and public participation in environmental management, specifically the Coastal Zone Management Act (CZMA). The CZMA is a federal government-initiated (though state government-led) collaboration that includes local government participation and encourages each state to develop its own coastal management plan. It is an example of a program that enlisted the services of government agencies and citizen advisory groups.
Since the dawn of a widespread environmental consciousness over four decades ago, states and localities have been engaged in a complex, often contentious, growth management debate to try to find the right balance between protecting the environment and promoting the economy in coastal regions. Similarly, intergovernmental growth programs—particularly those incorporating state-mandated local planning—evolved over time, as states and localities struggled to find just the right process to balance competing policy goals effectively and fairly (Bollens, 1993). Most stakeholders agreed that balancing environmental protection and economic development was crucial and that states should be given discretionary power and autonomy in defining their individual coastal program to deal with their particular needs. The stakeholders came from different groups: those that wanted increasing latitude and flexible standards with the freedom to develop and use coastal resources to the maximum extent feasible, and those that argued for more stringent regulation of development affecting the natural environment and for the requirement of more explicit standards in all state plans. The result was a constant process of balancing between flexibility and rigor, development and conservation, and regulation and a laissez-faire approach (Beatley, Brower, & Schwab, 2002).

Congress, recognizing that the coastal zone of the U.S. contained resources of tremendous national value and that these resources required protection, passed the Coastal Zone Management Act (CZMA) in 1972 (USDOCa). The CZMA established a national coastal management program that was administered by the National Oceanic and Atmospheric Administration/Office of Ocean and Coastal Resource Management (NOAA/OCRM). The CZMA was a federal-state collaboration, whereby it provided incentives for coastal states to prepare and implement coastal management programs.
State participation in the program was voluntary, though incentives were provided in the form of federal funding and a strong “federal consistency” provision that provided states authority over federally supported or conducted activities that may be inconsistent with their federally-approved state coastal management plans (Davis, 2004). Thirty-four coastal and Great Lakes states, territories and commonwealths approved coastal management programs, intended to protect more than 99 percent of the nation's 95,331 miles of ocean and Great Lakes coastline. To gain initial program approval from NOAA, states were required to provide evidence of nine essential program elements within a statewide coastal management plan (USDOCb, 1972). The required program elements ranged from the establishment of broad guidelines on priorities of land and water uses to planning processes for energy facility siting and erosion mitigation. These requirements were entirely process-oriented and flexible, involving few program activity obligations or national standards for future decision-making. Also required was public participation and coordination between state agencies and between state and local agencies. Coastal states and territories gained program approval from NOAA using a variety of institutional frameworks, which generally range from “networked” programs that linked existing coast-related agencies and policies, to direct-permitting agencies with centralized regulatory authority in the coastal zone, to programs which relied on state-approved Local Coastal Programs (LCPs) for implementation.

The CZMA created the need for collaboration in the decision-making process in coastal management plans by requiring public participation and coordination between state and local agencies. This was further emphasized by a project conducted by NOAA/OCRM, in partnership with the Coastal States Organization (CSO), that a
reauthorized CZMA should revive the use of public participation to inform planning, priority setting, and decision-making (USDOC, 2007). The project also stressed the need for stronger participation and coordination in the process amongst all government entities including local governments. Lastly, it suggested the increased use of other partnerships such as private industries, universities, non-profits and others to tap into these resources for a broad range of activities including scientific knowledge and information dissemination.
CHAPTER 3
CONCEPTUAL MODEL, RESEARCH DESIGN, AND METHODOLOGY

3.1 Derive Conceptual Model Variables

The first step in the process of examining disruptions was to develop a conceptual model that identified the variables and the relationships. The literature on collaboration and collaborative governance was analyzed to identify variables key to successful collaborations. These variables were first identified in Table 2.1 in the Literature Review chapter. As can be seen, the list was daunting and for modeling and studying purposes needed to be simplified into logical variables. I first expanded the table to include the variables’ related literature references to identify their importance (the number of times they were referenced) (for ease of reference, see Table 3.1). Many of the literature variables had similarities and as other researchers (for example Ansell and Gash, 2007) had done, I grouped “like” variables together and labeled them as meta-variables (see the columns labeled “conceptual model meta-variables”). As reflected in Table 3.1, the individual indicators of public trust; public involvement, democratic legitimacy, local involvement, and government capabilities were also associated with the institutional design and relationship dynamics meta-variables. Public trust, its indicators, and the roles they play in collaboration and disruptions are more thoroughly discussed in the Variable section. I also identified the type of each variable for modeling purposes;
Table 3.1

*Derivation of Conceptual Model Meta-variables from Literature Variables*

<table>
<thead>
<tr>
<th>Literature Variables</th>
<th>Literature References</th>
<th>Conceptual Model Meta-variables (see key below)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public involvement</td>
<td>Griffin, 1999; Schneider, Teske, &amp; Marschall, 1997; Slovic, 1993; Wondolleck &amp; Yaffee, 2000; Beierle &amp; Konisky 2000 Cooper, Bryer, &amp; Meek, 2006; Sabatier, et al., 2005; Beierle &amp; Konisky 2000; Fung &amp; Wright, 2001; Weber, 2003 Sabatier, et al., 2005</td>
<td>I1 I2 C D1 D2</td>
</tr>
<tr>
<td>Democratic legitimacy</td>
<td>Fung &amp; Wright, 2001; Cooper, Bryer, &amp; Meek, 2006; Sabatier, et al., 2005; Beierle &amp; Konisky 2000; Fung &amp; Wright, 2001; Weber, 2003</td>
<td>X X X X</td>
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<tr>
<td>Local involvement</td>
<td>Sabatier, et al., 2005</td>
<td>X X X</td>
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<tr>
<td>Broad participation Agency culture and organization Technical and financial resources</td>
<td>Thomas, 1999; Kellogg, 1998</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Ansell &amp; Gash, 2007</td>
<td>X</td>
</tr>
<tr>
<td>Literature Variables</td>
<td>Literature References</td>
<td>Conceptual Model Meta-variables (see key below)</td>
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<tr>
<td>Collective choice</td>
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<tr>
<td>decision-making</td>
<td>Ansell &amp; Gash, 2007</td>
<td>X</td>
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<tr>
<td>Two-way</td>
<td>Duram &amp; Brown, 1999; Yaffee et al., 1996</td>
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<td>communications</td>
<td></td>
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<tr>
<td>Face-to-face dialog</td>
<td>Snow, 2001; Ansell &amp; Gash, 2007</td>
<td>X</td>
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<td>Ansell &amp; Gash, 2007; Busenberg, 1999; Geoghegan &amp; Renard, 2002;</td>
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<td>Glasbergen &amp; Driessen, 2005; Gunton &amp; Day, 2003; Imperial, 2005; Murdock, Wiessner,</td>
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<td></td>
<td>and</td>
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<tr>
<td>Trust building</td>
<td>Sexton, 2005; Rogers et al., 1993</td>
<td>X</td>
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<td></td>
<td>Ansell &amp; Gash, 2007; Bentrup, 2001; North, 2000; Pahl-Wostl &amp; Hare, 2004</td>
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<td>Shared understanding,</td>
<td></td>
<td>X</td>
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<td>learning, and process</td>
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<td>Prehistory of</td>
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<td>cooperation or conflict</td>
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<td>Incentives for participation</td>
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<td>Power-Resource-Knowledge</td>
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<td>Asymmetries (Power Imbalances)</td>
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<td>Political, legal, economic,</td>
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<td>environmental</td>
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<td>Borrini-Feyerabend, 1996; Bingham, 2008</td>
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<td>Conroy &amp; Berke, 2004; Koontz, 2005; Koontz, 2005; Leach &amp; Sabatier, 2005; Leach &amp;</td>
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<td>Pelkey, &amp; Sabatier, 2002; Leach &amp; Sabatier, 2005; Koontz &amp; Johnson, 2004</td>
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<td>Policy Outputs</td>
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<td>Stakeholders</td>
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<td>perception of the collaborations effect on</td>
<td>Leach, Pelkey, &amp; Sabatier, 2002; Leach &amp; Sabatier, 2005; Koontz &amp; Johnson, 2004</td>
<td>X</td>
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<td>the environment</td>
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Key:  
Meta-variable I1 – Institutional Design  
Meta-variable I2 – Relationship Dynamics  
Meta-variable C- External Environment  
Meta-variable D1 – Public Trust  
Meta-variable D2- Policy Outputs
independent meta-variables were institutional design and relationship dynamics, dependent meta-variables: public trust and policy outputs, and a context meta-variable: external environment. Table 3.1 was very useful because it also served as a reference for defining the meta-variables with indicators, for example the institutional design meta-variable included the following indicators: public involvement, local involvement, procedural legitimacy, rules, transparency, broad participation, agency culture and organization, technical and financial resources, skills and knowledge, and commitment to process.

3.2 Define Meta-variables

The conceptual model and its meta-variables represented the components of successful collaborations. Then, the pre-disruption conditions of the four commissions or councils were compared to the conceptual model to identify consistency or divergence and determine whether the commissions or councils (in the pre-disruption phase) were successful collaborations. Therefore there was a need to further define some of these meta-variables to facilitate the comparison exercise. Therefore Table 3.2 was generated from Table 3.1 using the same data, though reporting by conceptual model meta-variable and further defining indicators, identified in italics. The following sections describe each meta-variable and the expectations of the meta-variables in a successful collaborative setting, or under pre-disruption conditions.
Table 3.2

*Conceptual Model Meta-variables’ Indicators*

<table>
<thead>
<tr>
<th>Meta-variable</th>
<th>Indicators</th>
</tr>
</thead>
</table>
| I1: Institutional Design | a. Public involvement  
b. Local involvement  
c. Procedural legitimacy including rules, transparency  
d. Broad participation - composition of membership, expertise, geographic  
e. Agency culture & organization – structure, regularly schedule, open meetings, appointments, terms, length of tenure, authority, staff, continued education  
f. Technical and financial resources  
g. Skills and knowledge  
h. Commitment to process |
| I2: Relationship Dynamics | a. Collective choice decision-making  
b. Two-way decision-making  
c. Face-to-face dialog  
d. Leadership  
e. Trust building  
f. Shared understanding, learning, and process  
g. Shared interpretation of the rules and problems |
| C: External Environment | a. Prehistory of cooperation or conflict  
b. Incentives for participation  
c. Political imbalances  
d. Political, legal, economic, environmental |
| D1: Public Trust | a. Public involvement  
b. Democratic legitimacy  
c. Local involvement  
d. Government capabilities |
| D2: Policy Outputs | a. Policy outputs  
b. Stakeholders perception of the collaborations effect on the environment |

Italics indicate further defining of indicators.

3.2.1 *Independent Meta-variable 1: Institutional Design*

The institutional design meta-variable as the name implied included characteristics of the institution or the collaboration including the structure, operating procedures, and the members which were critical in building successful collaborations.
The meta-variable included the legal structure (independent state agency or not) and the appointment process (how and who appointed the members), term of the members, length of tenure, and authority levels (who reported to whom, and how this communication was accomplished).

The expectation for successful collaborations was a structure and appointment process that reflected democratic legitimacy in the eyes of the public and thus a legal process that worked for all the people free of corruptive practices.

Integral to successful collaborations and included in this meta-variable was broad participation, and participation by members with specific knowledge or skills. Essential to meeting the requirements of the CZMA and ensuring the public trust of the collaboration was public participation. Specifically local participation or participation from the public or local officials that were directly affected by the collaboration and its mission was also included in this meta-variable. It was crucial that those affected by the decisions be involved in the decision-making, and supported geographic representation. Local participation also built public trust of the collaboration. It was also very important to a successful collaboration that the members had the technical expertise, knowledge, understanding of the rules and policies, and commitment to the process to make decisions. This meta-variable included these abilities and the continued education of the members to keep them at this capability level. Therefore it was expected that collaborations included public involvement, local involvement, and members with technical expertise, knowledge, and skills with a commitment to the process.

The meta-variable also included procedural legitimacy including rules (formal and informal) and policies that governed the operations of the collaboration such as
regularly scheduled “open” meetings, public hearing requirements, rules, guidelines, laws, and policies that the collaboration followed to perform its function. These procedures reflected transparency, participation by the public in setting them, and efficient legal and administrative processes that contributed to legitimacy in the eyes of the public and successful collaborations. It was expected that collaborations included open meetings with efficient legal and administrative processes.

Lastly, the commission and council had staffs that supported them, and their indicators (knowledge, support) were included in this meta-variable. Crucial to successful collaboration was the expertise, skills, and knowledge not only of the members but also the staff that supported them. All of these indicators in this meta-variable reflected a well-run, functional government operation that was what the public wanted in its government and, therefore, promoted public trust. It was expected that the collaborations included highly competent staff.

3.2.2 Independent Meta-variable 2: Relationship Dynamics

Rather than looking at the individual members, this meta-variable included indicators of the relationships amongst the commission or council members that were critical ingredients of successful collaborations. It included the formal and informal relationship amongst the members, including degree (the “openness”) and types of communication (face-to-face dialog or other forms). Successful collaborations included a high degree of communication between members, including face-to-face dialog that contributed to building trust amongst the members. This communication, trust, and relationship-building led to shared learning, interpretation of the rules, responsibility to
the process, and commitment to the outputs. In successful collaborations, this all led to collective choice decision-making; where members discussed issues in open forums, members learned from each other, and made decisions based on the process and commitment to the goal rather than on self-interest behavior. Leaders in successful collaborations were more boundary-spanners and facilitators, rather than autocratic leaders as typified in traditional top-down, bureaucratic structures. It was expected that the collaborations included face-to-face communication in a shared learning, collective choice decision-making environment with facilitative-type leadership.

The CZMA required coordination between state agencies and between state and local agencies and these types of relationships were included in this meta-variable and reflective of successful collaborations. Lastly, the staff’s supportive communication and relationship with the members were included in this meta-variable and contributed to successful collaborations. All the indicators in this meta-variable supported democratic legitimacy and built public trust with the inclusion of relationships and collective decision-making, where members (and staff) worked together and made decisions for the people.

3.2.3 Context Meta-variable: The External Environment

The external environment meta-variable included indicators associated with the external environment that affected the collaborations including political, legal, economical, or environmental issues, as well as the prehistory of the collaboration and participation requirements. Prehistory of cooperation and incentives for participation were indicators of successful collaborations. The gubernatorial and legislative
appointments that reflected a range of perspectives on CZM issues that balanced environmental and economic concerns contributed to successful collaborations. Along the same lines, legislation and changes to state constitutions that reflected balance (versus bias towards development or environmental interests) also contributed to successful collaborations. It was expected that the collaborations included members with prehistory of cooperation and incentives for participation, and political appointments and legislation were focused on balancing environmental and economic concerns.

3.2.4 Dependent Meta-variable 1: Public Trust

Public trust was an integral factor in this study and deserves a thorough discussion. Public trust played a threefold role. The presence of public trust (as represented through specific indicators) was an independent meta-variable and vital to the pre-disruption successful collaborations. The loss of public trust was an intervening meta-variable that started the chain of events that led to the disruption. And lastly, the assessment of public trust was a dependent meta-variable or an output of the collaboration. An example of the public trust as a dependent meta-variable was the restoring of public trust in the post-disruption phase, as a result of the changes to the independent meta-variables due to the disruption. Each role is described in the following discussion.

The literature review identified that in some cases governments pursued collaborative approaches because the public lost trust in top-down approaches because they sought (a) public involvement, (b) democratic legitimacy, (c) local involvement, and (d) improved government capabilities. Therefore to achieve the public trust,
collaborations should include these indicators and theoretically do as reflected in the independent meta-variables. For example, collaborations included the public and local representation in their commission membership, the institutional design meta-variable. This membership and their open, transparent decision-making reflected in the relationship dynamics meta-variable provided the democratic legitimacy lacking in top-down hierarchies.

Even though collaborations included all these indicators, the assessment of public trust as a dependent meta-variable or whether the public trusted the effects of the collaboration was based on the public’s perception. This could be favorable opinions which were most likely to be identified in opinion polls or an interview process rather than in press releases. On the contrary, negative opinions (or the public’s distrust) were frequently publicized or discussed with government officials including legislators. This was where the public trust meta-variable played a role in the context meta-variable. The public’s loss of trust affected the external environment meta-variable by causing or influencing political actions, for example legislative changes, referendums, constitutional amendments, etc. For example in this study, the public outcry led to legislators changing laws.

In the conceptual model, the external environment or political action influenced or effected the collaborative’s independent meta-variables that caused disruptions in the collaborations. Specifically in this study, the appointment process or rules of the collaboration were affected. The changes to the collaboration led to a more favorable assessment of the collaboration by the public or restoration of the public trust (here as a dependent meta-variable). This more favorable assessment or the public’s positive
perception of the collaboration was a result of restored public involvement, local involvement, democratic legitimacy, or improved government capabilities.

A reason that public trust was an important (albeit complex) factor in this study was because the subject matter of this dissertation was coastal management, which included the controversial issue of looking at whether to preserve publicly owned lands versus the economic development or private ownership of these lands. The public was very aware and sensitive to this balancing of public-use interests with that of private property rights and therefore had strong opinions and views as evidenced by press articles, NOAA reports, and government action.

3.2.5 Dependent Meta-variable 2: Policy Outputs

The policy output meta-variable included policy outputs of collaborative decision-making and was a direct measure of the success of the collaborations. It also included stakeholders’ perception of the collaborations effect on the environment. The commissions and councils discussed in this study were designed, created, and implemented as the authoritative bodies, to balance the environmental protection of the coastal areas with their economic development, and performed the following responsibilities: assisted in planning and regulating the use of land and water in the coastal zone, reviewed and approved local coastal programs that included land-use plans, certified local land-use plans, formulated policies and plans, adopted regulations, designated areas of environmental concern (AECs), adopted rules and policies for AECs, and reviewed and approved permits and variances. The results of these actions were policy outputs, and included the creation of regulation and policies and approval of
permits, variances, coastal programs, and land-use plans. The policy outputs also included the studies, projects, and planning techniques that were required to better understand coastal issues and assisted the commissioners and council members in their responsibilities. Policy outputs led to the ultimate policy outcome—achieving the balance of environmental protection and economic development. Measuring policy outcomes was a difficult task for the reasons outlined in the literature review, so instead researchers looked to stakeholders’ perception of the collaborations effect on the environment to assess the success of the collaborative efforts, and the stakeholders’ perception was included as a policy output. Government agencies specifically chose collaborative approaches to manage environmental programs and thus it was expected that this meta-variable showed positive policy outputs, for example stakeholders’ perceived that the collaborations had a positive effect on balancing environment protection and economic development.

3.3 Conceptual Model

The origination of the meta-variables of the model and explanation of the meta-variables were discussed in the previous sections. The discussion of the conceptual model including graphic representations of the conceptual model (see Figure 3.1) is included in this section.

The pre-disruption condition representation shows the independent meta-variables working together to effect policy outputs and public trust. For example, based upon the discussion of the institutional design and relationship dynamics meta-variables it was expected that commissions or councils included open meetings where members from
Pre-Disruption Conditions

Institutional design → Relationship dynamics → Policy Outputs

Public Trust

Disruption

Institutional design → Relationship dynamics → Policy Outputs

Public Trust

Perception, function of: Public/local participation, democratic legitimacy, government capabilities?

External Environment

Political action

Post-disruption

RESTORED

Institutional design → Relationship dynamics → Policy Outputs

Public Trust

OR

DEMISE of the COLLABORATION

Institutional design ←X→ Relationship dynamics ←X→ Policy Outputs

Public Trust

Figure 3.1 Conceptual Model of Collaborative Governance and Effect of Disruptions ("X" indicates demise of the collaboration)
varying, broad backgrounds including the public and local officials were engaged in discussions. These discussions led to collective decision-making amongst the members where decisions reflected commitment by the members to the objectives of the commission and not self-interest of the individuals. The commission abided by rules, policies, and procedures and dealt with difficult subject matter that demanded knowledgeable, skilled or capable members and staff willing and able to make tough decisions. Lastly, they experienced shared learning and shared understanding that contributed to improved decision-making. This summarized the expectations of the conceptual model’s link between the independent meta-variables and supplements the expectations identified above in the Define Meta-variables section. These expectations provided the basis for the comparison when each of the four coastal zone management commissions or councils’ pre-disruption activities was studied through the lens of these meta-variables. This pre-disruption study and analysis not only tested the conceptual model but provided a baseline for the meta-variables for the subsequent post-disruption analysis.

