



CORNELL WASTE MANAGEMENT INSTITUTE

Center for the Environment

Rice Hall

Ithaca, NY 14853-3501

(607) 255-1187

WINNING WHEN YOU HAVE LOST: Cutting Your Losses With Host Community Benefits

*Lyle S. Raymond, Jr., Kenneth H. Cobb and Clifford W. Scherer
Cornell University*

Since few communities volunteer to host a new landfill, usually a government or private entity outside the impacted neighborhood decides where the new site will be and imposes its decision on an unwilling community. Perceived fears provide the basis for opposition: decline of property values and community image; groundwater contamination; loss of development potential; uncertainty about future environmental problems; distrust of technology; increased truck traffic and consequent road deterioration and littering, to name a few. Compounding the problem are a lack of trust in promises of safety, lack of faith in governmental regulations and oversight, and fear that officials are neither sensitive to nor understand neighborhood concerns.

The arguments for and against a site polarize communities. One wins if the landfill is located in another neighborhood; one loses if it is forced to accept the site. Rarely are issues of fairness and equity discussed, such as how all those who use the new landfill benefit from it and therefore should share its potential detriments. And conversely, how those who shoulder the burden to a greater extent are entitled to fair and equitable treatment and some consideration for potential impacts.

This Fact Sheet examines a method investigated or adopted by many communities in New York and elsewhere to address this controversy and provide some way for affected residents to face the reality of compromise in resolving a common problem.

Are you in the midst of siting a waste disposal facility? Is the facility being sited in your back yard? Or are you breathing a sigh of relief because the facility is going elsewhere? If you answered yes to any of these questions, you need to know more about **Host Community Benefits**.

How your community disposes of your garbage can be one of the most controversial issues debated today. Nobody wants garbage dumped in their back yard. The situation can become even more contentious when waste from other communities is also involved. These controversies have become more strident as regulations have become stricter, thus forcing many

facilities to close. Public awareness and concern has heightened over perceived environmental, economic and social problems. Siting new waste disposal facilities has become costly as irate citizens block all attempts by others to discuss, inform or convince them that the facility not only will be safe, but is the best solution to an ever-growing waste problem.

Unfortunately, siting conflicts do not have a "win-win" solution for any involved parties—the local community, county or local government, or private industry. Host Community Benefits is an emerging concept to reduce the losses to all parties in the resolution of the siting controversy.

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Host Community Benefits

The cornerstones of Host Community Benefits (HCB's) are **compensation** and **mitigation**. The moral and logical goals of the concept are **equity** and **fairness**. The attempt is to balance the need for safe disposal of solid waste with the sacrifices borne by a solid waste disposal facility's host community. Additionally, such programs give citizens a participatory role in the process.

To understand how HCB programs work, one must determine their personal stake. Here's how:

For those in the impacted neighborhood who feel powerless and threatened, the stake is the perceived risk of siting a facility in the vicinity. "Winning" means only one thing—to stop the siting of the facility. If they cannot stop it, they have "lost." Or have they? Initiation of an HCB package after a site has been chosen is the only method of cutting losses. It ensures that you, your neighbors and your community will receive at least some compensation for the losses you feel are important.

For the county or private corporation, the primary stake is to succeed in siting the facility. If they alienate the public while accomplishing this goal, they will have "won the battle but lost the war" for the trust they need for future decision making, expansion or image building. Entering good-faith negotiations with affected citizens in

the development of an HCB package can help restore some of the trust. Even if a site is "lost," perceived sensitivity and openness in working with community representatives by responding to their fears will help maintain credibility for siting decisions and relations in the future and elsewhere.

For the citizens of the rest of the community or county who escaped the site, an HCB plan is the mechanism for reimbursing—through taxes or user fees—the host neighborhood for the sacrifices it will bear.

Therefore, no matter what the situation, everyone is involved in one way or another; everybody both wins and loses. An equitable balance is sought.

Benefit programs are unrelated to specific site selection. Rather they focus on helping the community at large fairly and equitably

manage its solid waste without penalizing a host community.

This discussion focuses on landfills, but the concepts can be applied to all waste management facilities.

A Balancing Act

Simply stated, the concept of Host Community Benefits aims to balance the *sacrifices* a local neighborhood and its individual citizens must bear in hosting the site of a waste management facility against the *"reverse" benefits* received by users of the facility who escape having it in their neighborhood. Various benefits can counterbalance perceived and real threats to public health; the social, economic and physical environment and individual rights.

In return for hosting a new landfill and accepting negative impacts,

Preferred Benefits

This table lists the benefits preferred and those rejected by citizens responding to public opinion surveys undertaken in Tompkins and Onondaga Counties, New York.

