

The Margaret Chase Smith Essay: "NIMBY" or Citizen Participation?

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by Bruce Clary

NIMBY, or "Not in My Backyard," refers to the phenomenon of local residents expressing strong opposition to projects being advanced in the name of the public good. At the heart of such objections are the perceived negative consequences of the proposed project, whether that project be a dam for the production of lower cost electricity, a gas pipeline for the transmission of an alternative fuel supply, a group home for the mentally ill, or even a landfill to adequately deal with consumptive waste. These types of proposals, at one time or another, have been advanced in Maine and met strong public opposition.

On one hand, such opposition can lead to active debate about the nature of public goods, the importance of community values, and alternative visions of the future. The consequence is often valid questions about the scientific merit of the project, its location, or even its necessity. In this sense, NIMBY is a direct expression of the rights to free speech and assembly guaranteed under the Constitution.

On the other hand, NIMBY can lead to delays in, or even the termination of, projects originally proposed to achieve public purposes. Often, this public opposition occurs late in the process, takes public officials and project sponsors by surprise, and is characterized as individuals acting solely in terms of their self-interest. Terms like uninformed, over emotional, and unwilling to compromise frequently are used to depict citizens who are voicing opposition.

It is my contention that such labeling serves no constructive purpose, that we need to go beyond the outward manifestations of NIMBY. At the base of many public outbursts over the potential siting of facilities is a pervasive distrust of government. The roots of this distrust can be found in many places: nuclear power and weapons development, Vietnam, Watergate, Love Canal, and, more recently, campaign financing. This distrust manifests itself in an unwillingness to accept what government or project sponsors say, especially about community, environmental, and related impacts.

The limits of modern technology also play a role. Frequently, government officials or project sponsors respond to NIMBY protests with technical or scientific justification of the project's merit. Often, a technical "fix" is proposed to assuage public apprehension. But in many instances, the technology has not evolved to the point where the risks that concern citizens most (e.g., the emissions of heavy metal from a waste burning facility) can be fully reduced. The result is even more public skepticism about the safety of the project.

So what is left? What can a local planning commission or state level siting authority do to reduce this credibility gap? A determined effort by government to include residents and other interested citizens in the process, from start to finish, can help establish the basis of trust necessary for mutually agreed upon alternatives. An important prerequisite of interpersonal trust is having the opportunity to work with someone else. Public involvement programs provide such an occasion for trust building.

Many mechanisms exist to better involve the public. The public hearing is an illustration. Usually the minimum form of involvement required under law, it is a one-way conversation: The public talks and government listens. In terms of building trust, its lack of interaction is a major weakness, and representativeness is also an issue. Is the public as a whole testifying, or just special interests? Public opinion surveys can be valuable. If the sample is drawn correctly, they can be representative. Like the public hearing, however, they do not offer citizens the opportunity. Everyone agrees public input is necessary and vital, yet little consensus exists on the form it should take and the functions that need to be performed to discuss, argue about, and present alternatives to a proposed site plan.

Another strategy, the citizen advisory committee, does allow such interaction, I have seen such committees function as a constructive forum for discussion of general project concepts, review and improve technical proposals, alert decision makers to local conditions that could be adversely affected by the project, and provide alternative courses of action. However, they can be costly, time-consuming, can slow down project action, and may not be representative of public opinion.

The answer to building trust, then, is not to choose one best method for obtaining citizen input, but to use multiple strategies over time. For example, the Maine Low Level Radioactive Waste Committee addressed public involvement through its Citizen Advisory Committee. Throughout the multiyear existence of the committee, citizens engaged in extensive debriefing and interaction with project planners and engineers, technical review of data, surveys, and public hearings. It was an expensive process, but to its credit the siting process moved forward without the intensive political conflict evident in many other states. Whether a waste facility would have been located in Maine is a question that was not answered. The compact with Texas, allowing Maine's waste to be shipped decision had to be made. While it is possible that the final result may not have reflected a full agreement among the parties, without the committee grid lock would have occurred early in the process.

Everyone agrees public input is necessary and vital, yet little consensus exists on the form it should take and the functions that need to be performed. Using multiple approaches is time-consuming and increases initial project costs but can ensure greater equity in terms of the representation of those citizens most likely to be adversely affected and those who feel they have a stake in the outcome. Experience also has shown that well-designed citizen participation programs frequently result in more project responsiveness to environmental and social values. In addition, the possible avoidance of protracted conflicts between citizens and project sponsors often resulting in lawsuits can reduce project costs. For these reasons, as we move forward with such contentious siting issues as the Maine Turnpike expansion, the development of inclusive and comprehensive citizen participation programs should be a priority equal to the enumeration equal to of the project's economic costs and benefits.

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