The disruption condition representation shows that the external environment affected the independent meta-variables causing the disruption. As mentioned previously, the chain of events associated with disruption started with the loss of public trust that led to changes in the external environment meta-variable (political action) that affected (disrupted) the institutional design and relationship dynamics meta-variables of the commissions. Based on the conceptual model it was expected that the public perceived that the commission lacked public involvement, local involvement, democratic legitimacy, or functioning government capabilities and thus lost trust in the commission.
This public outcry led to political action that affected the independent meta-variables of the commission that included for example affecting the structure, rules, relationships, decision-making, or a combination of these meta-variables. Each of the four coastal zone management disruption activities was studied identifying if and how public trust and the external environment played roles; and then identified the effect upon the independent meta-variables.

Lastly, the post-disruption condition representation reflects the possibility of two outcomes dependent upon the impact of the disruption on the key meta-variables. Based on the conceptual model, it was expected that a disruption to an independent meta-variable would demand a response and because of the model relationships would cause a change to the other independent meta-variable and then to the dependent meta-variables. The first scenario represented the dependent meta-variables—policy outputs and public trust were restored and the collaboration was restored. The second scenario represented a disruption in the independent meta-variables resulted in a failure in policy outputs and public trust and subsequently demise of the collaboration.

Each of the four coastal zone management post-disruption activities were studied identifying if and how each meta-variable was affected and the ultimate effect on the collaboration’s resiliency. The Analysis section provides this same graphic for each case including how the meta-variables were affected by the disruption.

3.4 Research Questions

The purpose of the dissertation was to examine:
1. How the pre-disruption meta-variables and outputs of the collaborations were consistent with or different from the expectations of the conceptual model derived from the literature.

2. How the disruptions to these collaborations impacted their post-disruption institutional design, relationship dynamics, public trust, and policy outputs.

The three research questions were:

1. How are the institutional design, relationship dynamics, public trust, and policy outputs of the pre-disruption Coastal Zone Management Act commissions and councils consistent with the expectations of the conceptual model derived from the literature?

2. How are the institutional design, relationship dynamics, public trust, and policy outputs of the post-disruption Coastal Zone Management Act commissions and councils affected by the disruption?

3. How do the institutional design, relationship dynamics, public trust, and policy outputs of the post-disruption Coastal Zone Management Act commissions and councils reflect (a) destruction of the collaborative approach to decision-making, or reflect (b) resiliency by returning to a collaborative state (though perhaps altered in structure or dynamics)?

3.5 Definitions

The following terms are defined here because of their significance to this study:

1) collaborations and collaborative governance, and 2) disruption (specifically what is meant by a disruption to collaborations).
3.5.1 Collaborations and Collaborative Governance

Collaborative governance was defined as a governing arrangement where state government instituted a body that included non-state stakeholders to make decisions to implement public policy and manage the state coastal program. This arrangement therefore included a body that communicated and collaborated with its staff and state agencies, as well as advisory committees. The body itself that is responsible for decision-making is considered a collaboration or collaborative body.

3.5.2 Disruption

The disruption was defined as a successive chain of events that 1) started with a loss or diminished level of public trust in the decision-making of the commission or council, 2) led to changes in the external environment meta-variable (political action), and 3) affected (disrupted) the institutional design and relationship dynamics meta-variables of the commissions or councils. The institutional design and relationship dynamics meta-variables played integral roles in the success of collaborations, and therefore disruptions to them could put the existing collaboration activities at risk.

3.6 Research Design

3.6.1 Ansell and Gash Model

The literature review identified factors that were descriptive variables of collaborative processes. It also referenced studies that identified variables that were associated with successful collaborations (see Tables 2.1 and 3.1). One of these studies
was a comprehensive meta-analytical study by Ansell and Gash (2007) that defined collaborative governance and developed a model of collaborative governance including critical variables that influenced and led to successful collaborations. They concluded with a discussion of future research ideas. I borrowed concepts from Ansell and Gash and also supplemented their ideas with my own and discuss these similarities and differences here.

Ansell and Gash (2007) argued and included in their model that central to collaborative governance was stakeholder involvement in the institutional structure of collective choice decision-making. They also identified the collaborative process as a key overarching variable that included relationships that resulted in trust building, commitment to process, shared understanding, and intermediate outcomes. My conceptual model’s meta-variables closely resembled Ansell and Gash’s broad variables; institutional design coincided with their institutional design, relationship dynamics with their collaborative process and facilitative leadership, external environment with their starting conditions, and policy outputs with their outcomes. Also in accordance with their model I pursued the importance of stakeholder involvement and focused on public participation. A major difference between my conceptual model and that of Ansell and Gash’s was my inclusion of the public trust meta-variable. This was included because of its importance in coastal management collaborations and in disruptions.

Ansell and Gash (2007) identified that future research may be most fruitful in examining “natural experiments” or actual cases of collaborations, and especially comparative examination of multiple independent cases operating under the auspices of the same regulatory program. They indicated that research should compare the effects of
collaboration by examining pre-and post-collaboration surveys. I examined actual cases of collaboration and multiple independent cases under the same regulatory program, the CZMA. Although I was not able to study pre-collaboration and do a comparative study I was able to assess meta-variables post-collaboration and post-disruption scenarios using interviewing methodology.

3.6.2 Significance of Cases Selected

As indicated in the Literature Review chapter, collaborations play a vital role in environmental management. For example, states used these types of commissions or councils to manage their individual coastal areas to fulfill their commitment to the federal Coastal Zone Management Act. California, Louisiana, Oregon, Rhode Island, South Carolina, and North Carolina have collaborations that are or were involved in state government coastal zone management and implementation of the CZMA, and experienced a disruption in their activities or functions. Louisiana was eliminated because the time frame since the disruption was over thirty years ago and the Louisiana Commission no longer exists. Oregon was eliminated because although it appeared to be working in a collaborative manner it was an advisory body to the Governor and not a decision-making body. The other CZMA approved programs (not selected for this study) included the following structures: housed within state agencies, implemented through local coastal programs, or implemented through a network of agencies. My goal was to focus specifically on commissions or councils that experienced disruptions associated with public trust so I chose to study North Carolina Coastal Resources Commission, California Coastal Commission, Rhode Island Coastal Resources Management Council,
and South Carolina Coastal Council based upon the following criteria. Each commission or council met all seven criteria.

1. All are state coastal management programs.
2. All adopted and approved under the federal Coastal Zone Management Act.
3. All have similar responsibilities, and therefore expected outputs that can be measured (see Table 4.1).
4. All are involved in a collaboration such as a commission or council that played a vital role in managing the state coastal program in a decision-making capacity.
5. All experienced a disruption.
6. The disruption was associated with public trust issues.
7. All included public participation.

3.6.3 Significance of Study

The study has significance from three crucial perspectives: 1) it adds to the scholarly work, 2) helps improve public administration practice, and 3) helps improve public policy. The study adds to the scholarly work by providing a “natural” situation to study variables associated with collaboration in a quasi-experiment setting where the similar situation can be analyzed before and after a disruption that may affect the collaborative process. The results of assessing if and how the factors are affected should lead to an enhanced collaborative governance model and understanding of disruptions. The study provides public administration practitioners insight in handling disruptions and preventing disruptions. Additionally, it may provide valuable information on how
and when to use collaborations and their impact upon public trust. Finally the study may help improve policy because it may provide evidence about the actual effect or impact of commissions or councils versus bureaucracies. This may result in new policy formation promoting more collaboration or in contrast eliminating them (collaborative bodies) and promoting more bureaucratic practices. The study may lead to other research regarding the state administration of the Coastal Zone Management Act whether by commissions or councils or state agencies.

3.6.4 Role of the Researcher

My role in this study is a fact finder, identifying the facts surrounding the phenomenon in an attempt to better understand and analyze the phenomenon. I am employed in a state government role and therefore have biases, values, and personal interests that should be disclosed. My biases originate from my experience with government agencies and associated collaborative, decision-making boards. From this experience I question whether collaborations such as commissions or councils have a meaningful role in state government or whether they may merely serve in a subordinate or “rubber stamp” role and receive and carry out all orders from their associated state government agency.

3.6.5 Limitations

The study is intended to explore collaborative governance under a situation that has not been studied before to provide valuable scholarly and practical significance. But, the following limitations must be disclosed: the study included: a limited number of
interviews, an imbalance of interviews per case, an imbalance of types of individuals interviewed whether commission or council members or staff members, personal opinions or biases of the interviewees, a dependency upon secondary sources, such as press releases, no control group or cases that did not include disruptions, variables derived from a limited literature review, data collected and analyzed about the data points but done post-disruption or after the occurrence, and time frames that occurred years in the past that could have tested the memories of the interviewees. I attempted to address these limitations by identifying specific information (see Appendices A and B) that I needed to analyze the collaborations (their associated meta-variables) and the disruptions; and used the combination of resources such as interviews, press releases, and special reports to supplement each other to uncover this information. For example, the lack of interviewees for a particular case was supplemented by press releases and other documents so the needed information was identified. The limitation that variables were derived from a limited literature review was addressed throughout the study by being sensitive to other variables that may be playing a role but were not identified in the literature review.

3.6.6 Strategies for Validity

The following validity tests were used to establish the quality of the research (Yin, 2009): 1) construct validity, 2) internal validity, 3) external validity, and 4) reliability. To satisfy the first test, I used multiple sources of evidence (triangulation) and maintained a chain of evidence. Triangulation was achieved by using different sources: interviews, documents (newspaper articles, agendas and minutes of commission
meetings, etc.), archival reports (personal notes from people associated with the commissions such as local historians, etc.) and observations (attend commission meetings, etc.). I ensured chain of evidence whereby an external observer will be able to follow the chain of evidence from initial research questions to ultimate case study conclusion.

To address the internal validity test, I was cautious in making inferences, and addressing the following questions: 1) Is the inference correct? 2) Have all rival explanations and possibilities been considered? and 3) Is the evidence convergent? During the data analysis the following tactics were employed: pattern-matching across cases, explanation-building, and addressing rival explanations. In the explanation-building exercise I was able to identify causal links about how or why something happened. To address the rival test, I remained focused on the question of the study, and when identifying the result ensured the result wasn’t from other rival explanations such as investigator bias, other practices or policies, economical, political, or social reasons. I was able to do this by triangulation methods, using various sources that supported the result.

The external validity test that deals with the problem of knowing whether a study’s findings are generalizable beyond the immediate case study was addressed by using multiple case studies. The results of the multiple cases supported generalized findings identified in the Analysis chapter. The results of the multiple case studies pre-disruption conditions were compared to the conceptual model and supported the conceptual model. The results of the study could be generalized to CZMA commissions or councils with similar conditions.
The last test, reliability, was addressed by using the case study protocol (identified above) and a case study database in data collections thereby ensuring consistency with collecting data and the handling of that data. The key was to conduct the study in such a way that other investigators could arrive at the same findings and conclusions.

3.7 Methodology

3.7.1 Case Study

Creswell (2007) believes case study research is a qualitative approach in which the investigator explores multiple cases over time, through detailed, in-depth data collection involving multiple sources of information including observations, interviews, documents, reports, etc., and reports multiple case descriptions and case-based themes. To better understand collaborative governance and disruptions, the multiple case study approach methodology was employed to study the following four commissions/councils: California Coastal Commission (CCC), North Carolina Coastal Resources Commission (CRC), Rhode Island Coastal Resources Management Council (CRMC), and South Carolina Coastal Council (SCCC).

Data was collected and analyzed about three operational points of analysis for each case: 1) pre-disruption included the nature of the collaboration and its effects on public trust and policy outputs just prior to disruption; 2) the disruption events which identified what they were and what they disrupted; and 3) post-disruption which took into account the effects of the disruption on the collaboration, public trust, and policy outputs up to the present day (see Figure 3.2). For each data point, the data collection, attendance
North Carolina

Point of analyses

PRE | DISRUPTION | POST


Cause: Public Trust concerns
Disruption: Halted review of plans

California

Point of analyses

PRE | DISRUPTION | POST


Cause: Public Trust concerns
Disruption: Legislative Change

Rhode Island

Point of analyses

PRE | DISRUPTION | POST


Cause: Public Trust concerns
Disruption: Constitutional Amendment Change

South Carolina

Point of analyses

PRE | DISRUPTION | POST

1977 — 1994 — 2010

Cause: Restructure Government
Disruption: De-emphasized Council

Figure 3.2 Graphic Representation about Points of Collection and Analyses
at meetings, and interviews focused on answering questions related to the five meta-variables associated with collaborative governance (see Appendices A and B). The data collection included reviewing the following documents and archival records: newspaper articles, commission or council meeting agendas and minutes, state web-page information, public records, personal notes from local historians, special reports, and legal documents. Besides reviewing meeting agendas and minutes on the Internet, three commission meetings were attended. Fifteen interviews were conducted with key informants including: coastal management state agency representatives, commission and council members, representatives from the environmental protection community, and the U.S. National Oceanic and Atmospheric Administration representative that oversees the federal Coastal Zone Management Act. The goal of the interviews was not a neutral or impersonal question–and-answer dialog, but more in agreement with Gubrium and Holstein (2003) where the consciously active interviewer intentionally provoked responses by indicating—or even suggesting—narrative positions, resources, orientations, and precedents to trigger the interviewee’s knowledge and expertise that added value to the interview as well as the research project. The collected data was then summarized in computer documents with the main objective to have them retrievable for inspection, perusal, and analysis by document or interview or by case.

3.7.2 Data Collection

As mentioned previously the following documents and archival records were reviewed: newspaper articles, commission or council meeting agendas and minutes, state web-page information, public records, personal notes from local historians, special
reports, legislative reports, census voting charts, and legal documents. Special reports included the North Carolina’s special commission report that was a result of the disruption, NOAA’s periodic review of each state’s coastal management practices in accordance with the CZMA, as well as other pertinent reports.

The NOAA reports were invaluable and therefore deserve more explanation than a typical report. Section 312 of the Coastal Zone Management Act (CZMA) of 1972, as amended, requires NOAA’s Office of Ocean and Coastal Resource Management (OCRM) to review the performance of states and territories with federally approved coastal management programs every 3-5 years. The Section 312 evaluation process involved four distinct components: 1) an initial document review and identification of specific issues of concern; 2) site visit to the state, including interviews and a public meeting; 3) development of draft evaluation findings; and 4) preparation of the final evaluation findings, partly based on comments from the state regarding the content and timetables of necessary actions specified in the draft document. The recommendations made by this evaluation may be of two types: necessary actions and program suggestions. Necessary actions address programmatic requirements of the CZMA’s implementing regulations and of the state’s coastal management plan approved by NOAA. These must be carried out by the date(s) specified. Program suggestions denoted actions that NOAA’s OCRM believed would improve the program, but which were not mandatory at this time. If no dates were indicated, the state was expected to have considered these program suggestions by the time of the next CZMA Section 312 evaluation.

NOAA looked at various aspects of the state’s coastal management program including the following: collaboration and involvement in regional and/or national coastal
management initiatives; effectiveness of technical assistance, outreach, and education efforts in order to further the goals of the state’s plan as well as opportunities for public participation in the coastal management planning and decision-making process; effectiveness of interagency and intergovernmental (including tribal) coordination and cooperation, both at the state and regional level; and how the state’s plan measures and tracks its success in effectively managing the coast. I reviewed three Section 312 reports for California that included activity from 1996-2010 (USDOC, 2001; USDOC, 2005; USDOCa, 2010), two reports for North Carolina from 1997-2006 (USDOCa, 2003; USDOCa, 2006), three reports for Rhode Island from 2000-2010 (USDOCb, 2003; USDOCb, 2006; USDOCb, 2010), and five reports for South Carolina from 1990-2008 (USDOC, 1993; USDOC, 1997; USDOC, 2000; USDOC, 2004; USDOC, 2008).

I systematized my review of documents by looking at key documents for each state in the same order, and allowed this process to direct me to other documents. I first reviewed the web pages for each state dedicated to coastal management, which led to reviewing key special reports and meeting minutes. I contacted NOAA and received all the NOAA reports via email or hard copy. These documents were reviewed, as well as the key documents identified or referenced in those reports. The NOAA 312 reports were especially useful because although they provided technical and scientific information not necessarily relevant to this study, they provided applicable information in the areas of institutional design and public trust.

Lastly I performed a media analysis of press articles that referenced the four commissions or councils over the years. NewsBank was searched focusing on articles from papers in the four states, during immediate pre-, post-, and disruption times, and
using the titles of the commissions or councils as key words. The Web pages of the commissions or councils were reviewed for latest press releases and announcements, and archived minutes included old pertinent press releases. Lastly, pertinent press articles were also identified through the interview process.

I attended two two-day commission meetings in North Carolina and a two-day commission meeting in California. I visited Rhode Island to attend a meeting which was cancelled and was not able to attend the rescheduled meeting. Lastly, South Carolina does not have a council anymore so I did not attend any meetings.

3.7.3 Interviews

Utilizing the information gathered from documents, the plan was to interview three to four people from each state, including commission or council members, staff, and environmental protection agencies. Local developers (or the economic developer viewpoint) were not selected as interview candidates because their viewpoint was expected to be reflected in interviews with commissioners or council members and their availability was limited as they were not represented by organizations as in the case of environmental protectionists. Also, even though the CZMA was passed to balance economic development and environmental protection, the environmental protection side was of foremost importance as the CZMA is considered one of the strongest environmental laws in the nation (Confidential Interview 2, 3/25/2011). The plan fell short for a number of reasons: lack of response to inquiries, interviews cancelled due to travel problems, and staff (including state agency personnel) unwilling to be interviewed as they were too busy and/or concerned with the uncertainty of the effect of the interview
on their jobs. Even with some setbacks I interviewed 15 key informants (Table 3.3) across the four state programs and the federal CZMA program: NOAA-1, NC=5, SC=4, CA=2, RI=3. These included the NOAA representative that oversees the program in

Table 3.3

Interviewees

<table>
<thead>
<tr>
<th>Commission/Council</th>
<th>Confidential Interview No.</th>
<th>Associated with the Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>California – Coastal Commission (CCC)</td>
<td>1, 10/4/2010</td>
<td>CCC Member</td>
</tr>
<tr>
<td>North Carolina – Coastal Resources Commission (CRC)</td>
<td>2, 3/25/2011</td>
<td>Environmental Group Member</td>
</tr>
<tr>
<td>North Carolina – Coastal Resources Commission (CRC)</td>
<td>3, 8/31/2010</td>
<td>CRC Member</td>
</tr>
<tr>
<td>North Carolina – Coastal Resources Commission (CRC)</td>
<td>4, 9/15/2010</td>
<td>DCM Member</td>
</tr>
<tr>
<td>North Carolina – Coastal Resources Commission (CRC)</td>
<td>5, 9/16/2010</td>
<td>Environmental Group Member</td>
</tr>
<tr>
<td>North Carolina – Coastal Resources Commission (CRC)</td>
<td>6, 11/12/2010</td>
<td>DCM Member</td>
</tr>
<tr>
<td>North Carolina – Coastal Resources Commission (CRC)</td>
<td>7, 11/12/2010</td>
<td>DCM Member</td>
</tr>
<tr>
<td>Rhode Island – Coastal Resources Management Council (CRMC)</td>
<td>8, 11/10/2010</td>
<td>CRMC Member</td>
</tr>
<tr>
<td>South Carolina - Coastal Council (CC)</td>
<td>11, 10/25/2010</td>
<td>Former CC Member</td>
</tr>
<tr>
<td>South Carolina - Coastal Council (CC)</td>
<td>12, 10/25/2010</td>
<td>Former CC Member</td>
</tr>
<tr>
<td>South Carolina - Coastal Council (CC)</td>
<td>13, 10/26/2010</td>
<td>Environmental Group Member</td>
</tr>
<tr>
<td>South Carolina - Coastal Council (CC)</td>
<td>14, 10/26/2010</td>
<td>Environmental Group Member</td>
</tr>
<tr>
<td>National Oceanic Atmospheric Administration (NOAA)</td>
<td>15, 11/5/2010</td>
<td>Specialist</td>
</tr>
</tbody>
</table>

North Carolina, South Carolina, and Georgia. She does not actively participate in CRC or even DCM business and was able to provide an external view, and helped me obtain the past NOAA Section 312 reports for all the states. Five stakeholders from North Carolina were interviewed including the CRC chair, two past DCM Executive Directors, as well as the current DCM Assistant Director for Planning, and the Executive Director.
of the key environmental group. The CRC chair has been a member of the CRC for 16 years so had valuable input regarding the three data points, before, during, and after the disruption. One past DCM Executive Director was in the position prior to the disruption and followed the coastal management plan from inception to the present day, and therefore contributed interesting insight on how and why events occurred. The other DCM Executive Director was in the position before, during, and after the disruption and as an ex-employee was more able to divulge details. The current DCM employee came on board after the disruption and is currently employed, and therefore offered details on current operations and lessons learned. Lastly, the Executive Director of the key environmental group was the founder of the organization and involved in environmental protection issues in North Carolina for over 28 years. The organization and its influence played a significant role in the DCM and the CRC’s decision to place a moratorium on approving land-use plans.

