

Generating Light Instead of Heat (Newsletter)*

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Arguably, the most frustrating aspect for managers and executives when applying for a new or renewed permit is having project objectors glue on a veneer of science to justify their opposition. A lot of heat is generated because of the emotional involvement, but there are ways to convert that heat to light and illuminate the falsehoods. Veneers are known to come off when improperly applied, and this holds true in project permitting.

The two most common reasons under that veneer of science are NIMBY and BANANA. Those in the Not In My Back Yard school tend to act from selfishness; I'm here so you stay away. Those in the Build Absolutely Nothing Anywhere Near Anything school tend to act from their adoption of environmentalism as a religion; it's an article of faith with them that the project will irremediably harm the environment (economic, natural, or societal). These thin claims show up in two settings: political and regulatory.

In the political setting (including legal challenges) objectors try to take advantage of scientific ignorance. The claims are carefully constructed so they appear and sound reasonable and worrisome to those without specific technical training and expertise in the subject. At the local, county, and state political levels, the decision-makers count votes before announcing their ruling. The key to turning the heat to light in the political and legal arenas is education.

The regulatory setting tries to take advantage of situational power. Here the bureaucrat (regulator or resource specialist) can make claims as the designated "expert" and is not required to document and substantiate them. They can also ignore quantitative documentation that disproves their contentions without negative consequences for themselves. This tends to be the more frustrating of the two situations and can be more difficult to resolve.

There are several tactics used by the NIMBYs and BANANAs. These include cherry-picking factoids out of context in published research or data, mis-stating the contents or conclusions of the published "science" they present to support their position, and just plain making up facts or back-dating events. On top of this is the almost universal acceptance by decision-makers that objections can be based on "I think ...," "I believe...," or "I feel..." while the project

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proponent is then required to disprove the allegations. Encouragingly, this can be done in most cases in the political and legal arenas by clear and compelling education. Sometimes this means pointing out the full context of the claimed support or demonstrating that the research actually found the opposite result, or no supporting results at all.

A different approach is required to refute subjective allegations in the regulatory arena. The nature of the approach depends on the agency, the individuals involved, and the history of conversations between the project proponent (and his technical experts) and the agency staff. Here, too, objectivity can prevail in most cases.

Regardless of geographic location, ecological setting, type of project, and subject of the claims of harm, there is consistency in how these objections are based and presented. This allows us to use experience, expertise, and communications skills to clearly and effectively explain complex technical issues to a non-technical audience in order to refute those claims. When we do so we turn emotional heat into light that results in the permit being issued.

Remember: previous newsletters are available for download from our web site's "What's New" page. You can also find white papers, articles, and presentations freely available for your use.