



Comparing stakeholder perceptions with empirical outcomes from negotiated rulemaking policies: Is participant satisfaction a proxy for policy success?

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ARTICLE INFO

Article history:

Received 6 June 2008

Received in revised form

18 August 2008

Accepted 19 August 2008

Keywords:

Negotiated rulemaking

Structural Equation Model

Take Reduction Plans

Marine mammals

Research

ABSTRACT

Evaluation of natural resource management policies often is made difficult by lack of robust or long-term data on the resource. In the absence of empirical data, natural resource policy evaluation may rely on expert or stakeholder perception of success as a proxy, particularly in the context of policies that depend on multi-stakeholder engagement or negotiated rulemaking. However, few formal evaluations have compared empirical ecological outcomes with stakeholder perceptions. This study compares stakeholder perceptions of policy outcomes with ecological outcomes from a long-term, ecological dataset as part of the U.S. Marine Mammal Protection Act's Take Reduction Planning process. Structural Equation Models revealed that stakeholder perceptions were significantly and positively related to positive ecological outcomes. Also, perceived success and ecological performance rankings of the Take Reduction Plans were comparable for those of the five plans examined. This analysis suggests that for this particular policy instrument, stakeholder perception aligns well with ecological outcomes, and this positive relationship is likely the result of a commitment and support for stakeholder education and engagement. However, even within a single policy analysis, there was variability suggesting that the relationship between stakeholder perceptions and policy outcomes must continue to be evaluated. This study suggests that stakeholder perception can be an accurate reflection of ecological outcomes, but not necessarily a predictor of them.

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1. Introduction

The U.S. federal government involves the public in regulation of natural resources along a continuum of engagement. At one end lies the command and control method wherein an administrative agency proposes regulations, releases them for public comment, modifies those rules in response, and implements final rules. At the other end of the continuum, stakeholders work directly with administrative agencies to devise regulations through consensus-based, multi-party negotiation, referred to as negotiated rulemaking [1,2]. Various environmental agencies in the U.S. have

embraced the latter approach, including the Environmental Protection Agency, Department of the Interior, and National Oceanic and Atmospheric Administration (NOAA) [3].

Assessing the efficacy of a policy in relation to program goals is fundamental to policy evaluation [4]. One critical metric of resource policy evaluation is whether the policy resulted in the intended goal, which is to improve resource condition, quality and quantity. However, for policies that are designed to protect natural resources, long-term resource monitoring data often are lacking. In lieu of direct data on the resource, other evaluations for environmental policies generated by multi-stakeholder programs may focus solely on the success of the negotiation process, while others focus on outputs or agreements resulting from the negotiation. Other evaluations focus on participant satisfaction with the process, which affects satisfaction with the outputs [5,6]. Participant satisfaction, however, may not be a good measure, proxy, or indicator of successful ecological outcomes [7–11]. Coglianese [9]

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<http://dx.doi.org/10.1016/j.marpol.2008.08.011>

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