Two people were interviewed from California. One person was involved in California’s coastal management program from the inception and has been the Executive Director of the CCC for 25 years. He is a person with a strong personality and passion for his work and provided thorough detail on all three data points. The other has also been involved in California’s environmental community since 1989, and is currently the Chief Counsel for the Environmental Defense Center.

South Carolina no longer has a Coastal Council so no one from the council was available, and the folks from the DHEC-OCRM (the state agency managing the coastal program) were reluctant to be interviewed, perhaps because of their concern of its effect upon their jobs. I was successful in interviewing two individuals from the past Coastal
Council, the ex-Executive Director and a staff member. Both individuals are still involved in coastal management issues and so were able to provide relevant data on all three data points. Two individuals from the exemplary conservation group in South Carolina were also interviewed, one of whom was with the organization before, during, and after the disruption and one with a more current involvement. The latter individual is participating in current collaborative panels that the DHEC-OCRM is overseeing.

Lastly, I interviewed three individuals involved in the Rhode Island program, two of whom are CRMC members, one being the Executive Director for over 17 years. I also interviewed an individual from the environmental protection/conservation community whose organization is an integral partner of the CRMC.

Although the documents provided detailed information that assisted in better understanding the meta-variables associated with the commissions or councils such as institutional design, external environment, public trust, and policy outputs, the interviews were indispensible in providing valuable information about decision-making and relationship dynamics. The interviews also provided additional information (insider information that could not be uncovered in public documents) and clarification about the other meta-variables.
CHAPTER 4

CASE STUDY RESULTS

The tables on the following pages provide summaries of the cases and the disruptions to better visualize and assess the individual cases’ results. The details of each case are provided below. Table 4.1 provides a summary of the cases identifying the commission or council name, the appointment process, and the policy outputs of the pre-disruption condition. Table 4.2 provides a summary of the nature of the disruptions and the effects of the disruption on the meta-variables.

The detailed results for each state’s case study are presented in the following sections including sub-sections for pre-disruption, disruption, and post-disruption conditions. The multiple case study intended to view events through the lens of the conceptual model and the meta-variables: institutional design, relationship dynamics, external environment, public trust, and policy outputs so each section (where appropriate) was organized to address the meta-variables in that order.

4.1 California

4.1.1 Pre-disruption

The composition of the CCC is made up of twelve voting members and three non-voting members representing other state agencies (the Resources Agency, the Business,
Table 4.1

Summary of Cases

<table>
<thead>
<tr>
<th>State</th>
<th>Commission/ Council Name</th>
<th>Appointments</th>
<th>Policy Outputs</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>California Coastal Commission (CRC)</td>
<td>15 members, Governor and legislators appointed, includes public</td>
<td>• Assists in planning and regulating the use of land and water in the coastal zone</td>
</tr>
<tr>
<td></td>
<td>Staff – Commission Staff</td>
<td></td>
<td>• Reviews and approves local coastal programs that include land-use plans</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Grants and denies permits for development</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Coastal Resources Management Council (CRMC)</td>
<td>16 members, Governor appointed, consent of Senate, includes public</td>
<td>• Formulates policies and plans</td>
</tr>
<tr>
<td></td>
<td>Staff – Council Staff</td>
<td></td>
<td>• Adopts regulations</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Reviews and approves permits</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Commissions and reviews studies, projects, and reports associated with coastal management and protection</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Coastal Commission (CRC)</td>
<td>15 members, Governor appointed &amp; nominated by local board of commissioners, includes public</td>
<td>• Designates areas of environmental concerns (AECs)</td>
</tr>
<tr>
<td></td>
<td>Staff – State Agency</td>
<td></td>
<td>• Adopts rules and policies for AECs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Certifies local land-use plans</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Reviews and approves variances</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Commissions and reviews studies, projects, and reports associated with coastal management and protection</td>
</tr>
<tr>
<td>South Carolina</td>
<td>South Carolina Coastal Council (SCCC), currently State agency (DHEC-OCRM)</td>
<td>Council – 18 members, Local officials and General Assembly appointed, includes public</td>
<td>• Reviews and approves permits in critical areas</td>
</tr>
<tr>
<td>State</td>
<td>Cause of Disruption – Loss of public trust - Event 1</td>
<td>Disruption – Political action - Event 2</td>
<td>Disruption – Disrupted collaboration - Event 3</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------------------</td>
<td>----------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>CA</td>
<td>Public trust issues, critics questioned legislative appointments. The public loss trust in the CCC because of the political pressures and power imbalances.</td>
<td>Legislators passed a law fixing the term of legislative appointments.</td>
<td>Disrupted institutional design by changing the structure or terms of the commissioners.</td>
</tr>
<tr>
<td>RI</td>
<td>Public trust issues, critics questioned legislative appointments. The public loss trust in the legislative appointment process that affected the CRMC appointment process.</td>
<td>Voters approved amendment to the constitution regarding separation of powers, eliminating legislative appointments.</td>
<td>Disrupted institutional design by changing the structure of the commissioners. Reduced members from 16 to 8, because members were not replaced.</td>
</tr>
<tr>
<td>NC</td>
<td>Public trust issues, critics on both sides complained about planning guidelines, one-size-fits all regulations, lack of implementation plans, and inadequate public participation and understanding of the planning program.</td>
<td>Environmenta l group and agency pressure to act.</td>
<td>The disruption was no land-use plans were to be reviewed. Disrupted institutional design by changing rules of the collaboration.</td>
</tr>
<tr>
<td>SC</td>
<td>Restructured state government.</td>
<td>Disrupted institutional design and relationship dynamics by moving responsibilities into the state agency.</td>
<td>Weakened all meta-variables except Policy Outputs.</td>
</tr>
</tbody>
</table>
Transportation, and Housing Agency, and the State Lands Commission). All voting members were appointed by California’s Governor, the Senate Rules Committee, and the State Assembly Speaker, with the Senate and House appointments having 4-year terms that can be re-appointed. The independence and split of the appointing authorities allowed no one ideology to dominate, allowing the CCC to keep an arm’s length from the people (developers) that they regulate. Each appointing authority appointed four commissioners, two of whom are from the general public and two of whom are local elected officials. In order to ensure statewide representation, each of the following geographical areas was designated to have one “local elected” voting member seat: San Diego, South, South Central, Central, North Central, and North Coast regions.

Assembling the CCC with 50 percent of the members being local elected official and 50 percent public representatives was a “brilliant” idea to maintain the balance and handle the issues that come before the CCC (Confidential Interview No. 2, 3/25/2011). Local elected official members possessed the experience of many of those that presented to the CCC and could relate to them, but the public representatives played the role of counteracting these relations and viewed the issue from the public’s view.

The CCC is a very prestigious and powerful organization (Confidential Interview No. 2, 3/25/2011). Commissioners take this opportunity seriously, and are committed to the California Coastal Act and their independence (Confidential Interview No. 2, 3/25/2011). This commitment and passion stemmed from Californians’ concern for their environment and protection of their coastlines, resulting in the establishment of the CCC by a voter initiative in 1972 (Proposition 20), and later made permanent by the Legislature through adoption of the California Coastal Act of 1976 (CCA). The National
Oceanic Atmospheric Administration (NOAA) (in conjunction with the federal CZMA) approved California’s Coastal Program in 1978. The CCA established the CCC as a permanent, independent regulatory body to promote environmentally sustainable coastal development and is located in California’s Resources Agency. The goals were to: protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal environment and its natural and manmade resources. The CCA is a strong law, with strong policies to protect environmental habitat, allowing a minimum of discretion, and has been upheld and strengthened by courts (Confidential Interview No. 1, 10/14/2010). Unlike the other states in this study and identified through the interview, rather than trying to balance economic development and environmental protection, the CCC was very much focused on environmental protection (Confidential Interview No. 1, 10/14/2010). The CCC’s duties included reviewing and certifying the programs of local governments for compliance with the Coastal Act, granting and denying permits for development, requiring property owners to offer easements for public beach access, and issuing cease and desist orders.

Leadership was very much focused on the Executive Director of the CCC, and not on any one member of the CCC. The CCC benefited from a strong, experienced, knowledgeable, and passionate Executive Director and his staff. Peter M. Douglas, Executive Director of the Commission was the third Executive Director in the CCC’s history, starting as Chief Deputy Director from 1977 until he was appointed Executive Director in July 1985. He co-authored Proposition 20, the successful citizens’ initiative that established the CCC, and as a consultant to the legislature, he was a principal author of the 1976 Coastal Act that made permanent California’s coastal management program.
Mr. Douglas was trusted and revered as evidenced by appointing authorities conferring with him about potential appointees (Confidential Interview No. 1, 10/4/2010). The Executive Director’s recommendation for the ideal commissioner selection included that the appointees have integrity, good temperament, are willing to work together, do not get angry, do their homework, are intelligent, and are not out to sabotage the coastal Act (Confidential Interview No. 1, 10/4/2010).

The CCC held monthly public meetings of three to five days in length in different locations throughout the state. The meetings provided an opportunity for the CCC to take public testimony and to make permit, planning, and other policy decisions. There were rules of procedures that the CCC followed where both sides were heard, including time for rebuttals and the public’s voice. The CCC voted on issues through motions where majority rules. The meetings were routinely attended by upwards of 100 people and also Webcasted to ensure public involvement, so the public was represented on the CCC, as well participated at meetings. In contentious issues, commissioners even called on the public for their opinions or to answer questions (Confidential Interview No. 2, 3/25/2011). Prior to each meeting, CCC staff collected and analyzed information pertinent to meeting agenda items and prepared written staff reports (regarding the applications) with recommendations for CCC. The staff included scientists, who worked very closely with the applicants and performed most of the work, in contrast to making the applicant do the work (Confidential Interview No. 1, 10/14/2010). The staff preferred the work to be done by their own members, rather than trusting developers (applicants) and their contractors, as too many contractors gave whatever answers that they were paid to give (Confidential Interview No. 1, 10/14/2010). When CCC did not have the
appropriate staff to do the analysis, applicants paid CCC staff to hire the appropriate expert, wherein the expert/consultant worked for the CCC.

The staff’s job was to make the best professional judgment applying the law to the facts, and make recommendations to CCC (Confidential Interview No. 1, 10/4/2010). The CCC at the meetings made decisions using the staff’s recommendation, applicant’s presentation, public testimony, and discussion amongst the commissioners. After each applicant’s presentation, each of the commissioners’ voiced his/her opinions or posed questions to the applicant or staff. It was not appropriate for commissioners to call staff and talk to them about what they would like to see prior to the meeting, though they did question them at the open meetings. It appeared these meetings were taken very seriously by the commissioners and participants, and as a result of the back and forth discussions, decisions were made. This was in contrast to meetings where decisions were made beforehand and merely “rubber-stamped” at the meeting. Evidence that these were meaningful discussions was that the Executive Director was known to rescind the staff’s recommendation during the meeting when discussions warranted this (Confidential Interview No. 1, 10/4/2010).

Individual commissioners had different perspectives, whether that is pro- or anti-development, Republican or Democrat, or a Governor, or Senate, or Assembly appointee. They had to balance their individual views with the intent of the law and their responsibilities as commissioners (Confidential Interview No. 2, 3/25/2011). In the decision-making process, commissioners attempted to persuade other commissioners to vote along with them to obtain the majority vote (Confidential Interview No. 2, 3/25/2011). These types of discussions showed that the commissioners were listening...
and learning from each other because persuasion was more successful if one understood the other person’s concerns and tipping points. They did not appear to be “trading” votes where a commissioner would vote with their colleague on one issue with the idea that the colleague would reciprocate the next time (Confidential Interview No. 2, 3/25/2011). In terms of collective decision-making, the commissioners were collectively voting in accordance with the law, and the trust factor was that they all understood that was the goal and not their individual self-interests. As mentioned earlier, a commissioner position was very prestigious and came with the reputation and thus responsibility of working towards the greater good of California’s coastlines. There was strong belief that the success of the CCC was a function of an independent commission, independent commissioners, and a strong law (Confidential Interview No. 1, 10/4/2010, Confidential Interview No. 2, 3/25/2011).

The amount of time, effort, professionalism, and commitment of the staff and the commissioners was evidenced by attending the meetings. Commissioners were known to read the meeting materials, and listened and questioned staff, presenters, and each other (Confidential Interview No. 1, 10/14/2010). Given numerous permit and local coastal planning issues, and complex, overarching initiatives and background materials (climate change and sea level rise, for example), it was vital that the commissioners were well-versed in the subject matter confronting them, and in particular, the requirements and elements of the California Coastal Act. CCC members were not appointed to represent specific interest groups, nor because they had knowledge or experience about coastal resources or coastal management. For that reason, the commissioners arrived with varying levels of expertise and interest. The staff (currently over 100 people) that
included scientists and other experts conducted a brief introductory training for new commissioners and did a good job of preparation for specific agenda items, but it still required committed individuals to take the time and effort to understand the broader issues and emerging challenges facing California’s coast (USDOCa, 2010).

Since 1987, annually the Sierra Club Coastal Program, League for Coastal Protection, California Coastkeeper Alliance, Surfrider Foundation, and California Coastal Protection Network published the California Coastal Commission Conservation Voting Chart (Sierra Club Coastal Program, League for Coastal Protection, California Coastkeeper Alliance, Surfrider Foundation, and California Coastal Protection Network, 2009). This voting chart provided a thorough analysis of the voting record of the CCC for a portion of the projects that they reviewed for the year. The CCC reviewed approximately 1,000 projects each year and approved the vast majority of them. The voting chart was designed to highlight only the most important votes, where the environmental stakes were high, including several major issues of concern to the California environmental community. For example, the CCC voting chart examined twenty-five separate votes for 2009, forty-five votes for 2005, and thirty-two for 2004. Although the sample sizes were small, the analysis was thorough, and trends were identified. In most instances, the cases analyzed in this report involved high economic value projects with significant environmental resource or public coastal access. A high score indicated pro or in favor of conservation projects. The scores were reported for each commissioner and by the appointment body. The report over the years identified various factors that impacted the results. For example, the increase in the overall conservation score for the CCC may be a function of: 1) new commissioners which were
more pro-coastal protection, 2) the economic downturn of the state affecting the numbers of major coastal development projects coming before the CCC, 3) the political party of the appointing body, and 4) the influence of lobby efforts by developers. In general, Senate rules appointments maintained the highest conservation scores over the years, followed by the Assembly speaker’s appointments, and then the Governor’s. An interesting note was that although some commissioners consistently voted pro conservation, there were others whose voting record changed dramatically over their tenure. This report provided a very transparent review of the voting record that was not normally seen when decisions were made within a bureaucracy. Also in terms of the conceptual model, these projects reflected indicators of policy outputs.

Californians were very serious about their coastline and its protection or development (as the following special survey findings indicate). In 2003, the Public Policy Institute of California’s Special Survey on Californians and the Environment found that Californians valued their ocean and beaches (Baldassare, 2003a). The survey showed that 88 percent of Californians felt the condition of the ocean and beaches was personally important to them, while 69 percent believed that the coastline’s condition was very important to the state’s quality of life, and 61 percent felt that it was important to the economy. When it came to the California Coastal Commission, 38 percent said that the commission was not strict enough in its regulation of development along the California coast, 31 percent believed the commission's restrictions were about right, 11 percent viewed them as too restrictive, and 20 percent either didn’t know or hadn't heard of the Coastal Commission. An interesting note was that 80 percent were aware of the CCC.
Not only these numbers but the amount of environmental groups and their interest in monitoring, or “watch dogging” the CCC reflected this environmental commitment.

Californians were not only concerned about the environment; they were also concerned about the economy. In a poll conducted by the Public Policy Institute of California in 2003 state residents continued to see the economy, jobs, and unemployment as the most pressing issues facing people in the state (33 percent believed that these were the most important issues) (Baldassare, 2003b). Thirteen percent mentioned the state budget and taxes as the most important problem, 11 percent said education, and only 1 percent identified the environment (Baldassare, 2003b). The 1 percent should not be interpreted that the environment was not important but rather it was not a pressing issue. Unlike other coastal states, where tourism was a main contributor to the economy, by a margin of almost two to one, the financial services sector was the largest sector of California’s economy. Manufacturing was the second largest. Services, including the financial sector, wholesale and retail trade, and transportation and public utilities, accounted for more than 70 percent of all economic activity in the state (Just the Facts, 2004).

Much of the focus of the CCC was not on industrial land development but more on coastal residential development and conservation of public access, though retail development played a role. California’s ballot propositions, specifically Proposition 13 of 1978 and Proposition 1A of 2004 impacted the CCC decision-making because they affected local economies and local officials (Barbour, 2007). Proposition 13 of 1978 decreased property taxes by assessing property values at their 1975 value and restricted annual increases of assessed value of real property to an inflation factor, not to exceed two percent per year. This made cities and localities more dependent on state funds, and thus increased state
power over local towns and cities. This also reduced local revenues and thus caused local
governments to become more dependent on sales tax for funds, and encouraged more
retail stores to build in the local communities and resulted in questionable land planning.
These were the types of development opportunities that went before the CCC for
approval, and the commissioners (including the local officials) weighed the economic
benefits against the environmental protection.

Then in 2004 Proposition 1A passed with an intent to protect revenue sources
including property taxes, sales taxes, and vehicle license fees collected by local
governments (cities, counties, and special districts), from being transferred to the
California state government for statewide use (Barbour, 2007). It did not take effect until
2006. The effect of Proposition 1A of 2004 on local governments’ development efforts
to raise revenues and subsequent effect on the CCC have not yet be determined.

As noted earlier, public participation in government affected the public’s trust in
government. The following example showed that the public wanted to be involved in the
CCC and also reflected NOAA’s concern that the CZMA’s requirement of public
participation was taken seriously. NOAA’s 2001 report identified the public’s concerns
about the public’s ability to participate in the CCC decision-making process (USDOC,
2001). Even though meetings were held monthly throughout the state, there was still
limited accessibility of when and where the meetings occurred. By the latest NOAA
2010 report, the CCC had made significant changes to its website and the CCC meetings
were available through live audio/video streaming on the website (USDOCa, 2010).

When questioned about policy outputs, interviewees exclaimed if it was not for
the efforts of the CCC and their denials of many local projects, the coastline would not
have all the open space, wetlands, and access that Californians so cherish (Confidential Interview No. 2, 3/25/2011, Confidential Interview No. 1, 10/14/2010). It was difficult to measure outputs, when major accomplishments of the CCC were things that didn’t happen; for example, public access that was not lost or wetlands that were not filled (Confidential Interview No. 2, 3/25/2011, Confidential Interview No. 1, 10/14/2010). Another output that was uncovered through the interview process was that the CCC not only supported public involvement, it promoted citizen activism (Confidential Interview No. 1, 10/14/2010). When people attended the CCC meetings and were heard, it encouraged them to become activists. To a commission focused on environmental protection, increased activism was a good output (Confidential Interview No. 1, 10/14/2010).

4.1.2 Disruption

The terms of legislative appointees were not fixed, thus the CCC members operated “at the will” of their legislative representative that appointed them and could be replaced at any time. There were numerous examples of members who were terminated because of their votes or appointed to the commission to ensure certain votes (Confidential Interview No. 2, 3/25/2011). Lobbyists working on behalf of the development community had more leverage over the CCC because the term of legislative appointed members was not fixed. Lobbyists targeted appropriate legislators who then appointed and terminated commissioners (at will) with the goal of moving their development agenda. Lobbyists also lobbied the commissioners directly but this was limited with increased restriction and rules regarding ex parte communications.
This led to years of turmoil where commissioners were often pressured to vote one way or the other on specific matters by legislative leaders, who had the authority to replace them (Burling, 2003). The situation became a fertile ground for corruption and the growth of a subculture of lobbyists on coastal issues who traded on their connections with politicians. The public was suspicious of the appointment process and political corruption concerns (Burling, 2003; Confidential Interview No. 2, 3/25/2011).

Frustrations came to a peak in 2000, when the CCC denied a permit to the Marine Forests Society (The Society) for the continued construction of an experimental artificial reef off the coast of Newport Beach, and tried to force the Marine Forests Society to remove the half-built reef from the ocean floor (Douglas, 2001). The Society filed a lawsuit in the Sacramento Superior Court, arguing that the CCC usurped local government control, because the CCC was not answerable to the voters of California. The Society did not seek to eliminate the CCC, but rather force it to restructure to comply with the constitutional principle of checks and balances.