Tompkins County Landfill (Dryden)

Onondaga County Landfill (Van Buren)

Top 10 Choices

Top 10 Choices

<u>Benefit</u>	<u>Percent Favoring</u>
Free Water Tests	95%
Guarantee to Replace Water	92
Enforce Speed Limits	92
Hire Own Property Appraiser	92
Monitoring Well Reports	90
Property Value Protection	89
Landscaping	88
Restricted Operating Hours	87
Local Inspector	83
Special Contingency Fund	82

<u>Benefit</u>	<u>Percent Favoring</u>
Guarantee to Replace Water	88%
Extend Public Water Lines	88
Hire Own Property Appraiser	87
Control Litter	87
Free Water Tests	83
Landscaping	82
Monitoring Well Reports	80
Restricted Operating Hours	77
Local Inspector	75
Enforce Speed Limits	75

Bottom 10 Choices

Bottom 10 Choices

Community Festival	26
Neighborhood Pool	27
College Scholarships	29
Park/Playground	30
Support Community Center	41
Public Sewer Lines	45
Payments to Town	47
Landfill Job Priority	50
Public Water (by opening date)	50
No Private Construction Disposal	53

College Scholarships	19
Free Water	21
Wildlife Ponds	26
Housing Loans	31
Reduce County Taxes	34
More Landfill Entrances	38
Support Ambulance	41
Free Town Garbage	41
Payments to Town	44
Support Fire Service	48

the host community is entitled to certain benefits. Hence, the concept of benefit sharing applies to the whole community: the neighborhood near the landfill is given benefits to ameliorate the impact of the nearby landfill, while the rest of the community receives the benefits of a new landfill without having it close by.

Mitigation

Mitigation refers to reducing problems and impacts that the host community believe may be caused by the landfill. Acting as a preventative maintenance incentive, it is also a way of encouraging compliance by the operators of the landfill with agreed-upon protective measures and operating procedures. Mitigative measures involve guarantees of costly remedial actions that do not kick in unless contamination occurs due to sloppy management. To avoid this possibility, landfill operators are stimulated to manage it so as to avoid these costs kicking in.

Mitigation addresses the dangers and fears of drinking water contamination, deterioration of highways, littering, odors, noise, visual eyesores, vermin, and reduced property values. By providing free water testing and guaranteed replacement if contamination is found is one example of how drinking water contamination can be mitigated.

Compensation

Compensation means providing some kind of direct payment (usually money or services) to offset the intangible effects of the landfill, such as a blemished community image and lower quality of life.

Compensation benefits can be in the form of cash payments to the host community's government, tax breaks, extra support for fire and ambulance services, free garbage

pickup, new parks, and offering landfill jobs to local residents. Often, however, such benefits are perceived as bribes to buy off the community.

Flexibility

The process of determining an HCB plan is inherently flexible. It is as individual as each host community. Since each community has its own unique demographics, geography, and economic climate, the benefits to be gained are negotiated depending on the needs and character of that community. No two HCB packages are alike. Examples of preferred benefits are shown in the table to the left.

It is crucial to remember that negotiating HCB's will not remove opposition to landfill siting. It is better if HCB's are negotiated separately from the siting controversy itself. Otherwise HCB's may become entangled in the siting process, and used as weapons during an antagonistic process, making negotiation futile. Opponents may view HCB's as unacceptable bribes, undermining their opposition to a landfill site. Still, pursuing an HCB program is useful since opponents can use HCB's as a contingency plan should their efforts to prevent siting fail.

Citizens Advisory Committee

Citizens Advisory Committees (CAC) are a *critical part* of Host Community Benefits. Through them, citizens feel recognized and respected; they understand that they are part of the process and thus are empowered to participate. Two types of CAC's are important: **generic and site-specific**. This two-track system is attuned to the needs of both the larger community and the affected neighborhood, as well as to the different stages of the siting process.

A generic CAC is useful in the early stages of siting, before a spe-

cific site is chosen. It should have broad membership providing general citizen input to all aspects of the siting process, including the site search.

The CAC develops a generic HCB plan as a starting point for negotiating a more specific HCB program with the impacted community after a site is chosen. The generic CAC becomes the vehicle for providing public information on benefits to be considered and how they might be applied. Public opinion surveys may be conducted to obtain or verify public attitudes on solid waste issues, including HCB's.

After a site has been selected, the formation of a site-specific CAC can refine the generic HCB program to reflect the concerns of the affected neighborhood, who too often feel shut out, ignored or devalued. Frustration over feelings of impotence in the decision-making process is an important component of public reaction in the impacted community. To maintain credibility, the affected neighborhood should have dominant representation on this CAC.

