

STONE, SAND, & GRAVEL REVIEW

Official Publication of the National Stone, Sand & Gravel Association September/October 2005



Surviving Community Opposition In a Politically-Savvy World

by P. Michael Saint and Robert J. Flavell
The Saint Consulting Group

When a quarry operator in California sought to open a new mine, a coalition of citizens and activists circulated petitions and chartered buses to pack public hearings against the plan.

When a gravel mining firm in Ohio sought rezoning to allow an asphalt plant on its site, opponents gathered more than 400 names on a petition, and packed the public hearing so effectively that the zoning commission turned down the request.

In Indiana, residents formed a grassroots group, mailed 10,000 fliers and hired a lawyer to stop an asphalt mixing plant—even though the operator was a good neighbor and the land was properly zoned for asphalt plants.

In Virginia, a firestorm of neighborhood opposition to a proposed sand-mining pit prompted the developer to shelve his plans indefinitely and cancel a city council vote.

No matter where in America industry seeks to develop or expand, the proponent faces not only angry neighbors, but also politically sophisticated activists who know how to flex their political muscle.

Land-use permitting processes in the United States are no longer simple administrative procedures. Instead, they have become political campaigns, with all the

strategy and tactical maneuvering of a hard-fought election.

An operator or developer who steps into this maelstrom without doing his homework is likely to get an unpleasant surprise.

In the past, there was little opposition to new quarries and mines because growth was considered to be good for the community, for the economy and for working people. Even if there were some opposition, an explanation of the need for sand and gravel—to fuel economic growth, build roads and homes and provide the infrastructure for the next generation—usually won the day. Besides, the mine was at the edge of town and wouldn't bother anybody.

But the modern American homeowner's sense of entitlement and empowerment has redefined the rules. Families want to live in a quiet, private, sylvan paradise on their little piece of earth—free of anything that makes noise, creates traffic, generates dust or ruins their view. They want their neighborhoods to be safe, quiet, green and pleasant. And if anybody tinkers with their lifestyles, they will unleash a firestorm of political wrath that few politicians can withstand.

Never mind that sand, gravel and stone need to be produced locally for economic

reasons. Ignore the fact that quarries and mines create jobs, pay taxes and help build the economy. Disregard the history that quarries and mines, once located far from the center of town, are now victims of suburban sprawl. They find themselves surrounded by residential and commercial development, whose occupants loudly complain about quarry and mine operations as well as truck traffic on the very roads their gravel built.

The stone, sand and gravel industry is not alone in facing NIMBY (not in my back yard) opposition—not by a long shot. But something new has been added to the old NIMBY playbook: sophisticated political campaign strategy that forces public officials to risk their offices at every vote.

More than two decades in overcoming opposition and permitting controversial projects have taught us that all politics is local, and all site fights are political. Through fierce battles and obstinate obstructionism, we've learned that obtaining local permits in the face of opposition requires the strategy and tactics of a political campaign on the owner's or developer's side, to match those the opposition will use.

To succeed, the operator can no longer simply announce his project and walk into city hall with his filing fee. Before going

anywhere near city hall, the operator must design and implement a careful political campaign and action plan to communicate, compromise and convince. He must neutralize the opposition, organize his supporters and generate favorable public opinion pressure on public officials.

Planning for the campaign needs to start months before there is any whisper of the project. If word gets out before the campaign is ready, the operator loses control of the message, and the opposition will define the issues. In short, the project will stand for blasting and trucks, not jobs and taxes.

We have found there are eight essential elements to winning campaign management. The theme is that operators will need to organize early—before the opposition is awake—to effectively avoid being overwhelmed.

1. Research

After finding a proper site, the operator should invest in a political and community opinion audit. This means researching local newspapers to see how other recent project proposals have been treated and interviewing opinion leaders in the community about development in general and about the potential site in particular.

A telephone poll can then be conducted to determine how the general public and individual political constituencies feel about the project, and to test arguments to persuade opponents to soften their stance.

2. Neighborhood and Public Official Consultations

After completing the early research, the operator should take his idea to local elected government officials and community leaders. He should be prepared to talk in general terms, and expect to have his proposal criticized.