In 2001, the Superior Court and in 2003, the Court of Appeal for the Third Appellate District held that the CCC was in violation of the separation of powers clause of the California Constitution. The legislature can appoint executive branch officers via an administrative agency and remove them at will, but this power was not unlimited. The appointment mechanism must contain adequate safeguards to ensure that the inherent authority of the executive branch agency was not materially infringed upon by the appointing authority. In *Marine Forests Society v. California Coastal Commission*, 2003, the Court of Appeals held that the CCC’s appointment structure violated the separation of powers doctrine, because it put an agency of the executive branch under the control of the
legislature. The legislature had nearly unfettered power to appoint eight out of twelve of the CCC’s members; the legislature had completely unfettered power to remove a majority of members; and there were no safeguards or checks to ensure the CCC’s fidelity to the executive branch (Showalter, 2003). All of this added up to the legislature’s having excessive control over the CCC, and resulted in the CCC’s improper subservience to the legislative branch.

In 2003 the Legislature responded with a bill signed by the Governor into law that eliminated the Legislature’s power to eliminate commissioners by giving coastal commissioners fixed four-year terms, thereby protecting them from threats of instant removal by Governors or legislative leaders. In 2005, the California Supreme Court put its blessing on the revised structure with its conclusion that the CCC did not violate the California constitution’s separation of power clause.

In summary, the disruption was a chain of events that started prior to 2005 with the public’s diminished confidence in the CCC due to the political power imbalances resulting from the unconstitutional legislative appointment process. The legislators then passed a law fixing the term of the commissioners, thus affecting the appointment process of the CCC (disrupting the institutional design meta-variable).

4.1.3 Post-disruption

The CCC’s appointment process, transparent meetings, decision-making, public trust, and policy outputs were impacted by the disruption. The “openness” of the meetings played a role in revealing that legislators were terminating commissioners on their votes or appointing them for their votes in the pre-disruption phase and thus
revealing in the post-disruption phase that this type of termination was not occurring. For example, in one case after a commissioner made the crucial vote at a meeting, he was terminated (Confidential Interview No. 2, 3/25/2011). Subsequently his replacement was appointed and made the crucial vote in the other direction at one of the subsequent monthly meetings (Confidential Interview No. 1, 10/4/2010). Suffice it to say, if it was not for these meetings that were open to the public, this type of behavior may not have been discovered and ultimately corrected.

After the appointment process was changed to fix the terms of the commissioners, individual commissioner’s votes or decision-making were not (as much) at risk to be influenced by the legislator that appointed them, though even after the legislative change, some legislative leaders still attempted to influence their appointees to vote in a manner that would benefit the legislator (Confidential Interview No. 2, 3/25/2011). To be clear, individuals’ decision-making may have been affected, but the CCC’s decision-making process was not affected.

The fixed term increased the public’s positive impression of the CCC because the commissioners were no longer susceptible to be terminated by legislators trying to wield influence (Confidential Interview 2, 3/25/2011). The issue did not continue to be in the press nor were there additional legislative changes. I attended a CCC meeting and although the meeting was well attended by a passionate public, the passion and zeal was directed at the agenda items while displaying respect for the CCC. Based upon the lack of press, lack of additional legislative changes, impression of interviewees, and my own observation the public’s trust was restored.
The disruptions favorably affected policy outputs because it eliminated corruptive practices that may have interfered with the CCC’s efforts to protect the coastlines. There were examples that prior to the disruption legislators influenced commissioners (through termination and appointments) that resulted in increased development along the coast (Confidential Interview No. 2, 3/25/2011). This could have inferred that after the disruption (elimination of political influence), there was increased protection of the coastline, but this was not verified with physical evidence, though interviewees voiced satisfaction with the post-disruption process and perceived increased protection of the coasts (Confidential Interview No. 1, 10/14/2010, Confidential Interview No. 2, 3/25/2011).

The CCC reviewed approximately 1,000 projects per year and approved the vast majority, though the influence of the disruption on this number was not measureable (Sierra Club, 2009). The CCC published various reports, but no easily accessible reports were available that identified the number of permits received and approved by the CCC annually. An attempt was made to generate such a report to better identify the effect of the disruption on approved permits, but because the CCC’s meeting minutes that would include approved permits were not easily accessible, the attempt was unsuccessful. This exercise that identified number of approved projects and reviewed various reports verified that these policy outputs were restored post-disruption. Per the CCC Conservation Voting Chart reports over the last 22 years, the overall commission voting scores averaged 50 percent indicating a balance between development and conservation votes (Sierra Club, 2009). This indicated that through the pre-and post-disruption period the CCC continued successfully their balancing efforts.
4.2 Rhode Island

4.2.1 Pre-disruption

The CRMC's enabling legislation allows for sixteen members and required that representation include members from coastal communities; state and local government officials, the general public, and the director of the Department of Environmental Management, who served ex officio. Two members were from the Rhode Island House of Representatives, two members from the Rhode Island Senate, four from the public appointed by legislators, four were local officials appointed by the governor, three additional public members appointed by the Governor, and one ex-officio. The members served 3-year terms. Voters believed that legislators should not be serving on councils and the Governor should only make appointments, and therefore approved in 2004 the separation of powers amendment to the Rhode Island constitution that prevented legislators to control boards and commissions that perform executive or administrative functions (Court Holds Line on Power of Legislature, 2009). As a result of the 2004 separation of powers amendment, four legislative members vacated their positions on the CRMC, and twelve members remained. Though council members admitted that when legislators were on the CRMC, they contributed greatly because of their knowledge, skill, experience, and power base (Confidential Interview No. 9, 11/9/2010).

The Rhode Island Coastal Resources Management Program (CRMP) was approved by NOAA in 1978, following enactment of state coastal zone legislation in 1971 and subsequent program development. The Coastal Resources Management Council (CRMC) was designated as the state’s lead agency for coastal management with the goal of balancing economic considerations with environmental protection. Its primary
responsibility was for the preservation, protection, development, and, where possible, the restoration of the coastal areas of the state via the issuance of permits for work in the coastal zone of the state. It was authorized to formulate policies and plans, to adopt regulations necessary to implement its various management programs, to coordinate its functions with local, state, and federal governments on coastal resources issues, and to act as binding arbitrator in any dispute involving both the resources of the state's coastal region and the interests of two or more municipalities or state agencies. Other state agencies, such as the Rhode Island Department of Environmental Management (RIDEM), the Office of Administration Division of Planning, the University of Rhode Island Coastal Resources Center (CRC), and the Historic Preservation Commission cooperated with the CRMC in various aspects of coastal management. Rhode Island’s twenty-one coastal municipalities also participated in the coastal management process through planning, zoning, and permitting.

The CRMC was an autonomous agency directed to perform its responsibilities by the General Assembly under the enabling legislation. The Governor selected the Chairman and Vice Chairman. The CRMC has a staff and an Executive Director. The Executive Director was appointed by the CRMC and hired the staff of professional engineers, biologists, environmental scientists, and marine resources specialists. Although staff should be accountable to the CRMC, they were paid by the state and were unionized, and therefore had allegiance to state government. Administratively, staff was divided into sections that performed policy and planning, administrative, permitting, and enforcement duties, all providing the CRMC with the necessary expertise to assist in decision-making. The staff conducted pre-application conferences, reviewed all pertinent
permit applications and prepared recommendations for decisions to be made by the CRMC. The staff also prepared draft plans and regulations for the CRMC's consideration. The Executive Director had the authority to approve permits pertaining generally to routine activities, construction, and maintenance. Except for the months of July and August when it met monthly, the CRMC met twice a month and as necessary to hear and approve application requests, investigate the existence of right-of-ways, hold workshops, and develop policy. It did this as one body, or as a subcommittee. All meetings of the CRMC were open to the public and held at night that allowed for more attendance. A quorum consisted of seven members of the council. A majority vote of those present was required for action.

Although the CRMC had formal rules, these rules were not enough guidance under which to function, and a strong leader was key to leading and managing the efforts (Confidential Interview No. 8, 11/10/2010). This leadership fell on the Chair of the CRMC who had seventeen years experience, thirteen of which were as Chair. This strong leadership within the Chair of the CRMC was matched with an equally strong leader as the Executive Director of the CRMC. The Executive Director had twenty-four years experience and was recently honored with a lifetime achievement award from the Rhode Island Sea Grant.

With respect to the political environment, the Governor and legislators suffered from inaction, though this inability to work together did not result in economic woes as Rhode Island was far less cyclically sensitive than it had been in decades (Lardaro, 2004). Rhode Island’s ongoing major reliance on health services, tourism, and not-for-profits tended to cushion it from major declines in national economic activity, though in 2007
they began to enter a recession. This stalemate in state government affected the ability to correct the budget deficits starting in 2006 (Lardaro, 2006). To eliminate these budget deficit required a great deal of planning, but the state’s political leaders lacked the ability to do this by focusing almost exclusively on Rhode Island, and devoting too much effort on the present with little attention towards the future.

The public’s perception of the CRMC was not readily available through public opinion polls. The search of press articles and the interview process did not uncover complaints about the CRMC during the pre-disruption phase. Lastly because the CRMC included the indicators associated with public trust of collaborations (including public involvement, local involvement, democratic legitimacy, and government capabilities), the conclusion was the public trusted the CRMC.

4.2.2 Disruption

The public voiced their support for a separation of powers amendment by a vote in 2004 (The Associated Press and Sun Staff, 2005). This amendment removed lawmakers and their designees from boards and commissions with decision-making powers. Prior to this amendment the General Assembly held the majority decision-making power in the state, allowing legislators not only to make laws, but also to enforce them (Haughey, 2002). Although as indicated earlier, the four legislators vacated their positions on the CRMC after the passage of the amendment, the General Assembly was loathe to give up the CRMC, and proposed and passed enabling legislation to maintain control over it, by continuing to make some appointments to it. In December 2008, the State’s Supreme Court’s advisory opinion found that only the Governor had the right to
appoint members to the CRMC with the advice and consent of the Senate, therefore the four positions appointed by the legislators were vacated (Court Holds Line on Power of Legislature, 2009; Jurgens, 2006; Lord, 2009a). As a result, the CRMC was left with only eight members; no longer were the four state legislators and four legislative appointees (four of the private citizens) on the CRMC. The CRMC membership included three members of the public, four elected or appointed officials of local governments, and the director of the Rhode Island Department of Environmental Management. However the CRMC’s enabling legislation had not been amended to re-configure the CRMC to be consistent with the separation of powers amendment, and a quorum of seven was still required.

In this case the disruption was not caused by a loss of trust in the CRMC, but rather the lack of trust of the legislative appointment process in all state bodies that affected the CRMC appointment process. The loss of trust led to the passage of the separation of powers amendment that affected the CRMC appointment process, thus causing the disruption to the institutional design meta-variable.

4.2.3 Post-disruption

Unlike California that also experienced an appointment process disruption, the composition of the CRMC was affected with the reduction of the number of members from sixteen to eight. This affected a number of meta-variables and indicators associated with collaborations or the council, for example, capabilities of the members, number of meetings, communication, leadership, decision-making abilities, public trust, and policy outputs.
The post-disruption results affected the power base or structure of the CRMC from one with legislative, public citizens, and local government influence to one with just public citizen and local government influence, though public involvement was proportionally the same. Though the CRMC was working at 50 percent strength (eight of sixteen members), it still functioned. It was expected that in the future with the Governor’s sole involvement in the selections, and Senate’s approval, the candidates would be more thoroughly vetted, and therefore was expected to possess a higher level of capability and competency (Confidential Interview No. 8, 11/10/2010). The competency of the staff and their expertise in preparing meeting packets and making recommendations was helpful in supporting the CRMC in lean times.

Concerns though still remained regarding capabilities of existing members and the lack of appointments (USDOCb, 2010). At the time of the NOAA site visit for the 2010 report and interviews conducted for this dissertation, new members had not yet been added to the CRMC (USDOCb, 2010). Both the enabling legislation and the CRMC’s adopted management procedures still stipulated that a quorum required seven members without relationship to the total number of members. With only eight members on the CRMC, if more than one member was unable to attend a meeting or must recues himself, any business requiring a vote of the CRMC could not be heard, and meetings were at risk of being cancelled for lack of a quorum. The NOAA’s 2010 report evaluation team met with the Governor’s Chief of Staff, who indicated that a list of possible appointees to the CRMC was being prepared for the Governor, consistent with his authority to appoint members to the CRMC under the separation of powers amendment (USDOCb, 2010). Throughout the past years, several pieces of legislation had been proposed or introduced
to revise the CRMC structure and operation, ranging from adding four new members to
the CRMC to abolishing the CRMC entirely and creating a new Department of Coastal
Resources Management. Other formats and changes had been the subject of discussions
as well, making the CRMC a division within RIDEM, for example. The issue of the
coastal program administrative structure was divisive and contentious in the state,
invoking viewpoints about which structure provided more public and transparent
decision-making and whether appointed citizens (CRMC members) or trained experts and
coastal management professionals were better able to address the issues currently brought
before the CRMC for adjudication (USDOCb, 2010). The NOAA 2010 evaluation team
met with people who strongly supported one position or another (USDOCb, 2010). The
CZMA imposed no single coastal management program structure upon all states, and so
NOAA did not dictate a particular structure. Some approved programs were housed
within a state agency, some had an independent commission or council like the CRMC
(and within that structure type, there may be representation based on geography,
stakeholder/interest groups, or specific expertise of members), some were implemented
through local coastal programs, while others used a network of agencies to implement.
NOAA’s primary concern was not with the structure or format per se but with whether
the state’s approved coastal management program could be effectively and efficiently
implemented by whatever structure a state chose (USDOCb, 2010). Just as the Rhode
Island General Assembly established the initial structure of the coastal resources
management program, it could retain or change the structure or the elements of the
program, so long as the state demonstrated to NOAA that the changed structure or
program continued to meet the requirements of the CZMA (USDOCb, 2010). The
structural issue of most immediate concern to NOAA was the number of members on the CRMC (eight) and the number required for a quorum (seven) (USDOCb, 2010). This affected whether a meeting could be conducted and whether permit and other decisions pending before the CRMC could be reached, which in turn affected the performance and implementation of the Coastal Resources Management Plan.

As indicated above, there was a set schedule for CRMC meetings and the website indicated when meetings were scheduled and if they were canceled. There was no reason indicated for a cancellation. A brief review of those monthly calendars showed that in 2006, three meetings were canceled; in 2007, five were canceled; in 2008, five were canceled; and in 2009, seven meetings were canceled, though in 2010, only two were cancelled. The NOAA 2010 evaluation team believed that most business that cannot be completed by the CRMC when one meeting is canceled must then be added to the work load on the agenda for the next meeting (USDOCb, 2010). The postponement of permit and other decisions to a later meeting added to the delay for applicants and others. There are four standing subcommittees of the CRMC: Rights-of-way, Planning and Procedure, Urban Ports and Harbors, and Ocean SAMP (Special Area Management Plan). With the decreased number of CRMC members, almost all the remaining members served on more than one subcommittee in addition to the full council, increasing their workload as voluntary members. Subcommittee work could be delayed due to attendance issues as well. To remedy all these concerns, per NOAA if the Rhode Island General Assembly did not address the structure of the CRMC or CRMP through legislation during the 2010 session, then NOAA identified additional members must be appointed to the CRMC so
that it could routinely reach a quorum and regularly scheduled CRMC and subcommittee meetings could be held (USDOCb, 2010).

The disruption also impacted relationships both positively and negatively. After the disruption the CRMC had fewer members and fewer meetings, and so the communication was limited, because not only were there fewer members to communicate with, there was also less opportunity to do it. Though in contrast to this, the fewer number of council members forced more communication because they needed to coordinate and depend more upon each other to get the work done, and thus were building trusting relationships (Confidential Interview No. 8, 11/10/2010). There were also more demands for leadership to understand the personalities of the CRMC and “read” situations to steer or lead the efforts appropriately in these tougher times (Confidential Interview No. 8, 11/10/2010).

As mentioned earlier, the CRMC had strong leadership both in the Executive Director and the Chairman, but press articles reported that they did not always agree (Lord, 2010a). Good leadership in tough times helped survival rates, but the NOAA 2010 report evaluation team noted tension and discord that existed between the CRMC Executive Director and the CRMC Chairman (USDOCb, 2010). In the months leading up to the NOAA 2010 site visit, several newspaper articles were published about CRMC activities, with at least one noting the “signs of disagreement” between the two (Lord, 2010a). At the public meeting held during the week of the site visit, one member of the public who addressed the evaluation team commented on the strained relationship between the Executive Director and the Chairman, as did many people with whom the evaluation team met throughout their visit (USDOCb, 2010). Per the NOAA 2010 report,
all of the CRMC staff was aware of the tension, as were the CRMC members (USDOCb, 2010). Almost all of the staff expressed unease and concern about the situation to the evaluation team (USDOCb, 2010). The tension and discord was a distraction to many and called into question the credibility of the CRMC—both staff and members—and its decisions when the public was no longer sure who was representing the CRMC’s position on an issue and what that position may be (USDOCb, 2010). That, in turn could have an adverse impact on program performance.

In Rhode Island the decision-making was impacted indirectly by the disruption because of the fewer members, fewer meetings, and weakened capabilities. As of early 2010, an array of courts reversed recent CRMC decisions in important cases (Lord, 2010b). Reactions from groups such as the League of Women Voters, the Conservation Law Foundation, and legislators placed the blame on different factors including the lack of members, unqualified CRMC, lack of training of council members, and lack of legislative oversight of council activities (Lord, 2010b). One of the court cases illustrated the nuances of decision-making by the CRMC. In this particular case, the chair of the CRMC was banned from further votes on the application because he displayed his bias (Champlin’s Realty Associates v. Tikoian, 2009; Lord, 2010b).

The Chair misinterpreted his role as an impartial officer and spoke freely about his misgivings with the application and with the subcommittee recommendation, and attempted to defeat the application and the subcommittee recommendation by lobbying other members individually, speaking to the media, and communicating with the Governor and his staff. The appropriate process was to allow the Executive Director of CRMC to serve as the point person with the Governor's office, if needed. The Court
accepted that the Chair misconceived his role as empowering him to influence the recommendation of the Subcommittee members. The Court identified it was incumbent on the Chair to distance himself from outside influences (such as the media and the Governor) and to recognize that his responsibility was to the public to ensure the fairness of the application process (Champlin's Realty Associates v. Tikoian, 2009). This example identified the importance (though difficult as it may be) of decision-making in the eyes of the public for the public’s sake versus behind close-doors influenced by outside lobbying.

This case felt the impact of the external environmental, not only by the impact of the separation of powers amendment that effected legislative appointments, but also the impact of the inaction of the Governor and legislators to fill the vacancies on the CRMC. The obvious question was: why didn’t the governor merely appoint new council members? The ex-Governor Carcieri was not prepared to nominate new council members until after the General Assembly approved new enabling legislation for the CRMC (Lord, 2009a). The legislature submitted and debated several bills though none generated wide support. Prior to the state Supreme Court ruling, bills died in the House because they still believed they had the power to make appointments. Recently in March 2011, the Senate passed legislation to restructure the CRMC to comply with the separation of powers amendment (Senate OKs Sosnowski Bill to Bring CRMC in Line with SOP, 2011).

The legislation would decrease the membership from sixteen to twelve members and allow municipal appointed members who no longer held their elected or appointed positions to continue to serve on the CRMC. It would also increase the Governor’s
appointments from the general public from three to seven. It would also require the Executive Director, in addition to the Chair of the CRMC, to develop and conduct a training course for all new members. Lastly, a Permanent Joint Committee on Coastal Resources would be formed to provide oversight of the CRMC and the Department of Environmental Management in all matters relating to the use, conservation, regulation and management of the coastal resources of the state, thus preventing the council from enacting new regulations without legislative scrutiny. The legislation was referred to the House of Representatives for consideration (Senate OKs Sosnowski Bill to Bring CRMC in Line with SOP, 2011).

Although the Governor and legislators suffered from inaction on some issues, Governor Carcieri showed his long-term vision ability and willingness to spend state dollars with an innovative project that added value to CRMC’s reputation and helped them to survive even with half the membership. From 2008 through 2010 under direction to support the Governor Carcieri’s goal that offshore wind resources should provide 15 percent of the state’s electrical power by 2020, the CRMC, the RI Coastal Resources Center, and multiple partners implemented the Ocean Special Area Management Plan (SAMP), a national model for marine spatial planning and the first SAMP in the nation to zone offshore waters for future uses and preservation. A team of 47 University of Rhode Island staff—including scientists, policy makers and educators—worked on the SAMP’s creation with CRMC staff and others (including the Executive Director as a lead). The SAMP team held monthly stakeholder meetings to vet chapter content, research findings, and keep the public involved in the process. It also conducted workshops on each of the SAMP chapters, where members of the public commented and provided suggestions and
feedback to chapter authors and CRMC staff. Using the best available science and working with well-informed and committed resource users, researchers, environmental and civic organizations, and local, state and federal government agencies, the SAMP provided a comprehensive understanding of the complex and rich ecosystem of Rhode Island’s offshore waters. This (external environment) project was a source of pride in the community and led to increased relationship-building on behalf of the CRMC, staff, and the Coastal Resources Center (USDOCb, 2010, Confidential Interview No. 8, 11/10/2010; Confidential Interview No. 9, 11/9/2010; Confidential Interview No. 10, 11/10/2010). One of the results of this project was the building of trust amongst the partners and the public (Confidential Interview No. 10, 11/10/2010). This celebrated project enhanced the reputation of the CRMC and may have contributed to the CRMC’s ability to handle or survive the less than desired situation of the reduction in membership.