Both types of CAC's must be officially recognized and have membership from, or at least access to, governmental planning, public works and health department staff to benefit from their expertise. If this is not possible or desired—the CAC may feel these experts' interests conflict with those of the committee—funds can be provided to the CAC, or directly to the affected community, to hire their own technical experts and conduct their own studies of the proposed site.

Public Opinion Surveys

Surveying residents and property owners in the vicinity of the proposed landfill provides data useful in assessing community feelings and perceptions and determining preferred benefits. Usually commissioned by the sponsoring entity

or a CAC and conducted by a neutral third party, the survey asks residents and property owners what they think of proposed benefits, what course of action they recommend, and their opinion of solid waste issues. The data generated should be freely shared to build trust and encourage open communications.

Such surveys demonstrate that the facility sponsor or local government will seriously consider local concerns. They are also an effective public education tool to inform people about HCB's since these are usually poorly understood; people are often suspicious of their purposes.

Public opinion surveys also provide another mechanism for citizen input. Public meetings are often the only source of direct public input. However, public meetings require that those who participate actively by speaking have confidence in their speaking ability and the courage to stand up in public. Also,

due to time constraints, only a limited number of people can speak at any one meeting, thus limiting the public's input into decision-making. A well-designed survey gives everyone equal opportunity to provide input unhampered by the pressures of public speaking.

Judging by surveys taken in various communities around New York State, the public's views are remarkably similar. For example, surveys undertaken in Chenango, Onondaga and Tompkins coun-

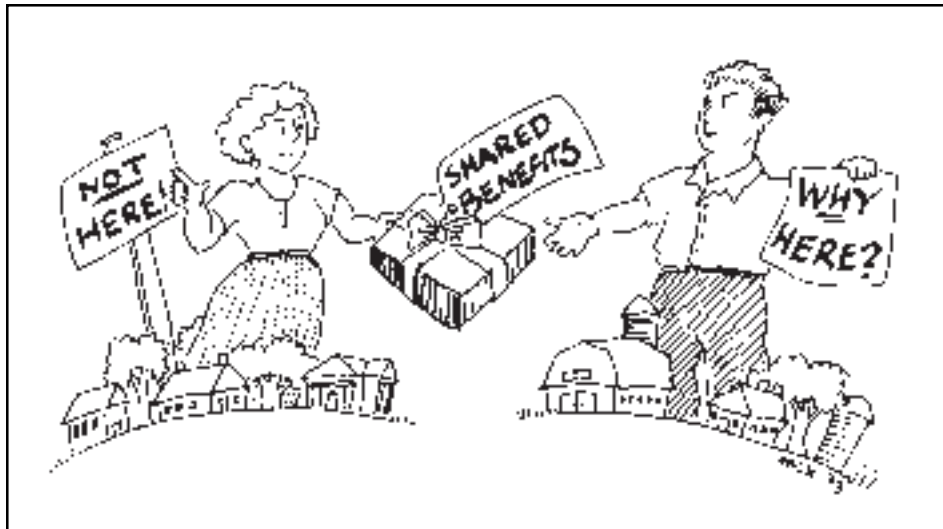
ties—which have markedly different characteristics—indicated that people shared the same attitudes about host community benefits.

The conclusions of the public opinion survey concerning the proposed Van Buren Landfill in Onondaga County are indicative of statewide public opinion. "An examination of the responses to the questions leads to one conclusion," states the survey's Final Report. "Respondents to this study present an overall picture of rational concern: They are interested in preserving their environment as it now is—both natural and economic. They (like all of us) desire some control over the events which are impacting on their lives. Their belief in technology (technical safeguards to prevent water contamination, for

and fears is vital to the success of negotiations. Specific benefits can be targeted in response to specific fears.

Equally important in the negotiating process is determining who will be eligible to receive benefits. The impact area can be rigidly defined by drawing lines on a map or more loosely defined depending on meeting certain criteria in order to receive benefits, regardless of location. In the latter case, different criteria can be applied to different benefits. For example, threats of water pollution are more critical downhill from the site as opposed to uphill, while loss of property values may depend on access roads or wind patterns.

Administration



After negotiations have produced an HCB agreement some entity must be designated to administer it. This could be the sponsoring entity, the local community, a separate body specifically formed for the purpose, or some combi-

example) is limited. But their approach to solving the problem is, for the most part, a rational one." (Some results of the survey are shown in the table on page 2.)