The operator should demonstrate an interest in working with municipal professionals, neighbors and different interest groups in the community. Making these key constituencies feel they are an important part of the process and are working *with* the operator—can prevent an opposition movement from ever coalescing.

3. Press Announcements

Once officials and neighbors are informed, the developer should put together a press announcement that includes a general description, a list of project benefits and an understanding of potential problems and ways to resolve them. This is also an excellent opportunity to include positive information about the operator and the need for quarry or mine development.

4. Neighborhood Involvement

The operator's team should implement door-to-door outreach in the neighborhood, soliciting comments, sharing ideas and making the residents feel they are involved. Ignoring the neighbors is a sure way to engender opposition.

In neighborhood outreach meetings, the operator must be relentlessly reasonable. He must listen respectfully to residents' concerns, try to find solutions to problems and work to get the community invested psychologically in the project.

Although mass neighbor meetings may seem like a way to save time, we find that large gatherings encourage boisterous opponents to feed upon one another's hostility and thus intimidate potential supporters into silence. A small, intimate gathering of two or three families at one neighbor's home creates a better forum for constructive conversations.

5. Communications Materials

In this era of sophisticated opposition, the proponent of even the most benign project must assume that opponents will start a petition drive, write letters to the editor, call public officials and organize opponents into a citizens' committee.

These opponents will create specious arguments and exaggerate facts to oppose the project, and pressure public officials to take an opposition stand. However, they will also raise valid questions about traffic, safety and environmental impacts.

To handle both situations effectively, the operator needs to have ready materials that acknowledge and answer legitimate concerns and questions, correct misconceptions, deflect criticism and communicate in a strong, forthright manner what is positive about the project.

6. Building Support

Opponents to a project are generally motivated without encouragement. But building *support* for a project is hard work.

The side that has the most signatures or the most people at the hearing usually sways politicians, so it is critical for the operator to show community support for his project. Ironically, people who favor a project are usually less emotionally involved than opponents; they just don't get excited the way opponents do. So without great effort on the part of the operator, supporters can't be counted on to show up at meetings, speak in favor, write letters or sign petitions.

7. Public Hearings

Each public hearing before local government agencies is an opportunity to

demonstrate community feeling for or against a proposed project. Whether they occur before elected or appointed town boards or city councils, these are genuine political events when votes are swayed by public opinion. The operator can be sure that project opponents will pack the hall and try to shoot the project down. Preparation is therefore critical.

The astute operator looks upon these public hearings as more than just an opportunity for the project's lawyer to make the formal presentation. Hearings should be orchestrated as staged political events, complete with strategic placement of supporters, signs and stickers, scripted speakers reinforcing key project benefits, public reading of letters from important supporters, presentation of petition sheets and a strategy for identifying and convincing the attending reporters to produce a favorable story.

8. Positioning Strategy

Throughout the project, the strategic communications goals must be for the developer to: appear open and flexible; seem reasonable and prepared to compromise—especially when compared to the most strident opponents; and be honest and concerned.

The tone needs to be conversational, not confrontational. No show of temper. No being goaded into saying things that will be regretted. Cool heads, focus, reasonableness, respect, attentiveness to local concerns—these are the characteristics of the prevailing party.

Since the 1960s, home ownership in America has increasingly included a sense of entitlement and empowerment that began as a sense of community, but has morphed into a sense of control. The burgeoning trend toward sophisticated grassroots political opposition ignores property owner rights and kills projects, regardless of their benefits to the community and its people. This tendency will only get worse.

Ironically, the more the country grows, the more NSSGA members will be called on to provide the essential materials for that construction and repair. While it would be nice for there to be a *quid pro quo*, no one will be exempt from the political wrangling. ■

P. Michael Saint is chairman/CEO and Robert J. Flavell is vice chairman of The Saint Consulting Group, Inc., which focuses exclusively on government approvals processes related to land use, zoning and entitlements. The authors can be reached at (791) 747-7290 or by E-mail to msaint@tscg.biz and flavell@tscg.biz.