Although the public trust improved with the passage of the amendment in 2004, and the state Supreme Court’s advisory opinion in 2008, the public then became concerned with the continued vacancies on the CRMC (Lord, 2009b).

Save the Bay (the state’s largest environmental group) director Jonathan Stone, in a message to House leaders, says the time to act is now: “CRMC is operating under questionable authority and at half strength nearly five years after passage of the separation of powers amendment and six months after the Supreme Court made it clear that CRMC is subject to the amendment. Critical decisions are being postponed and meetings are being regularly canceled by CRMC.” (Lord, 2009b.)

The concern on behalf of the public with the continued vacancies began to affect their opinion of the CRMC. In NOAA’s 2010 report, testimony from environmental
groups questioned the effectiveness of the CRMC with less members and the capability of these members (USDOC, 2010b). As discussed previously, the questionable relationship between the Chair and the Executive Director was receiving NOAA and the press’ attention (Lord, 2010a). But, at the same time the CRMC and both leaders were experiencing good “press” with the release of Ocean SAMP report. These conflicting situations affected the public’s perception of the CRMC in conflicting ways. Although the public’s trust in the CRMC was improved by the elimination of legislative influence and the results of the Ocean SAMP project, the delay in appointing CRMC members caused the opposite effect and led to the public’s questioning the effectiveness of the CRMC.

A late addition to the study is the announcement of five new members to the CRMC in May 2011 bringing the council to ten members (Lord, 2011). Chair Tikoian was not re-appointed and one of the new appointees was named as chairperson. This brought an end to the tension between the Chair and the Executive Director that was still being reported by the press as of May 2011 (Lord, 2011).

The disruption affected the policy outputs such as the number of permit applications reviewed, because with the reduction in members, the CRMC experienced fewer meetings and fewer applications on the meeting agendas. A noted positive policy output that occurred over the last two years after the disruption was (as discussed above) the completion of the Ocean Special Area Management Plan (SAMP), a national model for marine spatial planning and the first SAMP in the nation to zone offshore waters for future uses and preservation. This was a landmark study that provided a comprehensive understanding of the complex and rich ecosystem of Rhode Island’s offshore waters, and
contributed to the CRMC objective of balancing economic development and environmental protection. And moreover, it resulted in a roadmap for Rhode Island’s entry into the exploration and development of offshore energy resources moving political leaders towards long-term planning in contrast to their tradition short-term vision.

Lastly, the CRMC reported processing an average of over 1,100 applications per year for the past decade, with an increase of approximately 18 percent from 1994 to 2004 (Rhode Island, 2005), though the effect of these applications (whether approved or not) on coastline development was not available. When the interviewees were questioned about identifying policy outputs, the completion of the SAMP was the first response because of the collaborative effort and its contribution to the continued development and conservation of not the coastline but of the ocean (Confidential Interview No. 8, 11/10/2010, Confidential Interview No.9, 11/9/2010, Confidential Interview No. 10, 11/10/2010). One interviewee continued by stating that the CRMC was stronger than other programs because rather than just focusing on development of the coastline (as Rhode Island has a smaller and more developed coastline than the others), they considered the re-design of the coastline in their balancing strategy (Confidential Interview No. 10, 11/10/2010).

4.3 North Carolina

4.3.1 Pre-disruption

The CRC included fifteen members with 4-year terms (though can be reappointed), and did not include any legislative appointments. Three of the members
with sole discretion were appointed by the Governor, whereas the remaining twelve were appointed after nomination by the County Board of Commissioners. No more than two members of the entire CRC resided in a particular coastal county, and no more than two members of the entire CRC resided outside the coastal area. Twelve members must have experience in a particular area of expertise, such as commercial fishing, wildlife or sports fishing, marine ecology, coastal agriculture, coastal forestry, coastal land development, marine-related business (other than fishing and wildlife), engineering in the coastal area, financing of coastal land development, two that must be involved in local government within the coastal area or associated with a state or national conservation organization, and three members may be "at-large." The Chairman was designated by the Governor from among the members of the CRC and served at the pleasure of the Governor. Appointments were not required to be confirmed by the General Assembly. Although by mandate, commissioners were appointed by particular expertise, by design of the Governor they also tended to be geographically distributed with preference for those familiar with the coast (Confidential Interview No. 3, 8/31/2010). A unique characteristic of the CRC was the lack of the General Assembly appointment powers, as most other commissions had these types of appointments (Confidential Interview No. 4, 9/15/2010).

As a result of the Coastal Zone Management Act (CZMA), in 1974 North Carolina adopted the North Carolina Coastal Area Management Act (CAMA) and was approved by NOAA in 1978. CAMA established a coastal resource management program for the state’s twenty coastal counties that included local land-use planning requirements and areas of environmental concern (AEC) permitting. The goals of
CAMA included balancing economic development and environmental protection.

Through CAMA, the North Carolina General Assembly established a Coastal Resources Commission (CRC) that was responsible for the preparation, adoption, and amendment of the state guidelines. The CRC designated areas of environmental concerns (AECs), adopted rules and policies for coastal development within those areas, certified local land-use plans, and reviewed and approved variances. CAMA also created the 45-member Coastal Resources Advisory Council (CRAC) to assist the CRC, including technical questions relating to the development of rules. The CRAC was crucial to the passage of CAMA because it was the vehicle whereby local elected officials would be represented and therefore local governments would be heard and included in the coastal program (Confidential Interview No. 3, 8/31/2010). To avoid impropriety, CAMA prohibited the selection of persons who derived any significant portion of their income from land development, construction, real estate sales, or lobbying and otherwise served as agents for development-related business activities.

The Division of Coastal Management (DCM) in the North Carolina Department of Environment and Natural Resources (DENR) provided staffing services to the CRC, implemented CRC rules, and issued CAMA permits. The procedures used by the CRC in policy formulation involved the DCM (for technical assistance and staff support), the CRAC, local governments, and the general public. The General Assembly had the ability to set aside rules adopted by the CRC through the Administration Procedures Act, Whereas the CRC had the responsibility of establishing policies and rules for the coastal management program, certifying land-use plans, and reviewing and approving variances, the DCM did the staff work and carried out the day-to-day operations of the program.
The DCM did not report formally to the CRC (Confidential Interview No. 3, 8/31/2010). In practice the DCM compiled and reviewed the data, and made recommendations to the CRC. As the CRC may request the DCM to study an issue for them, the DCM also assisted the CRC in setting priorities (Confidential Interview No. 3, 8/31/2010; Confidential Interview No. 6, 11/12/2010). The DCM provided an objective perspective with its staff of scientists and personnel focused on planning, policy, and regulation. The DCM in completing its tasks may partner or consult with universities, scientific experts, and other states’ coastal management programs (Confidential Interview No. 6, 11/12/2010). The DCM was integral to the success of the CRC and the coastal program because of its interaction with the public, not only through responding to the public on their needs but also educating them on the CRC’s priorities (Confidential Interview No. 6, 11/12/2010).

The CRC met in open meetings six times a year over a one- to three-day period to review the DCM’s compilations and proceeded with the approval process through a vote of the members, based upon majority rules. Early on in its history the CRC met monthly for two days. The CRC routinely conducted public hearings in conjunction with its consideration of new or revised AEC designations, standards, guidelines, and policy changes to CAMA. The CRC also received direction from the General Assembly through bills that requested the CRC conduct studies and public hearings to better understand coastal management issues. In these instances, the CRC may engage consultants to accomplish the tasks, though also involved the DCM and CRAC in providing guidance and development of policy recommendations.
The CRC was the decision-making body while the DCM played a major role in working with the public, performing analysis, providing recommendations to the CRC, as well as identifying topics for the CRC to study. In North Carolina there was a state bias against allowing state employees to make any decisions, per the Administrative Procedures Act (Confidential Interview No. 4, 9/15/2010). State employees had very little discretion to make major decisions that affected local governments, whilst why they favored CRC types of decision-making because of the CRC procedures (including open meetings and public hearings), where all the interests were heard and vetted (Confidential Interview No. 4, 9/15/2010). Making decisions in an open environment where the public (representing all sides of the issues) and the press were present was very much different than decision-making in an agency structure where bureaucrats made decisions in a vacuum (Confidential Interview No. 6, 11/12/2010). The CRC listened and learned from each other, but also included commissioners at extreme ends of issues, and at times had to be balanced by the middle of the road commissioners (Confidential Interview No. 4, 9/15/2010). The commitment and character strength of the commissioners also played a role in decision-making. Over the history of the CRC when the CRC was revered as a powerful commission, it attracted committed individuals that made decisions that reinforced this reputation. And in contrast, in its down years, when visibility and priority (on behalf of the Governor) waned, the caliber of the commissioners waned (Confidential Interview No. 7, 11/12/2010).

The following was an interesting note that contrasted the CRC’s decision-making to another North Carolina government body, the General Assembly. The CRC had competition in establishing policies for coastal management, that being the General
Assembly. The General Assembly had the ability to overturn the CRC rules and pass new coastal policies via new laws. When specific legislators became involved as a result of a constituent’s complaint, the likely result was to try to appease the constituent’s concern, rather than looking out for the entire state’s welfare, which was the role of the CRC (Confidential Interview No. 6, 11/12/2010). This highlighted that the CRC, similar to the California case, was focused on the greater good of the coastline, and therefore was expected to reach beyond self-interests when making decisions.

During the time of the disruption (1998-2003), the area experienced five hurricanes and a major building boom which contributed to the cultural disruption that eventually resulted in the moratorium (Confidential Interview No. 4, 9/15/2010). There was a movement away from collaboration and more toward an adversarial relationship, where the DCM and CRC would play the umpire role between the environmental protection groups and the developers or locals (Confidential Interview No. 7, 11/10/2010). There was a priority placed on expediting permit applications while also deemphasizing land-use plans (Confidential Interview No. 7, 11/10/2010). These changes in priorities resulted from the stress of dealing with hurricanes and the major building boom that not only placed an inordinate amount of work on the DCM and the CRC, but affected the public’s priorities.

During this time frame, the state’s Department of Environment and Natural Resources (DENR) attempted to exercise their power or influence over the CRC. The Assistant Secretary for the Environment, DENR repeatedly attended the meetings and declared the DENR’s support for the CRC and asked for the CRC’s support to call the legislators to support the Governor’s budget (NCCRC Meeting, May 1999). DENR
attempted to coordinate the work of the state’s commissions and even convened a committee to look at regulatory and nonregulatory programs on buffers and wetlands; even though the CRC had already convened such a committee (NCCRC Meeting, May 1998 and July 1999). The DENR also asked that all regulatory agencies focus on enforcing regulatory efforts go through it effectively prioritizing the DCM’s responsibilities (NCCRC Meeting May 1999). These actions combined begged the question whether the state agency was assuming a stronger role over the DCM and CRC, and circumventing some of the CRC’s power.

Similar to the CRMC case, the public’s perception of the CRC was not readily available through public opinion polls. The search of press articles and the interview process did not uncover complaints about the CRC during the pre-disruption phase. Lastly because the CRC included the indicators associated with public trust of collaborations (including public involvement, local involvement, democratic legitimacy, and government capabilities), the conclusion was the public trusted the CRC.

4.3.2 Disruption

In North Carolina, despite the land-use planning program's success over the prior twenty years, it fell under criticism in the late 1990’s. As noted above, there was a movement away from collaboration and more toward an adversarial relationship, where the DCM and CRC would play the umpire role between the environmental protection groups and the developers or locals (Confidential Interview No. 7, 11/12/2010). There was a priority placed on expediting permit applications while also deemphasizing land-use plans and the CRAC (reducing the local support guidance) (Confidential Interview
This caused problems by both the environmental protectionists and the economic developers; environmentalists were concerned that the state program did not go far enough to protect coastal resources, while local governments felt that they should have more autonomy in their planning (Confidential Interview No. 7, 11/12/2010; Confidential Interview No. 4, 9/15/2010). Critics on both sides complained about planning guidelines, one-size-fits all regulations, lack of implementation plans, and inadequate public participation and understanding of the planning program (CAMA Land-Use Planning, 2002).

Then, in 1998 the CRC began to have difficulties in their process of approving land-use plans because there was confusion amongst the commissioners of what the guidelines or rules meant. Problems and confusion arose when, because of the confusion with the guidelines, the CRC began to reject the land-use plans, even after prior approval of both the DCM and the CRC sub-committee that reviewed the plans prior to the CRC. The CRC began to break down in factions where some commissioners believed that the land-use plans met the bar to be approved and trusted the local governments to implement, while others wanted more from the land-use plans, including enforceability (Confidential Interview No. 3, 8/31/2010). The North Carolina Coastal Federation (The Federation), a vocal influential environmental group, felt the land-use plans were useless (Confidential Interview No. 5, 9/16/2010). The Federation felt local governments hired consultants to write the plans with very little involvement or commitment by the community who was ultimately responsible for implementation (Confidential Interview No. 5, 9/16/2010).
This controversy came to the forefront when in September 1998 the CRC did not approve the Sunset Beach Land-Use Plan, although the DCM and Planning and Special Issues sub-committee recommended approval. The votes drew cheers from environmentalists who had fought to get more teeth in land-use plans that they said had been traditionally rubber-stamped by the CRC (Feagans, 1998). As a result of the public’s concerns that the CRC appeared to lack a balance of views and ground rules, the DCM leadership presented the possibility of a land-use planning moratorium to the Chairman of the Coastal Resources Commission (CRC) and DCM staff (Confidential Interview No. 4, 9/15/2010). So in November 1998, with a recommendation from the DCM, the CRC agreed to a two-year moratorium on the development of new and updated land-use plans.

The North Carolina CRC experienced a disruption as a result of the public questioning the fairness of the land-use planning review and approval process (CAMA Land-Use Planning, 2002). This led to a recommendation by the DCM (and pressure by environmental group) to place a two-year moratorium on the development of new and updated land-use plans that subsequently resulted in a disruption to the rules or to the institutional design meta-variable.

4.3.3 Post-disruption

In conjunction with the two-year moratorium, the CRC authorized a review team of external experts to review the program and planning guidelines, and address the following factors: lack of flexibility in current planning rules to allow local governments to address local needs; uneven quality of the plans developed under current rules;
frustration among local governments and planners with increasingly cumbersome planning rules; less than desired implementation of land-use plans; and perception by many that the local planning program did not achieve the goals of CAMA. The CRC delegated the final decision on the composition and membership of the review team to the Chairman of the CRC, the Chairman of the CRAC, and the Director of the DCM, apparently a collaborative effort. The team included ten members and included a representative from each of the aforementioned bodies. Team members were chosen for their knowledge of the CAMA planning process, their area of expertise, and their geographic location. The team was administratively supported by six members of the DCM staff.

After over a year and twenty-four meetings, the team developed recommendations to restructure the existing planning program to better support the goals of the act. The team interactions provided a vehicle for shared learning and shared understanding, and worked towards increasing the team’s trust in each other, within the team and outwards to the team members’ agencies or communities. The communication was not limited to face-to-face dialog, but also included a formal report that was shared with all stakeholders and accessible on the web-page for the public’s viewing. The revisions to the land-use plans guidelines took effect in August 2002. Through these revisions the CRC sought to improve the quality of land-use plans by establishing simple, clear elements requiring more thorough analysis of land suitability and creating management topics to guide the development of local policies. The new guidelines offered local governments the flexibility to tailor planning to meet local needs, asked local governments to do more analysis of the planning area’s land that is suited for
development, and provided aid to local governments in developing high-quality land-use plans through the DCM. The local government representatives interviewed during the NOAA 2003 evaluation process responded positively to these revisions (USDOCa, 2003). Many were anxious to implement the new process and were optimistic that the new rules and technical guidance would greatly simplify the process. In addition, there was expressed satisfaction with representation on the committee that developed the revisions and with the opportunities for public involvement in the process.

The disruption resulted in clearer and better rules. Other indicators of the institutional design meta-variable were also affected by the disruption; specifically, enhanced capabilities of the members and increased public involvement. The commissioners were public representatives, not legislators or local government officials, and although they have certain expertise, the level of capabilities including their knowledge, skills, and experience was varied. Varying individual perceptions or understanding of the rules may have contributed to the confusion over the rules and guidelines. The issues affecting coastal management were complicated and ever-changing and placed a demand on the decision-makers to continue to keep updated on the technical information to be able to make the decisions. This should not be misinterpreted that the public should not be involved, but rather this case highlights the importance of having the appropriate capabilities to do the difficult job and the need for continued education. One interviewee admitted that it took six years on the CRC before he/she had a good grasp of the situation (Confidential Interview No. 3, 8/31/2010). The CRC members benefitted from the land-use planning team discussions not only because of the rule changes, but through these discussions, issues were clarified and interpreted and
allowed the CRC to enhance their understanding and interpretation of the rules (Confidential Interview No. 3, 8/31/2010). This example also emphasized the benefit of the governance structure including the CRAC and the DCM that provided needed advice, skills, expertise, education, institutional knowledge, and interpretation when needed as issues and rules were ever changing. The public’s involvement on the review team was very beneficial because it increased their knowledge of the rules and process, but also increased their comfort and approval of the CRC (Confidential Interview No. 3, 8/31/2010, Confidential Interview No. 6, 11/12/2010).

The CRC ‘s collaborative governance structure (as opposed to a bureaucratic structure) allowed for the flexibility (or even ability), to not only recognize the problem, but identify and convene a review team to assist in resolving it, and continue to operate. The open communication amongst the stakeholders led to identifying that there was a problem regarding approving land-use plans, and ultimately the plan to resolve it. There was communication between the environmental group and DCM (as a reminder, the DCM serves as staff to the CRC) identifying the seriousness of the issue and then between DCM and the CRC to determine how to proceed (Confidential Interview No. 4, 9/15/2010). Although all this was not done in an open meeting environment it shows the value of communicating with all the participants in the collaborative governance model, and proof of a trusting relationship that would allow for these types of discussions. The disruption also led to increased communication on behalf of the land-use planning team; and follow-up discussions by the CRC discussing the rule changes for the next two years. The land-use planning team recommended rule changes that required succeeding work by the CRC that also subsequently led to more face-to-face dialog and trust building
(NCDENR, 2000). Although not necessarily as a direct result of this situation, the members appeared since the disruption to “get along,” which was emphasized by interviewees and enthusiastically illustrated by the example “that members will now have dinner together which was not the case in the past” (Confidential Interview No. 4, 9/15/2010). These types of comments reflected increased social interaction and social capital or increased social outputs. This experience also illustrated the importance of collaborative efforts that although they may take longer, discussing friction points along the way in a transparent manner resulted in easier decision-making because issues and resolutions were thoroughly discussed and opened to all stakeholders (Confidential Interview No. 4, 9/15/2010). Since the disruption resolution and for the last eight years, the CRC worked collaboratively, always civilly, not necessarily on the same side of issues, but held intelligent discussions (Confidential Interview No. 3, 8/31/2010). This may be a result of institutional knowledge, the specific commissioners, the trust amongst the commissioners, and/or their commitment to the process.

Although the following was not a direct effect of the disruption, it illustrated the CRC and DCM learned from the experience, and continued to improve their communication, outreach, and relationship-building after the disruption. As noted previously, the DCM not only performed project analysis for the CRC, it also alerted the CRC to potential coastal management problems. In these cases, the DCM routinely included a "straw man” solution to the problem when presenting it to the CRC (Confidential Interview No. 6, 11/12/2010). The DCM for this exercise viewed the CRC as a cross section of the public, though with more knowledge about the subject matter. Therefore, by noting the CRC’s comprehension, their questions, and concerns, the DCM
was more prepared (though they may have had to fine-tune their presentation) to educate the public. The DCM took the problem and solution on a road show to the public and obtained their feedback, opinions, new solutions, etc. This kept the public involved during all phases of the study. This type of face-to-face communication led to trust and reciprocity relationships between the CRC and DCM, as well as building similar relationships with the public.