Negotiation

To avoid suspicion of impropriety, negotiation of HCB's should be informal and open. Again, it is crucial that negotiations represent the community's feelings.

Sensitivity to local perceptions

nation of these. Whatever the composition of the administering body, to be successful, it must have **credibility** within the affected community. Following a protracted or contentious dispute or litigation, the impartiality and credibility of the administering agency becomes all the more important.

Benefits of HCB Programs

A Host Community Benefits program can accomplish several goals

Case History

The experience of **Tompkins County**, NY illustrates the HCB concept. This Central New York county (located midway between Syracuse and Binghamton) began consideration of a new county-operated landfill in 1985. A site was selected by the county in 1987 and implementation of benefits in the affected community began in 1989.

Initially the HCB concept was introduced to county officials, who were receptive to the concept and supported further discussion. HCB's were introduced to the public at several meetings on solid waste disposal issues.

Following a year and a half of quiet discussion and networking about the concept, one town supervisor (whose town included potential sites preliminarily identified by the county) proposed a detailed HCB program to the county solid waste committee. Subsequently, other towns proposed HCB plans.

The county Board of Representatives passed a resolution committing the county to negotiate a benefits program with the selected community. The resolution contained provisions for off-site well monitoring, creation of a citizens advisory committee, guaranteed potable water, property-owner compensation against adverse impacts, property value protection, financial compensation for the host town, and recycling and waste reduction programs. This resolution was passed six months before a site was selected.

Once a site was selected a Citizens Advisory Committee was created by the county from a list of people identified by community residents, citizen leaders and local officials. The committee was composed of 11 voting members: 2 selected by the affected town, 1 selected by a neighboring village, 5 selected by the county to represent landfill neighbors, 1 representative of the county board, and 2 selected by the county as at-large members. In addition, the county appointed the planning commissioner, public works commissioner, solid waste manager, assessment director, and environmental health director as nonvoting members.

A compensation task group was created to draft a more detailed HCB program. One of their first recommendations was to undertake an opinion survey of the affected neighborhood. The survey, paid for by the county and conducted by Cornell University, polled all property owners on the assessment rolls and all renters who could be identified within two miles of the proposed site—67% of property owners and 23% of rental households responded. In addition to gathering data on the affected community, the survey informed residents about the benefits program and guided the county in developing an acceptable plan.

The benefits preferred by respondents to the Tompkins County survey are listed in the table on page two.

Cornell Cooperative Extension of Tompkins County developed a countywide educational program on solid waste issues, including HCB's. County residents gave the presentations, not county officials (though a county official was on hand to answer questions), to several towns at well-attended public meetings.

A Neighborhood Protection Committee was created to implement the HCB program. The committee reviewed all requests for benefits and recommended appropriate action. The landfill was delayed due to wetland issues and continued reevaluation of priorities, and has now been abandoned on the basis of cost changes. Property value protection had been only benefit in effect.

Other New York counties have taken action on HCB programs, including Broome, Chenango, Dutchess, Monroe and Onondaga. Interest in the concept is being expressed by officials in a growing number of other New York counties. The New York State Department of Environmental Conservation, in a technical assistance guidance document for siting waste facilities, emphasizes that an HCB program should be strongly considered.

but does have *limitations*. It provides a more equitable and fair response to affected residents. It opens communication channels between residents and decision makers and involves those who are impacted in the process.

Limitations of an HCB program

must be kept in mind. It will not stop opposition to a particular site nor will it stop lawsuits, although this may become part of the negotiations. Since it is best considered as a separate issue, it has little effect on the selection of a specific site.

Perhaps the greatest benefits of HCB programs are that they promote sensitive consideration of residents' fears and foster better, more equal relationships between residents and decision makers. In his book *The Community Development Process*, William Biddle found that

shared decisions are usually more actively supported by the community at large as well as being less prone to criticism or counter action by opposing groups.

The cost of HCB programs are low relative to the total cost of developing a landfill, particularly where mitigation (triggered by specific negative events) is favored over compensation (where funds are spent regardless of specific events).

A Host Community Benefits program directly addresses the fairness of competing interests between those who benefit from the new landfill and those who must live as its neighbors.

Lyle S. Raymond, Jr. is Extension Associate and Water Resources Specialist with the Local Government Program and the New York State Water Resources Institute in the Center for the Environment at Cornell University; Kenneth H. Cobb is Senior Extension Associate with the Waste Management Institute in the Center for the Environment at Cornell University; and Clifford W. Scherer is an Associate Professor in the Department of Communication at Cornell University.

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**The Cornell Waste Management Institute
Cornell University
Rice Hall
Ithaca, NY 14853-5601**