The leadership of the DCM, CRC, and the CRAC were directly affected by the disruption. The leaders of the DCM and CRC identified the need and agreed to the moratorium, and then all three leaders were involved in identifying the membership of the review team. The DCM leadership played a valuable role in this situation and was still highly valued because DCM’s role was vital to the continuance of the collaborative governance model (Confidential Interview No. 7, 11/12/2010), not only because of the support to the CRC, but also the ability to coach the state government staff on the benefits of collaboration as opposed to just doing their agency jobs. The interviewees repeatedly identified the importance of good leadership to the CRC, then and now (Confidential Interview No. 6, 11/12/2010, Confidential Interview No. 7, 11/12/2010). A good leader challenged the group but also facilitated the discussion, managed tension, stimulated conversation, encouraged collaboration, and finally knew when to close debate (Confidential Interview No. 6, 11/12/2010). The increased availability and amount of information makes collaborative decision-making even more difficult as it may lead to unwillingness to make the ultimate decision, thus the need for a leader to manage the chaos (Confidential Interview No. 6, 11/12/2010, Confidential Interview No. 3, 8/31/2010).
In North Carolina the decision-making of reviewing and approving land-use plans by the CRC was directly impacted by the disruption because the commissioners intentionally put “a hold” on this responsibility. Therefore the quantity of decisions was affected, but not the decision-making process itself. Also, after the moratorium, the CRC returned to approving land-use plans with better rules and understanding and therefore decision-making was improved.

The disruption occurred because the public did not trust the CRC because the land-use planning guidelines were not clear about requirements (CAMA Land-Use Planning, 2002). This appeared to have been remedied by the review team with its deliberations and report, and the new guidelines (Confidential Interview No. 3, 8/31/2010; Confidential Interview No. 6, 11/12/2010; Confidential Interview No. 7, 11/12/2010). The acceptance of the public of the land-use planning team, as well as the new guidelines, was helped by including the public as well as the CRAC (the voice of the locals) on the review team (Confidential Interview No. 3, 8/31/2010; Confidential Interview No. 6, 11/12/2010). With the concern that generally the “public does not trust government,” the DCM and CRC constantly strived to build and nurture this trust with projects like the land-use planning team, public meetings, and outreach programs to keep the public engaged (Confidential Interview No. 6, 11/12/2010).

In addition, per one of the interviewees’ the feedback from the public was that it was a very open process and thus appeared that the public trusted the CRC (Confidential Interview No. 3, 8/31/2010). I attended two separate meetings which included the public in the audience and observed no negative feelings towards the CRC and its operation.
Based upon the lack of press, the impression of interviewees, and my own observation the public’s trust was restored.

Immediately after the disruption policy outputs were affected because the CRC intentionally placed a moratorium on approving land-use plans so the number of approved land-use plans was reduced. In August 2002, though after the moratorium, new guidelines for land-use plans went into effect, and approval of land-use plans (policy outputs) was restored. These revised guidelines encouraged communities to guide development based on an analysis of land suitability, natural systems constraints, and availability of infrastructure and capacity. The objective of the new guidelines was that the community’s goals would be based on its unique resources and management needs and would translate into a better-planned and sustainable community with less impact on coastal resources. As of early 2006, seven land-use plans had been completed under the new guidelines, with thirty-three in progress, eight recently initiated, and nine more starting later that year (USDOC, 2006a).

As in the case of California, interviewees measured the effectiveness of the CRC by their perceived improvement of the coastal conditions (improved environmental protection conditions) and believed they are better than they were twenty to thirty years ago (Confidential Interview No. 3, 8/31/2010).

The CRC commissioned studies to better understand how stressors affected North Carolina in an effort to develop solutions or recommendations for mitigation, and assist them in their balancing efforts. These efforts represented restored policy outputs. North Carolina’s barrier islands are particularly vulnerable to environmental stressors like global climate change, sea level rises, natural disasters such as hurricanes, changing
storm and wave behaviors, as well as human stressors such as increased populations and development. And recently with the concern of the country’s limited energy resources and their cost, North Carolina has been involved in the issue of offshore oil and drilling, as well as renewable energy projects such as wind or wave energy. Over the decade, studies have been commissioned by Governors, the General Assembly, the CRC, and the DCM to study and better understand how these stressors affect North Carolina in an effort to develop solutions or recommendations for mitigation. By proactively addressing these concerns, the CRC may be able to prevent future “stressors” effecting the CRC’s operations. Studies included the 1999 Coastal Futures Committee’s Recommendations for Coastal Management, 2009 Beach and Inlet Management Plan, 2009 Developing a Management Strategy for North Carolina’s Coastal Ocean, 2010 Terminal Groin Study, and 2010 North Carolina Sea-Level Rise Assessment Report (NCDENR, 1999; NCDENR, 2009a; NCDENR, 2009b; NCDENR, 2010a, NCDENR, 2010b).

4.4 South Carolina

4.4.1 Pre-disruption

The SCCC was originally composed of eighteen members, with each of the governing bodies of the eight counties that comprised the coastal zone choosing a representative. Six members were chosen from the six congressional districts of the state by the members of the General Assembly who represented those districts. The remaining four members were chosen and appointed by the General Assembly, and were ex-officio
members. Then the state legislation removed members of the General Assembly from all regulatory boards and the four members from the state General Assembly were removed.

The SCCC was established by the South Carolina Coastal Zone Act of 1977, as an independent agency administered by an Executive Director and staff (consisting of approximately fifty people). As an independent agency it did not take orders from the legislature. It was mandated to protect the quality of the coastal environment and to promote the economic and social improvement of the coastal zone and of all the people of the state. The SCCC had two authorities: direct permitting authority over land-disturbing activities in the critical areas of the coastal zone, defined as coastal waters, tidelands, and beach/dune system; and indirect management authority of coastal resources within the coastal zone outside of the designated critical areas. Indirect authority was exercised through the review and certification of any project requiring a state permit. The SCCC also had subcommittees that would review agenda items like permits. The SCCC was also responsible for approving other agencies’ permits when they involved the coasts. The SCCC required storm water management plans (they were ahead of the times) before approving the permits which could delay the permitting approval process resulting in tension between the SCCC and the other state agencies (Confidential Interview No. 12, 10/25/2010).

The SCCC met once a month in an open meeting to discuss items and make decisions. The SCCC was known for its public involvement; besides the once a month meeting where the public was encouraged to participate, the SCCC routinely met with the public on projects. The SCCC meetings were collaborative where the members came to the meetings with open minds and willingness to listen to staff and the public. The
SCCC’s mandate was to balance environmental protection and economic development and appeared to achieve this balance as developers claimed the SCCC was too pro-environmental where the environmental community claimed the opposite (Confidential Interview No. 12, 10/25/2010). In 1992 the South Carolina Coastal Council was selected the best coastal program in the nation by the NOAA, but soon afterward experienced tough times (Bursey, 1996; The Associated Press, 1992).

Wayne Beam, the Executive Director of the SCCC led the staff, stood behind his decisions, and communicated directly with the legislature regarding coastal issues. The SCCC members also empowered the staff to make decisions and move items/issues onto the monthly agendas (Confidential Interview No. 12, 10/25/2010). This empowerment came from the SCCC members who heard from applicants or constituents about issues, causing the SCCC to follow up with the staff about the status but also encouraging staff to make decisions (Confidential Interview No. 12, 10/25/2010). The SCCC were risk takers and did not need the detailed rules to interpret regulations but trusted their own interpretations (Confidential Interview No. 12, 10/25/2010). This risk-taking on the behalf of the SCCC and staff resulted from the fact that they were pioneers who understood the evolution and intent of the coastal policies and so were more able to make decisions (Confidential Interview No. 12, 10/25/2010).

The SCCC was impacted by the external environment when the state government restructured the SCCC and caused the disruption. Several consecutive years of financial trouble and ongoing political scandal led to the government restructuring (Legislature fills agenda with reforms, restructuring, 1993). Although the concept had been discussed and attempted previously, the state’s financial situation combined with a large group of
new legislators elected on a reform-minded platform and support from the business community moved the restructuring forward. A business executive at a hearing on the restructuring exclaimed, “I think the inefficiency in government and poor business practices are one of the largest contributing factors to budget deficits and the unrest of the citizenry” (Brook, 1993, 1A). The restructuring focused on efficiency and accountability though political issues also were involved (Stewart, 2001). Not only did the restructuring collapse several agencies into larger functional departments to make government more efficient it also took power away from the legislature, giving it to the Governor to create greater accountability.

At the same time that the legislature struggled with the government restructuring it also experienced a decline of environment action (Pope, 1993). The House Agriculture, Natural Resources and Environmental Affairs Committee considered the driving force behind major environmental laws failed to act on a number of major environmental bills. The committee’s failure to address these issues may have resulted from the debate on restructuring and new committee members but it contrasted with the public’s concerns about these issues (Pope, 1993).

4.4.2 Disruption

Although the original SCCC had similar legislative concerns as California and Rhode Island with regards to questionable legislative appointees, this did not cause the South Carolina disruption. In 1994 the South Carolina legislature approved a sweeping government-restructuring package and the SCCC was deemphasized. The SCCC was abolished as an independently functioning agency, and thus the disruption. The
Executive Director and staff were moved to the newly created coastal division referred to as the Office of Ocean and Coastal Resource Management (OCRM) in the Department of Health and Environmental Control (DHEC). The SCCC members became members of the newly formed Coastal Zone Management Appellate Panel (AP) to serve as an advisory council to the DHEC and responsible for hearing appeals of critical area permits. The role of permit decision-making was assumed by OCRM staff. Both the environmentalists and the developers saw the SCCC as too powerful, and each group thought that they would benefit from the change (Confidential Interview No. 12, 10/25/2010). As noted, the post-effect of the disruption was the SCCC became the AP, and the appointment structure was very similar to that of the original SCCC, less the four General Assembly appointees.

4.4.3 Post-disruption

The SCCC’s structure, rules, public involvement, and capabilities (expertise and knowledge of the members) changed drastically with the disruption. Upon restructuring the SCCC staff became the OCRM, and the SCCC (members of the Council itself) became AP. The SCCC decision-making was transferred to the OCRM (state agency). The rules, responsibilities, public involvement, and capabilities now resembled those of a bureaucratic state government agency. As people from the SCCC staff were moved to the OCRM, the capabilities factor including skills, expertise, and experience should not have changed, but many people were disenchanted and resigned prior to the move or soon after.
After the restructuring, Wayne Beam, the Executive Director of the SCCC was relegated to serve as Deputy Commissioner of the DHEC, overseeing the OCRM, whereas his prior responsibilities were assigned to DHEC Commissioner Doug Bryant (Bursey, 1996). Whereas Beam stood behind his staff’s decisions, once the staff folded into the OCRM, the DHEC (the agency over the OCRM) was not as willing to agree with decisions made by the OCRM (Confidential Interview No. 12, 10/25/2010). Beam subsequently left for private practice and is a consultant whose clients are seeking coastal construction permits.

With the transition from an independent agency to a state government agency, the SCCC’s monthly open meetings were eliminated, and therefore so was its face-to-face dialogue, and the trust-building. Although the AP was to be both an appeals board and advisory board to the DHEC Board, it had less of an advisory role, and in 2006, the AP’s function to hear appeals was eliminated. The AP still existed to advise the DHEC Board, although the terms of all members except one had expired. Over time, the AP was dissolved and replaced by the DHEC Board that had little time for coastal management issues, and lacked the communication attributes of the SCCC.

Although the DHEC Board appeared to assume some of the responsibilities of the old SCCC, it was drastically different for the following reasons. The DHEC Board met for one morning each month in Columbia (not on the coast). Its agenda was full, covering a broad spectrum of statewide regulatory issues, including appeals of permit decisions related to the agency’s dual mandates of human health and environmental protection. The health side of DHEC accounted for 75 percent of its budget and roughly 90 percent of its employees. It was a practical reality that the DHEC Board’s agenda was predominated by
a plethora of health-related matters. Within this context, it was a challenge for OCRM to educate board members on coastal resource issues and seek adequate opportunities to have coastal policy-related issues addressed on the DHEC Board’s monthly agenda. It was not a forum that was conducive to lengthy debate, and meetings were not broadly attended by the public.

Decision-making was unquestionably impacted by the disruption. The decision-making by the OCRM after the disruption was in stark contrast to the proactive decision-making of the SCCC. The OCRM, who without the background, relied on reading the regulations and operated by the strict language of the law (Confidential Interview No. 12, 10/25/2010). The OCRM staff was not empowered to make decisions and did not have control over the decisions, making them reluctant to talk or meet with permit applicants, resulting in “stuff” getting buried and decisions taking longer (Confidential Interview No. 12, 10/25/2010). The OCRM appeared to be very sensitive to political pressure and controversy so they preferred to take the easier route, which was to do nothing (Confidential Interview No. 12, 10/25/2010). OCRM’s lack of control over decisions related to its reporting structure to the DHEC, where the DHEC made the decisions; in contrast to the SCCC staff reporting to the commissioners who made the decisions, but also empowered the staff. This clearly illustrated independent agency or collaborative decision-making compared to bureaucratic methods. Decisions were made by staff members of the DHEC- OCRM without public involvement (Confidential Interview No. 12, 10/25/2010). Citizens complained over the years that DHEC (including OCRM and the Board) were not as responsive as the SCCC and favored its reinstatement (Wyche, 1998).
The disruption impacted the relationship of the legislature and the coastal management office. Prior to the restructuring the SCCC Executive Director communicated directly with the legislature regarding coastal issues, whereas the OCRM did not benefit from this type of access (Confidential Interview No. 13, 10/26/2010). Rather, OCRM issues or concerns were given to lobbyists who lobbied the legislature on behalf of all DHEC. OCRM was a minor part of DHEC and therefore coastal management issues were not a priority to lobbyists, and subsequently not related to legislators as they were under the SCCC structure (Confidential Interview No. 13, 10/26/201). On the opposite side, the SCCC was an independent agency and therefore did not take orders from the legislature, whereas the DHEC and the OCRM were influenced by the legislature. In simple terms, the SCCC dealt with legislators on SCCC terms, whereas the DHEC-OCRM (as a state agency) was in a much more subordinate role to the legislature.

South Carolina lost the public’s trust in its coastal management program after the restructuring of the SCCC. In NOAA’s 1997 report, NOAA voiced concern that there had been an increasing perception that OCRM lost its effectiveness, leading to coastal resources not being adequately protected (USDOC, 1997). Existing opportunities for public participation in the coastal regulatory process were limited to public notice listings for proposed projects and appeal hearings. Members of the public who were motivated to participate at a hearing could not obtain feedback on the input they provided, get answers to technical questions, or determine the legal basis for the regulatory decisions that were ultimately being made. This was in contrast to when the SCCC was in power, and the public was afforded the opportunity to observe or provide direct input in the permit
decision-making process through the SCCC’s monthly meetings held throughout the coast. Through the openness and accessibility of this forum, the SCCC became the embodiment of the people’s voice in both individual decisions and overall policy development. The loss of the SCCC left a void that was sorely felt by members of the public who shared an interest and concern in how coastal resource issues were being addressed. NOAA suggested that to provide opportunity for meaningful public participation, OCRM must work within DHEC to augment the hearing process by, for example, holding facilitated forums as appropriate for complex, high profile coastal permits, certifications, federal consistency decisions, and policy development (USDOC, 1997). NOAA also suggested that OCRM step up its education and outreach function to rekindle the level of knowledge and interest in coastal issues that existed particularly during the era of the coastal program development (USDOC, 1997).

In 1998, at a public hearing on how the OCRM could increase public participation, critics complained about the cost, and confrontational and time-consuming nature of pursuing coastal permits (Smith, 1998). When the SCCC was in effect, the system was democratic where people did not need attorneys to seek permits, whereas in the new system, the staff considered coastal permits and if a permit is rejected, the applicant appealed to an Administrative Law Judge and the Appellate Panel, and from there to Circuit Court. The time and lawyers involved added significantly to the cost. Coastal residents vocally expressed a desire to return to coastal management by coastal citizens in a process open to all those who wanted to be heard and involved (Smith, 1998).
After five years in political limbo and hundreds of complaints from residents, in 1999 the General Assembly failed to pass a bill that would have re-established the SCCC to decide controversial permits and review high-profile projects in public hearings (Dewig, 1999). Some opponents felt there was a need to re-establish the SCCC for the independent nature of the agency. For example, federal law required the OCRM review other agencies’ permits if they affected the coast. Therefore this may mean that OCRM must veto an action approved by another agency within the state. Without the independent nature of the OCRM they may not be as willing to go against actions of other branches in their division.

In NOAA’s 2000 report, it was reported that the OCRM took positive action to improve the level of public involvement in the permitting process (USDOC, 2000). The OCRM continued to make better use of its website to provide a broad range of information regarding the program’s implementation, including permitting requirements and applications, public notices for proposed projects, summaries of major activities of the coastal program, publications available through the coastal program, and answers to frequently asked questions. But, even with this positive action, the public raised concerns because of the lack of public involvement in the DHEC’s decision-making activities (USDOC, 2000).

Since 2002, the DHEC and the OCRM created various councils and panels to conduct studies relating to coastal management issues, and included the public in these efforts (USDOC, 2004). In November 2002, the DHEC Board appointed a nineteen member Council on Coastal Futures to document priority issues and concerns and recommend actions, programs, and measures to improve the effectiveness of the South
Carolina Coastal Zone Management Program. It did not recommend the revival of the SCCC, but made recommendations such as improving internal DHEC coordination, improving cooperation between DHEC-OCRM and other agencies, and improving the DHEC-OCRM public notices (USDOC, 2004).

The public was involved in decision-making in regard to these studies through their input at various meetings and hearings, though they still were not involved in the transparent decision-making as occurred at open meetings under the SCCC. The public still lacked trust in the DHEC and yearned for the independence of the SCCC, referenced by The Island Packet in its summary of The State newspaper’s series of articles on the DHEC that residents wanted “to create a separate coastal agency to provide an independent voice for the region” (Editorial: DHEC Needs Overhaul to Better Serve Us All, 2008).

In 2008, the DHEC came under fire through a series of press articles (Fretwell & Monk, November 23, 2008). Per the articles, the frequently heard criticism was that DHEC wasn’t tough enough upfront with industries that had the potential to pollute and favor property rights (Fretwell & Monk, December 2, 2008). The General Assembly with its sensitivity to property rights and business interests had a grip on DHEC (Fretwell & Monk, December 2, 2008). This grip was so pervasive combined with public criticism and media scrutiny that DHEC’s management was hesitant to take risks (Fretwell & Monk, December 2, 2008). DHEC had the challenge that its counterpart in states like North Carolina does not face, where South Carolina is a smaller state whose constitution emphasized a weak Governor and a strong General Assembly (Fretwell & Monk, December 2, 2008).
And the latest update is that in 2010, the General Assembly created the Coastal Zone Management Advisory Council consisting of fourteen members constituted very similar to the SCCC. The Council will provide advice and counsel to the staff of the OCRM in implementing the provisions of the South Carolina Coastal Zone Act, and will also be open to meeting with the public on their matters. It is still left to be seen what will happen to South Carolina’s coastal management practices.

The disruption appeared to neutrally affect the policy outputs of permit applications and approvals. In the wake of all the complaints about the dissolution of the SCCC and in an effort to measure the effectiveness of OCRM, there was a public outcry to review the number of permit applications before and after the disruption and whether there was a decrease in the level of protection of coastal resources by the state (USDOC, 1997).

The following data was reported. The coastal program received the greatest number of permit applications for the construction of private docks (followed by bulkheads) and the number of these applications has increased over time. Between 1993 and 1996, total permitted alterations for private docks increased from 526 to 738. The number of all categories of permits denied on an annual basis ranged between 9 and 18 during the same time period, with twice as many permits being denied in 1993 and 1995. The number of appeals received annually rose from 38 to 39 between 1994 and 1995, and then dropped to 31 in 1996; the majority was directed at docks (USDOC, 1997).

This data was inconclusive in answering the question of whether there was a decrease in the level of protection of coastal resources by the state after the dissolution of
the SCCC. As in the other cases, the coastal conditions were perceived to have improved and decisions have tilted toward the side of the environmental protectionists (Confidential Interview No. 13, 10/26/2010; Confidential Interview No. 11, 10/25/2010).
CHAPTER 5

ANALYSIS

Starting in this chapter and for the last chapter rather than referencing the commission or council with the acronym, the name of the state where the commission or council resides is used.

5.1 Comparison of Cases to Conceptual Model

This section compares the pre-disruption conditions of the four state coastal management commissions or councils to the conceptual model. The first step was to take Table 3.2: Conceptual Model Meta-variables’ Indicators and compare the meta-variables to those of the cases in their pre-disruption condition. Table 5.1 is Table 3.2 expanded to include the cases (identified by the state). The X’s denote that data from the Results chapter reflect the meta-variables, with a lower-case x denoting a weak meta-variable. In some situations the data was not available (NA) due to lack of data collection. Also Table 5.1 did not include indicators that were included in Table 3.2 where data was not available across all cases. This pertains to the following indicators: trust building, shared interpretation of the rules and problems, prehistory of cooperation or conflict, political imbalance, and stakeholders’ perception of the collaborations effect on the environment.

I first provide an overview and general statements about the results, then more detailed analyses.
<table>
<thead>
<tr>
<th>Meta-variable</th>
<th>Indicators</th>
<th>PRE-DISRUPTION CONDITIONS by STATE</th>
<th>Key</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>California (CCC)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rhode Island (CRM C)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>North Carolina (CRC)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>South Carolina (SCCC)</td>
<td></td>
</tr>
<tr>
<td>I1: Institutional Design</td>
<td>Public involvement</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Local involvement</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Procedural legitimacy including rules, transparency</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Broad participation - composition of membership by expertise or geographic</td>
<td>X, I</td>
<td>X, I</td>
</tr>
<tr>
<td></td>
<td>Agency culture &amp; Organization - structure, regularly scheduled, open meetings, appointments/legal, authority/power, terms, length of tenure, staff, continued education</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Technical and financial resources</td>
<td>X</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td>Skills and knowledge</td>
<td>X</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td>Commitment to process</td>
<td>X</td>
<td>NA</td>
</tr>
<tr>
<td>I2: Relationship Dynamics</td>
<td>Collective choice decision-making</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Two-way decision-making</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Face-to-face dialog</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Leadership</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Shared understanding, learning, and process</td>
<td>X</td>
<td>NA</td>
</tr>
<tr>
<td>C: External Environment</td>
<td>Incentives for participation</td>
<td>X</td>
<td>NA</td>
</tr>
<tr>
<td></td>
<td>Political, legal, economic, environmental</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>D1: Public Trust</td>
<td>Perception of the following that are indicators in the independent meta-variables above : Public involvement, Democratic legitimacy, Local involvement, Government capabilities</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>D2: Policy Outputs</td>
<td>Policy outputs</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

Key: The X’s denote that data from the Results chapter reflect the meta-variables, with a lower-case x denoting a weak meta-variable. NA (not available) indicates lack of data collection. Composition of members - Geo= Geographic, Expert=Expertise. Structure – I=Independent.
5.1.1 Overview

The commissions’ and councils’ activities were mostly consistent with the conceptual model. In general commissions and councils included a collaborative body of committed, knowledgeable members of disparate interests that included the public that held regularly scheduled open, transparent public meetings and conformed to formal laws and rules; all indicators of collaboration under the institutional design meta-variable. The commission meetings included face-to-face communication between members, staff, and the public resulting in decision-making with majority vote by the members; indicators of the relationship dynamics meta-variable. The public trusted the commissions and councils per the definition of public trust for this dissertation—the public’s positive perception of the commissions or councils because they included public involvement, local involvement, democratic legitimacy, and functioning government capabilities. The determination that the public had a positive perception was based upon a lack of press articles or interview comments that complained about the commissions or councils in the pre-disruption phase. This was in strong contrast to the number of press articles and interviewees’ comments that included complaints about the commissions or councils associated with the disruption events discussed in Section 5.2. Also the indicators of public trust including public involvement, local involvement, democratic legitimacy, and government capabilities were present in the commissions and councils.

The commissions and councils approved coastal management-related projects (permits, land-use plans, etc.) or policy outputs while balancing environmental protection and economic development needs. The cases therefore reflected the conceptual model’s decision-making process and its role in producing policy outputs. Although the policy
output associated with stakeholders’ perception of the collaborations effect on the environment was assessed at the post-disruption data point, data was not collected for the pre-disruption condition.

5.1.2 Detailed Analysis

The remainder of this section provides the detailed analysis between the cases and the conceptual model. First for clarification purposes the following disclosures should be made. Table 5.1 indicates that most of the indicators of the model were reflected in the individual cases. This is the case even though the exact phrase of Table 5.1 may not be referenced in Chapter 4. For example, when reviewing Chapter 4 the words “face-to-face dialog” may not occur but each of the cases referenced regularly scheduled open meetings between the members where they discussed and made decisions regarding coastal issues and so “face-to-face dialog” was assumed. One other disclosure was that the institutional design meta-variable included a technical and financial resources indicator and although data was captured relating to technical resources, financial resources data was not available.

Some of the differences among the cases, but still consistent with the model, included the methodology used to appoint members whether geographically or expertise; and whether the commission or council was independent or used a state agency as staff. Each of the cases had appointments by political officials though differed by who appointed the members whether by the governor or the legislators (see Table 4.1 for more detail). All cases included a legal process that identified members reflecting a range of perspectives on CZM issues with the goal of balancing environmental and economic
concerns. These appointments also had a component of local participation whether by
the geographic selection of members or by including local officials. These structures and
appointment processes in combination with the public involvement on the commissions
or councils reflected the components of successful collaborations (as identified in Section
3.2).

As noted in the Results chapter, the commissions and councils were dealing with
very complicated subject matter which demanded members and staff to have the skills
and knowledge to understand the projects as well as the rules to make the decisions.
From the data it appeared there was difference in the level of skills and knowledge that
could affect decision-making. For example in the Rhode Island case it was noted that the
skill set and knowledge base of the legislators was lacking on the council (when the
legislators were required to leave the council). This was in contrast to acclaimed
technical resources, skills and knowledge of the California commission and its staff, as
well as those skills and knowledge identified in the North Carolina and South Carolina
cases. In all cases the knowledge base was adequate to make collective decisions
fulfilling the test of successful collaborations. The Rhode Island case may have filled the
knowledge gap with the expertise of the council staff.

In some cases, indicators were not identified such as the shared understanding,
learning, and process indicator in the Rhode Island case but that may be a lack of data
collection rather than a gap in the council’s operation. And in other cases unexpected
comments in data collection (responses from interviewees) matched very nicely to the
model. For example comments from both the California and North Carolina
commissioners regarding the prestige of the respective commissions’ tied to the model’s
incentives for participation external environment meta-variable; specifically people wanted to participate and were committed to the goals of the commission (institutional design meta-variable) because it was highly regarded by the community. This example also reflected the inter-relationship between meta-variables and these inter-relationships were most commonly found between the institutional design and relationship dynamics meta-variables. As an example using an open meeting situation, many of the indicators within the major independent meta-variables could be seen in action, with the commission or council members of varying geographies or expertise, debating or talking with the staff or the public face-to-face, making decisions according to the rules.

When the comparison was performed it was meant to look at the cases through the model’s meta-variables but it was also interesting to recognize whether the study uncovered variables not identified in the model. The pre-disruption analysis did not identify new variables but, rather identified questions regarding the importance of meta-variables and the role that they played. These included: the structure of the commission or council, whether independent or associated with a state agency, the skills and knowledge of the members and staff, and the influence of the political environment. Throughout the analysis of the pre-disruption condition, the advantage of an independent body was acclaimed but then in the North Carolina case the relationship between the commission and the state agency was highly praised. Although both structures were successful, was one structure better than the other? The skills and knowledge were highlighted as important because of the difficult subject matter and the need for the appropriate members and staff. Although the skill set and knowledge base differed, all cases reflected success, but was there an ideal knowledge base? The influence of the
political environment included not only the appointment process, but other political influences such as experienced by the North Carolina commission and the South Carolina council by their state governments. Although these influences did not affect the success of the collaborations, would different political influences cause a greater effect? These meta-variables demanded further analysis, and observing the roles they played in the disruption and post-disruption events could provide that analyses.

5.2 Effect of Disruptions on Post-disruption Meta-variables

This section discusses the effect of the disruptions on the post-disruption meta-variables. Before beginning this discussion, here is a general overview of the disruption events and their effects on each of the cases. The disruption events followed the model in Figure 3.1:

In California, prior to 2005, the public lost confidence in the commission due to the political power imbalances resulting from the unconstitutional legislative appointment process. The subsequent disruption was that the legislators passed a law fixing the term of the commissioners, disrupting the appointment indicator of the institutional design meta-variable. This reduced the political influence on the commission and restored public trust.

In North Carolina, in the late 1990s, critics on both sides—the environmental protectionists and the economic developers—complained about the commission’s planning guidelines, one-size-fits all regulations, lack of implementation plans, and inadequate public participation and understanding of the planning program. The consequential disruption was a 2-year moratorium on reviewing and approving land-use
plans, in effect causing a short-term disruption in rules or institutional design meta-variable (ceasing to review plans) and to policy outputs (ceasing to generate approved plans). The long-term effect was improved rules and restored public trust.

In Rhode Island, prior to 2008, the public questioned the political power imbalances of legislative appointments to the council. The subsequent disruption was that the State’s Supreme Court opinion reaffirmed the separation-of-powers amendment that disrupted the appointment process of the council. This reduced the political influence, but also reduced the number of members to eight (generating additional issues).

In South Carolina, in 1994 the state government was restructured, resulting in a disruption, namely, the dissolution of the council. Therefore, the institutional design meta-variable was disrupted. Some of the functions were transferred to other entities but the council’s authority was decreased. The result was the loss of public trust in the lack of public involvement and lack of transparency in collaborative decision-making in the new structure.

An analysis was completed reviewing all the cases’ post-disruption activities and the effect upon the meta-variables: institutional design, relationship dynamics, public trust, and policy outputs. Table 5.2 (using Table 5.1 as a template) was developed to summarize the effects of each meta-variable and is discussed below. For ease of presentation only the effected indicators of meta-variables were presented in Table 5.2.
Table 5.2

*Effects of Disruption on Post-disruption Meta-variables*

<table>
<thead>
<tr>
<th>Meta-variable</th>
<th>Indicators</th>
<th>California (CCC)</th>
<th>Rhode Island (CRMC)</th>
<th>North Carolina (CRC)</th>
<th>South Carolina (SCCC/DHEC-OCRM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Rules</td>
<td>Improved - identify problems &amp; resolutions</td>
<td>Improved &amp; weakened by lack of members</td>
<td>Improved - appointment process</td>
<td>Improved - identify problems &amp; resolutions</td>
<td>Weakened</td>
</tr>
<tr>
<td>Transparency/Open Meetings</td>
<td>Improved - appointment process</td>
<td>Weakened - by lack of members</td>
<td>Improved - appointment process</td>
<td>Weakened</td>
<td></td>
</tr>
<tr>
<td>Organization – Structure, etc.</td>
<td>Improved - appointment process</td>
<td>Weakened - by lack of members</td>
<td>Improved - staff helped</td>
<td>Abolished</td>
<td></td>
</tr>
<tr>
<td>Skills and knowledge</td>
<td>Improved - staff helped</td>
<td>Weakened – CRMC</td>
<td>Improved</td>
<td>Weakened</td>
<td></td>
</tr>
<tr>
<td>Commitment to process</td>
<td>Improved</td>
<td>Improved</td>
<td>Improved</td>
<td>Weakened</td>
<td></td>
</tr>
<tr>
<td>12 Collective choice decision-making</td>
<td>Improved</td>
<td>Weakened</td>
<td>Improved – long –term</td>
<td>Weakened</td>
<td></td>
</tr>
<tr>
<td>Communication</td>
<td>Improved</td>
<td>Mixed</td>
<td>Improved</td>
<td>Weakened</td>
<td></td>
</tr>
<tr>
<td>Leadership</td>
<td>Improved</td>
<td>Weakened</td>
<td>Improved</td>
<td>Weakened</td>
<td></td>
</tr>
<tr>
<td>Shared interpretation of the rules and problems</td>
<td>Improved</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 5.2—Continued

<table>
<thead>
<tr>
<th>Meta-Variable</th>
<th>Indicators</th>
<th>California (CCC)</th>
<th>Rhode Island (CRMC)</th>
<th>North Carolina (CRC)</th>
<th>South Carolina (SCCC/DHEC-OCRMA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>D1</td>
<td>Public Perception of: public involvement, local involvement, democratic legitimacy, government capabilities</td>
<td>Restored</td>
<td>Restored</td>
<td>Restored</td>
<td>Weakened</td>
</tr>
<tr>
<td>D2</td>
<td>Policy outputs Stakeholders perception of the collaborations effect on the environment</td>
<td>Positive</td>
<td>Positive</td>
<td>Positive</td>
<td>Positive</td>
</tr>
</tbody>
</table>

Key: Meta-variable I1 – Institutional Design  
Meta-variable I2 – Relationship Dynamics  
Meta-variable D1 – Public Trust  
Meta-variable D2 – Policy Outputs

5.2.1 Institutional Design

The North Carolina commission’s rules were positively affected after the disruption. The disruption events identified the weakness in the rules, and the positive effect of the disruption was the creation of the team to develop rules and improve the comprehension of these rules. The California, North Carolina, and South Carolina cases depicted the importance of “open,” transparent, public-participated, and regularly scheduled meetings. These meetings were crucial for encouraging discussion amongst the members as well as providing a learning and sharing environment that increased the members knowledge about the subject matter as well as about each other. Another
valuable benefit of the open meetings was they kept the public abreast of the decision-making process. For the California case, the transparency of the meetings allowed the public to witness the political influence of the legislators, and for the North Carolina case provided the public access to the confusion regarding the land-use planning process, and, moreover, in both cases allowed visibility to the remedies. The “openness” of the California commission meetings played a role in revealing that legislators were terminating commissioners on their votes or appointing them for their votes (recall this was happening prior to the disruption). As referenced in Chapter 4, for example, in one case after a commissioner made the crucial vote at a meeting, he was terminated (Confidential Interview No. 2, 3/25/2011). Subsequently his replacement was appointed and made the crucial vote in the other direction at one of the subsequent monthly meetings (Confidential Interview No. 1, 10/4/2010). Suffice it to say, if it was not for these meetings that were open to the public, this type of behavior may not have been discovered and ultimately corrected. Not only did the open meetings indicator play a role in events leading to the disruption, the disruption effected the meetings. As of the NOAA 2010 report the California commission continued to make significant changes to its website to “open” the meetings and make them available through live audio/video streaming on the website (USDOCa, 2010). In the North Carolina case, the meetings were the vehicle for updates of the review team, subsequent rule changes, and increased communication; the result an increase in quality of meetings.

Also associated with open meetings, the South Carolina case provided valuable information about what occurred when a state government structure (such as the DHEC-OCRM) attempted to increase or improve public participation through a special project or
study. The project was implemented in a very transparent way by including the public, holding open meetings, and posting agendas and minutes to the web page, though none of which appeased the public. The public wanted to participate in the decision-making aspect of coastal management where applicants presented and decisions were made. They still wanted the open, consistent meetings where decision-making occurred in a transparent environment, as when the council was in place. The findings supported that members of the public by witnessing the process, were able to monitor consistency that built their trust in the process and the collaboration.

Open meetings/transparency was weakened in the Rhode Island case as a function of the reduced number of members. The Rhode Island case illustrated the importance of simply having enough members, which impacted the ability to have meetings, and adequate capabilities of the members to make decisions.

The Rhode Island council’s independent staff with its strong technical expertise and knowledge assisted the council and offset the negative effects of the decreased membership. The North Carolina commission was not independent and relied heavily upon the state agency for support, though the relationship and partnership appeared strong and beneficial to both. This provided evidence that an independent staff was not necessarily needed but moreover a competent, reliable, committed staff was the answer. After the disruption and the implementation of the review team, the North Carolina commission benefitted from the experience and improved its knowledge base as well as commitment to the process. The capabilities (skills and experience) of the North Carolina commission and the state agency, and their strong relationship, allowed them to
handle the land-use planning issue in a positive manner, and subsequently learn from the experience to prevent or mitigate future problems.

5.2.2 Relationship Dynamics

The relationship dynamics meta-variable, including the breadth of communications and leadership skills indicators, was impacted by the disruptions. Without the valuable communication and leadership skills between the North Carolina commission and its agency, and the environmental protection stakeholders, the controversy with land-use planning may not have been properly identified, discussed, and resolved. After the disruption, the commission and agency continued to improve communication.

In California, with the elimination of blatant political influences by the legislators in the commission’s decision-making, commissioners were better able to make decisions based upon the facts, the law, and their commitment to the principles of the commission. The California case was very helpful in gaining insight to the decision-making process. It identified the importance of having knowledgeable, capable commissioners who can comprehend the issues in accordance with the law, and most of all transcend beyond their self-interests to achieve the goals of the commission, to work for the best interests of California’s coasts. They worked to influence each others’ votes—not for a quid pro quid, but for the betterment of the coasts and the reputation of the commission.

The North Carolina commission and the Rhode Island council’s decision-making capabilities were affected by the disruption, but this was a secondary effect. For example in the Rhode Island’s case, fewer members translated to fewer meetings, and fewer
opportunities to make decisions. Similar to this was the North Carolina’s case, where the commission intentionally ceased reviewing land-use plans, therefore reducing opportunities to make decisions on land-use plans. At the same time, though, the commission was making decisions about the review team and benefitting from that exercise including the shared learning experience. The long-term effect was an improvement in decision-making with improved communication, knowledge, commitment to process, leadership, and shared learning.

The South Carolina case highlighted the contrasting styles of decision-making in collaboration versus a bureaucratic style. The South Carolina council’s staff had the luxury of crucial factors to help them make their job more effective, such as independence, the support of and empowerment by the Executive Director and the council, the background and knowledge of the intent of the law, and access to an engaged, willing public. This strength and confidence that was reflected in the staff’s recommendations made the decision-making easier for the council. The council’s decision-making was also made easier because of its unfettered access and support from the public (the council was acclaimed for its success). Then, when the coastal management responsibilities were transferred to state government (DHEC-OCRM), all the issues surrounding decision-making in a bureaucracy arose. The staff did not have the empowerment or support to make decisions, therefore decision-making was slower, and not as efficient. To worsen the situation, this also affected the confidence of the public in the state agency.

The South Carolina case added valuable knowledge regarding the importance of communication and leadership in collaboration. Fundamental to the operations of the
South Carolina council was the breadth and inclusiveness of communications, including open meetings with council members, staff, and the public engaging in face-to-face communication. The public communicated with the council regarding timely resolution of projects, and also met with the staff to discuss their projects. Communication by the council Executive Director even extended to the legislative leaders. All of these relationships appeared to wane when the council was restructured and were sorely missed.

In the Rhode Island case, there were contradictory indicators regarding whether the disruption increased or diminished communication. With fewer members and fewer meetings, undoubtedly the communication decreased, but according to an interviewee, fewer members actually increased the need to communicate, coordinate, and depend on each other more, leading to more intensive communication.

Lastly, although interviewees referred to trust when I prompted with a comment or question, the interviewees did not identify it as a key ingredient, but more identified that members worked together, felt comfortable with each other, and were committed to the difficult task. The lack of discussion by the interviewees regarding trust was surprising and may need additional study.

5.2.3 External Environment

It is important to note the major influence of the political environment upon the Rhode Island case. Although the effect of the disruption reduced the political influence upon the council, it also reduced the number of members to eight. This should have been corrected by additional appointments by the Governor, but because of the inaction or
dysfunction of the political system (the Governor and the legislators) the council remained at eight members. This lack of response by the Governor and the legislators caused the public to question the government’s capability (an indicator of public trust) and affected the public trust. At the same time the Governor was pro-actively involved in the Ocean SAMP project that appeared to improve the positive perceptions of the council.

5.2.4 Public Trust

The concept of the public trust was central to this study. In the California, Rhode Island, and North Carolina cases, as evidenced by press releases and interviewees, the public questioned (loss confidence in) the legislative appointment process (California, Rhode Island cases) or action by the commission (North Carolina case). This resulted in the changes and subsequent improvements, and in the California and North Carolina cases, public trust was improved (as evidenced by interviewees and lack of press regarding the problems). In the Rhode Island case because the disruption caused an additional problem that was not subsequently corrected (appointing members to fill the vacancies) as mentioned in the previous section, the public voiced concerns and began to show signs of losing trust in the Rhode Island council again. In the fourth case (South Carolina), the situation was the opposite where the public trusted the council, but with the restructuring, the public lost trust in the new structure.

5.2.5 Policy Outputs

The policy outputs were restored. The California commission continued to review projects and publish reports. An enhanced policy output was seen in the Rhode
Island case with the completion of the Ocean SAMP plan. The North Carolina case reported multiple policy outputs with the many studies that it completed including the review team project resulting from the disruption. Also, the North Carolina commission through the review team process improved its land-use plan approval process and returned to approving land-use plans, albeit improved quality of plans. And even the South Carolina state agency increased study projects, or restored policy outputs though no longer associated with a collaborative decision-making model.

The commissions and councils were created to protect the activities and resources of the coastlines and balance economic development and environmental protection of these areas. In all cases, although the results of balancing were not quantitatively reported, the stakeholders had a positive perception of the collaborations effect on the environment. Also, the coastal management programs associated with the four cases are under the jurisdiction of the federal Coastal Zone Management Act administered by NOAA, and therefore, as noted previously, are periodically reviewed by NOAA for compliance. These reviews (and reports) substantiated that these coastal programs, through their commissions or council or state agencies, were fulfilling the requirements of their respective state programs or working on improving the conditions of their coastlines. Both the California and North Carolina cases reflected an increase in social capital when interviewees commented that members worked well together.

A last note on this subject was that repeatedly the interviewees claimed that commissions and councils were not responsible for accomplishing performance metrics or outcomes because they could not control the results of many of their actions including: the number of permits, variances, coastal programs, and land-use plans that come before
them or the need for new regulation and polices (Confidential Interview No. 1, 10/14/2010; Confidential Interview No. 3, 8/31/2010; Confidential Interview No. 4; 9/15/2010, Confidential Interview No. 7, 11/12/2010; Confidential Interview No. 9, 11/9/2010).

5.2.6 Graphic Representation of Effects

After the disruption the collaboration generally recovered though at different degrees of effectiveness and continued to operate.

To better understand, the post-disruption effects each case was discussed separately (Figure 5.1). Rather than starting with the California case, the other cases were analyzed first and provided valuable insight to the California case. The major disruption effect on the Rhode Island case was the effect on the number of members or structure. This affected indicators negatively (meetings, quantity of decision-making, etc.) but because of the support from the staff with its skills and knowledge, the council was able to function with the reduced number of members. The feedback loop in the graphic is meant to represent the inter-relationship between the meta-variables. This feedback loop played a more significant role in the North Carolina case. The commission’s rules were directly affected by the disruption but the other meta-variables, such as commitment and knowledge of the members and staff, communication, leadership, and openness of meetings were also affected. The combination of these indicators worked together to identify and implement a resolution. Moreover the feedback loop or the effect of witnessing the benefits of the efforts reinforced continued efforts and led to positive effects in these indicators.
Post-disruption
Rhode Island - CRMC

Institutional design ← Relationship dynamics → Policy Outputs

Structure ← Meetings/Decision-making → Public Trust
Openness, Leadership
Helped by Skills/knowledge of Staff

FEEDBACK LOOPS

External Environment
Political action

Post-disruption
North Carolina - CRC

Institutional design ← Relationship dynamics → Policy Outputs

Rules ← Decision-making → Public Trust
Helped by:
Commitment
Openness, Communication
Skills/knowledge, Leadership
Shared interpretation

FEEDBACK LOOPS

External Environment
Political action
Figure 5.1 Conceptual Model of Collaborative Governance and Effect of Disruptions on Cases (“X” indicates demise of the collaboration)
But, when all the meta-variables (and the inter-relationships) were disrupted as in the South Carolina case, the collaboration broke down.

The above analyses of the model provided explanation for the California case. As the graphic indicates, the disruption affected the appointment structure of the commission therefore it was no longer subject to political influence and could function effectively. Though, the question remained: why wasn’t there a more pronounced effect of the political influence on the pre-disruption commission. Based on the model, although the California commission under pre-disruption conditions was affected by political influences, the other meta-variables and indicators (for example commitment and skills and knowledge of the members) played a role in minimizing the negative influences. The resiliency of the commissions and councils is further discussed in the Conclusion chapter.
CHAPTER 6
CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusion

In this final chapter, I answer the research questions, provide my final conclusions, and suggest further research.

6.1.1 Answers to Research Questions

As a reminder, the research questions are presented here:

1. How are the institutional design, relationship dynamics, public trust, and policy outputs of the pre-disruption Coastal Zone Management Act commissions and councils consistent with the expectations of the conceptual model derived from the literature?

2. How are the institutional design, relationship dynamics, public trust, and policy outputs of the post-disruption Coastal Zone Management Act commissions and councils affected by the disruption?

3. How do the institutional design, relationship dynamics, public trust, and policy outputs of the post-disruption Coastal Zone Management Act commissions and councils reflect (a) destruction of the collaborative approach to decision-making, or reflect (b) resiliency by returning to a collaborative state (though perhaps altered in structure or dynamics)?
To address the first research question, the meta-variables of the pre-disruption conditions in the four cases were consistent with the conceptual model and reflected successful collaborations. The model appeared to reflect the experiences of the four commissions and councils indicating the model did not appear to be missing major variables. Though, it appeared that certain meta-variables may be more important than others and are discussed in Recommendations for Future Research; specifically they are the structure or independent nature of the commission, skills and knowledge of the members or staff, and political influence.

To address the second research question, the following indicators of both independent meta-variables were affected by the disruptions: membership appointments, rules, open, regular meetings, capabilities of the members, commitment of the members, decision-making of the members, communication of the members and staff, leadership skills of the members and staff, shared learning, and public participation at meetings. The specific effects of the disruptions, as reported in Table 5.2, were to improve/restore or weaken the meta-variables and are explained by the conceptual model (see Figure 5.1). Some of the meta-variables were impacted in an indirect manner, for example in the Rhode Island case where the 50 percent reduction in the number of members caused many other meta-variables and indicators to be affected, while others were not impacted or affected in every case.

In order to refine my conclusion to the second question I attempted to look at meta-variables that consistently across the cases, whether directly or indirectly, were affected by the disruptions. These included open, transparent meetings, public trust, and policy outcomes. Although the enhanced transparency or open meetings were only
associated with the California and North Carolina cases they were included because of the importance in building relationships, improving communications, identifying problems, and observing the consequential remedies or solutions for the commissioners or council members. Also these open meeting allowed the public to monitor consistency, fairness, public and local participation, democratic legitimacy, and functional government which built trust in the process and the commission or council.

In three of the four cases, the public’s loss in confidence of the commission or council led to the disruptions. The disruptions to the commissions or councils affected public trust, by subsequently correcting the problem and restoring the public’s trust. In the California case, the unconstitutional legislative influence or democratic legitimacy was corrected and in the North Carolina case the capabilities of the government were improved (clearer and better rules) and led to improved public trust. In the Rhode Island case, the disruption that was expected to restore the public’s trust caused a secondary problem, and was not timely followed with an appropriate correction (appointing members to fill the vacancies on the council), resulting in continuous concern on behalf of the public but for the secondary problem. In the fourth case of South Carolina, the situation was the opposite, where the public trusted the council but with the disruption or restructuring of government, the public lost trust in the new structure. The conceptual model explained the effects on public trust because in the cases cited above the disruption effected the institutional design or relationship dynamics meta-variables that effected public trust.

For all four cases, in the post-disruption phase policy outputs were restored. The policy outputs included review and approval of plans and permits, as well as involvement
in studies and reports. Also the stakeholders’ reported positive perceptions of the collaborations effect on the environment. The conceptual model explained restored policy outputs in the California and North Carolina cases as a function of the improved decision-making. The Rhode Island and South Carolina cases included less solid evidence. The Rhode Island council experienced less number of decisions but the quality may have improved with the support of skilled, knowledgeable staff and the type of the decision-making, and thus led to restored policy outputs. This was true because the Rhode Island council’s restored policy output was attributed to the OceanSAMP that relied upon the members’ and staff’s time and decision-making and produced a positive result. In the South Carolina case, the model was no longer applicable because the council was disbanded and the collaboration’s decision-making was defunct. The state agency though appeared to be functioning to produce policy outputs.

The answer to the final question is a commission or council that was physically abolished and weakened all of the associated meta-variables will result in the destruction of the collaborative decision-making approach, such as was the case for the South Carolina case. Whereas when the disruption was less severe, the commission was resilient and continued its collaborative approach. The graphic representation of the individual cases can be seen in Figure 5.1 and was discussed in the Analysis chapter. I suggested the resiliency was a function of other meta-variables (and their indicators) helping to offset the effects of the disruption, for example, in the Rhode Island case the skills and knowledge of the staff offset the negative effects of the reduced number of members. Whereas, in the North Carolina case a number of indicators such as skills,
knowledge, and commitment of the members and staff, leadership, and communication all contributed to help the commission function.

6.1.2 Research Conclusions

The study verified the accuracy of the conceptual model, revealed that post-disruption conditions included enhanced transparency in decision-making, and restored public trust and policy outputs.

The study verified that the commissions’ open, transparent decision-making meetings were crucial in building relationships, improving communications, identifying problems, and identifying the consequential remedies or solutions. These meetings also allowed the public to participate and monitor consistency and fairness increasing their trust in the process and the collaboration.

The study also showed that states continued to pursue collaborative governance approaches to coastal zone management and made changes to strengthen the collaborative model. California eliminated the political influence, and strengthened its collaborative model, and though not a direct effect of the disruption, the commission continued to open up the process to the public by scheduling meetings across the state and webcasting them. North Carolina implemented the moratorium on approving land-use plans, convened a team, and developed new rules to strengthen its collaborative model. The land-use planning team project led to improved skills and knowledge, commitment, communication, leadership, shared learning, and public participation. In the Rhode Island case, the benefits of eliminating political influence was not fully recognized due to other political influences that prevented the council to be at full
strength, though the council’s participation in the Ocean SAMP project strengthened its reputation. Last of all, the South Carolina case, where although they eliminated the council, the state agency’s subsequent actions reflected a willing to pursue collaborative activities evidenced by convening non-state stakeholders to participate in coastal management initiatives.

Lastly, the study identified meta-variables that contributed to the resiliency of the collaborations and moreover suggested it may not be specific meta-variables that contributed but rather the collaboration depends upon the independent meta-variables to work together to offset the disruption effects, though required further investigation.

The South Carolina case was noteworthy as it may provide evidence that removing collaborative decision-making removed public trust. Although the state agency pursued collaborative activities, convening non-state stakeholders in open, transparent studies, the public still voiced their negative concerns and their desire to return to a collaborative decision-making model. As noted in the Results chapter, South Carolina recently passed legislation to re-institute a council that may more closely resemble a collaborative decision-making model and further research is needed to then assess if the public trust is restored.

6.1.3 Response to Ansell and Gash

I borrowed from Ansell and Gash’s (2007) model so it is fitting that I should summarize my findings in relation to their work. Most importantly I made a first step in filling some of their gaps associated with testing their model. I was able to test my model and many of their variables using multiple independent cases operating under the
auspices of the same regulatory program. I also had the advantage of assessing these variables in a situation that resembled a pre-and post-collaboration setting with my South Carolina case. The model and variables appeared to work as Ansell and Gash suggested. Many of their variables contributed to the success of the collaboration, specifically: clear ground rules, process transparency, face-to-face dialogue, commitment to process, shared ownership of process, shared understanding, incentives for participation, broad participation, and facilitative leadership. I also identified as they did that the collaborative process is non linear but more cyclical with feedback loops and interconnectedness between variables.

My study was not able to delve into neither the trust building nor the outcome variables of Ansell and Gash’s (2007) model though their meta-analytical study also did not pursue these in much depth. My study though highlighted the difficulty in assessing both of these variables and the need for further research in these areas. Although they identified that collective decision-making was central to the definition of collaborative governance, it was not included in their model as a variable and showed a gap in their model that needed further work. Although my desire was to study this variable in depth, my interviewees and data analysis failed to provide detailed information about collective decision-making and again the need for further research. Lastly although they identified the importance of broad participation, they did not pursue the subject of public participation nor the public’s trust role in collaboration. My findings identified the important role these variables play in collaboration and it may be interesting to expand Ansell and Gash’s meta-analytical study to include searches on these key words (though they mentioned that public participation was part of their search criteria). Finally my
work with disruptions and specifically resiliency of collaborations may warrant a look by Ansell and Gash and how these concepts fit into their study and their model.

6.2 Recommendations for Future Research

As noted above, my findings agree with much of the scholarly work on collaborations referenced in my Literature Review and consistent with the conceptual model. This dissertation modeled the disruption events and effects and the role that public trust played in the model, and tested the model.

This study is just the beginning. To provide further evidence to support the conclusions on the study’s specific cases, additional research is needed, for example more research is needed to verify the restored public trust and policy outputs. More interviews could be conducted related to these cases and additional cases could be added. Also, rather than a case study approach, a survey questionnaire could be designed whereby a number of stakeholders could provide information to be analyzed statistically (quantitative research); especially using the conceptual model and meta-variables (the Tables in this study could provide a template for the meta-variables). In addition, studies could include other CZMA programs with other decision-making models, for example programs that are managed solely by government agencies or by a network of government agencies. Then, a study could be done comparing and contrasting the different models, and specifically compare policy outputs and outcomes.

Besides CZMA cases, other collaborative situations (including those with disruptions) could be tested against the conceptual model. For example local watershed
collaborations could be studied over years in real-time to assess the meta-variables and any change of meta-variables, and the source of the change and effect of the change.

Two indicators that were affected only in the North Carolina case in the post-disruption condition deserve additional research, specifically the capabilities (skills and knowledge) and commitment of the members and staff. Even though these indicators appeared not to be significantly affected by the disruptions in the other cases, the interviewees throughout the study exclaimed the requirement of a high level of skills, knowledge, and commitment on behalf of the members and staff for effective commissions and councils.

Further research on the resiliency or adaptability of collaborations is required, specifically to test the assumptions identified above that meta-variables work to offset each other to ensure resiliency.

Additional research is needed to test the proposal that the ability to recover from the disruptions or be resilient may be a function of: public trust, open, transparent meetings, the structure of the collaboration, and political influence. The importance of these meta-variables and indicators surfaced throughout the study. A commission or council that was not trusted by the public as seen in this study was susceptible to political influences that had the power to directly disrupt (affect) the collaboration. In these cases fortunately, the disruption was a positive influence except for the South Carolina case, but could be negative. For this reason the public trust may play a crucial role in resiliency and should be further studied.

The formal structure of the open meetings and the formal structure of the commissions themselves may protect the commission and contribute to its resilience and
should be tested. Structured organizations with multiple committed partners, formal rules, and extended years in operation are resistant to change and disruption, and have an impetus to continue with their efforts rather than falling apart. This description of a structured organization is reminiscent of a bureaucracy. The expectation is that these commissions or councils have sturdy structures but are more flexible and responsive. This flexibility was seen in the Rhode Island case where with the reduced number of members it relied or depended upon the knowledgeable, skilled members or staff to fill the gap until the stress was relieved.

Political influence must not be discounted as was seen in the Rhode Island case. Although other meta-variables and their indicators allowed the council to survive in the short-term, ultimately the number of members needed to be adjusted to manage the workload in the long-term, so the council and its survival or resiliency was very much at the mercy of the political influences and these influences should be further researched.

The concept of public trust was crucial to this study and begs further research. A national opinion poll of all the state programs associated with the CZMA program could be developed, and specifically ask what factors the participants associate with public trust. Then test these factors and the meta-variables identified in this study for their roles in collaborations through a scientific opinion poll.

A surprising result was the lack of discussion by the interviewees regarding trust and if and how it played a role in collaborations and decision-making. More in-depth investigation with a narrow focus on how individuals make decisions in collaborative collective decision-making situations may shed light on the trust factor, as well as modifying interview questions and including key words to focus on trust. This type of
investigation may also provide further evidence to support the premise that members are committed individuals who value the reputation of the particular commission or council when making decisions. Conversely they may be able to make decisions because of their independence from the agency, their experience, or other factors not yet identified.

Finally, this study has relevance for practitioners. Practitioners are dealing with budget issues and may choose to reduce meetings so as to reduce their budgets. To continue to maintain the public trust, I suggest that practitioners continue meetings and improve the public’s access to these meetings like web-based access, as is done in California. Another line item that is frequently cut is training, and practitioners need to maintain the level of expertise of their commission or council members and make sure they have the proper training, education, and skills.
REFERENCES


management. *Society and Natural Resources, 16*, 371-386.


Just the facts, California’s Economy. (2004). *The Public Policy Institute of California*.


North Carolina Coastal Resources Commission Meeting Minutes. (July 1999).


Williams, P. (2002). The competent boundary spanner. Public Administration, 80(1), 103 – 24


Appendix A

Sample of Questions
SAMPLE OF QUESTIONS

The questions are intended to be answered through analyzing documents and archival information, and attending meetings. Questions I. Through V. will be used for pre- and post-disruption data points for all cases, while Question VI. will be used for the disruption itself for all cases.

I. Factor 1 Questions: Institutional design

1) Who are the members?

2) Who do they represent?

3) Experience, technical skills, knowledge?

4) Interests, socioeconomic class, diversity?

5) How is broad and active participation promoted?

6) How is the public represented?

7) Who appoints commission/council members?

8) How are the legislators or executive branch involved?

9) Who chairs the commissions or council?

10) What is the role of the state agency involved in coastal management?

11) How is collaboration working?

12) What is the formal structure?

13) Who are the leaders?

14) How does it reflect institutionalism, with rules, goals, mission, definition of problems, etc?

15) What are the rules, policies?

16) How does it include networking? Between what groups?
II. Factor 2 & 3 Questions: Relationship Dynamics

1) Who and how are decisions made? By individual or group?
2) Who meets face-to-face?
3) How often meet face-to-face? For what purpose?
4) How did they strive for consensus?
5) How did they build trust?
6) What are the indications that the members and the agency are committed to collaboration?
7) Who leads, steers, or dictates?
8) What work does the agency do compared to the commission/council?
9) How does the agency affect or support decisions? Or do they make certain decisions?
10) Describe joint sharing, joint structure, and joint resources?
11) How do the stakeholders learn from each other?
12) How are power issues handled?

III. Factor 4 Questions: Assessment of the external environment.

1) Describe external environment, politically, legislatively?
2) Describe the climate – environmental protection versus economic development?
3) How are these represented on the commission/council?
4) How are the factions, environment protectionists and economic developers working together? Cooperatively or antagonistically?
IV. Factor 5 Questions: Public trust.

1) How does the public feel about collaboration?

2) Does the public trust the commissions/councils?

3) How is that trust defined, identified, manifested, represented?

4) How is trust connected to other factors? For example, does the public have issues with the commission? Or the agency? Or the structure? Or the rules, policies? Or the outputs, outcomes?

5) Is the wider public aware of collaboration?

V. Factor 6 Questions: Policy Outputs.

1) How may permits were approved?

2) How many land use plans were approved?

3) Are there any qualitative differences between permits and land use approvals before and after disruptions, and at the current status data point?

4) How was the environment affected?

5) How many studies, projects, etc. were commissioned?

VI. Disruption Event

1) Describe the disruption event?

2) How did it specifically affect the key factors in the study?

3) Discuss affect on each factor?
Appendix B

Interview Questions
INTERVIEW QUESTIONS

1) What is the background of the interviewee?

2) What was or is his/her role in the commission or council?

3) What is reason that he/she is involved in the commission/council?

4) How does he/she view the commission/council versus the State agency?

5) What are the differences between them or similarities?

6) What is he/she thoughts regarding the disruption?

7) How did the disruption affect the commission or council?

8) How did it affect the outputs or outcomes?

9) How are decisions made, specifically decisions regarding permits and land use plans (prompts – majority rules, consensus)?

10) Are their rules that the commission follows, though in practical terms, how are decisions actually done?

11) What are thoughts about coastal management? And the value of the CZMA? And the value of the commission/council?

12) How does he/she think the public feels about the commission/council?

13) How does he/she think the process could be improved?

14) Have he/she learned from fellow members, who in particular, and how?
15) Trust is very important in such arrangements, is there trust between members, and how is this manifested?

16) What is the most important attribute of the relationship (trust, learning, sharing, etc.) and why?

17) What would he/she like me to know about the process from beginning to now that I haven’t asked that you think is important?

18) Who else does he/she recommend that I talk to? Why?
Appendix C

HSIRB Approval Letter
Date: July 23, 2010

To: James Visser, Principal Investigator
    Roselyn Zator, Student Investigator for dissertation

From: Amy Naugle, Ph.D., Chair

Re: HSIRB Project Number: 10-07-04

This letter will serve as confirmation that your research project titled “Exploring Collaborative Governance: Case Studies of Disruptions in Coastal Management Collaborations and Resulting Effects upon the Collaborations and Outcomes” has been approved under the expedited category of review by the Human Subjects Institutional Review Board. The conditions and duration of this approval are specified in the Policies of Western Michigan University. You may now begin to implement the research as described in the application.

Please note that you may only conduct this research exactly in the form it was approved. You must seek specific board approval for any changes in this project. You must also seek reapproval if the project extends beyond the termination date noted below. In addition if there are any unanticipated adverse reactions or unanticipated events associated with the conduct of this research, you should immediately suspend the project and contact the Chair of the HSIRB for consultation.

The Board wishes you success in the pursuit of your research goals.

Approval Termination: July 23, 2011