Panel: Integrating Stakeholder Perspectives

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INTRODUCTION

Contaminated sediment sites typically present numerous complex technical challenges. Their complexity is compounded by regulatory and policy challenges, which are significant in part because contaminated sediment sites impact numerous stakeholders including recreational users of the water body (e.g., anglers, waterfowl hunters, boaters); industrial users of the water body (e.g., industrial dischargers and water withdrawers); commercial users of the water body (e.g., navigational, fisheries); subsistence anglers; residents along the water body; municipalities and developers with an interest in waterfront revitalization and redevelopment; publicly owned treatment works; natural resource trustees; regulators; and potentially responsible parties.

These stakeholders often hold diverse opinions about the current and future uses of the water body, affecting how they believe contaminated sediment in a particular water body should be addressed. They also tend to have different levels of understanding about the technical challenges presented by complex contaminated sediment sites, including misperceptions about the potential effectiveness of one or more of the limited remedial options currently available to address contaminated sediment. If not addressed upfront or early in the life of a contaminated sediment site, this diversity of opinion and understanding can preclude meaningful dialogue among stakeholders, cause polarization of views, and make integrating divergent perspectives difficult. If communication is left until a proposed cleanup plan is presented, many stakeholders may feel excluded from the process, not fully understand the cleanup plan, and consequently may voice disagreement with the proposed cleanup plan, which could slow progress at a site.

Panelists tackled the challenging issues of effectively communicating with stakeholders and integrating their perspectives.

OVERVIEW OF STAKEHOLDER ENGAGEMENT

Managing risks at complex, contaminated sediment sites involves engaging stakeholders, which is a U.S. EPA priority. For example, risk management principle #2 for contaminated sediment sites is "Involve the community early and often" (U.S. EPA 2002). Benefits of involving the community "early and often" include obtaining site information, understanding impacts on the community, and facilitating meaningful community participation through the provision of technical information. These regular communications lay the foundation for community acceptance of the final remedy by addressing upfront common misperceptions on sediment site remedial options. Community acceptance is important because it is one of the nine National Oil and Hazardous Substances Pollution Contingency Plan (NCP) remedy selection criteria, and remedy implementation often requires ongoing cooperation from the community.

Who Are Stakeholders? Stakeholders vary by site but may include community members; neighbors; property owners; users of the waterbody (i.e., commercial, industrial, and recreational); potentially responsible parties (PRPs); federal and state government agencies overseeing Superfund, wetlands, water, fisheries, and historic preservation; tribes; and natural resource damages trustees. For example, at Atlantic Wood Industries Superfund Site in Virginia, stakeholders include the U.S. Navy, PRPs, and other government agencies. At Portland Harbor, tribes are a key stakeholder in the remedial investigation/feasibility study as is the State of Oregon, particularly because of the State's role in supervising the upland source control activities.

When and How Do You Engage Stakeholders? Sometimes, absent some crisis or an urgent matter at a site, stakeholders are engaged only when the proposed remedy is released for public comment. At other sites, stakeholders are brought in early in the process, sometimes as soon as a site is identified. Engaging stakeholders earlier in the process rather than waiting until a crisis or remedy selection has many benefits, including the opportunity to build credibility and trust and for interested stakeholders to understand the characteristics of the site, the technical challenges at the site, and what can realistically be accomplished at the site through remedial action. This can result in earlier and greater acceptance of the selected remedy.

The panelists agreed that stakeholder engagement should not happen just once or twice or at the beginning and at the end of the site life cycle. Rather, it should be viewed as an ongoing process. Sediment sites and the process by which they are addressed have a long lifetime. Stakeholders' views can change over time, and any stakeholder engagement process must be reflective of and cognizant of the potential changes.

Resources are needed to effectively and productively engage stakeholders, such as the public. At Superfund sites, there are funding mechanisms for community advisory groups. Resources help stakeholder groups meet, obtain, and disseminate information about the site, and work with outside experts to understand the technical challenges a site poses. Informed stakeholders can provide timely and substantive input, benefiting everyone involved at a site.

GOALS OF COMMUNICATING WITH STAKEHOLDERS

All panelists agreed that communicating with the public and community stakeholders can be challenging because we, as scientists and engineers, are not accustomed to conveying scientific and technical concepts to nontechnical stakeholders. Experienced practitioners often tend to use their familiar jargon rather than plain language. This barrier can be problematic regardless of the goals of any particular communication.

What are the goals of stakeholder communications? Understanding? Consensus? Goals vary depending on the site or the setting. For example, there are several sites along the Elizabeth River, but stakeholder participation by the community spans the sites rather than being site-specific. The Elizabeth River Project's goals include knowledge sharing. The challenge is to convey information from technical folks to nontechnical community members who need the information. Once the foundation for understanding has been laid, dialogue about what is important for the future of the Elizabeth River and "buy-in" to specific projects may follow.

In the Superfund setting, communications go both ways. Project managers interact with the community to help the community form reasonable expectations about what sediment remedies can and cannot accomplish and what trade-offs may exist. They listen to the community to find out what is important to the community. Once the community has had the opportunity to learn about site issues, the project manager typically seeks feedback on the community's views. Therefore, in the view of the panelists, the goal is neither understanding nor consensus. Understanding is important but not sufficient, and consensus may not be realistic or follow from understanding. Thus, informed feedback often is the goal.

If stakeholders are not involved and informed, progress can slow down at a site. It takes only one person to call the newspapers or a politician, with the result being a change in priorities at the site and a potential slow-down in progress as inquiries from the press and politicians are addressed. Keeping open lines of communications with stakeholders builds credibility and trust and can prevent or reduce the likelihood of the situation where a stakeholder who feels excluded from the process calls the press or politicians.

"Community wisdom" can play a key role at sites. For example, at one site, insufficient numbers of black bass were being caught during the fish-tissue collection program until the local fishing community provided assistance. At another site, winter work on ice presented a safety issue for area snowmobilers. Finding out which groups to work with to educate snowmobilers about the safety issue was critical to ensuring everyone's safety. Similarly, at other sites, the impact of truck traffic on school bus routes was of serious concern to the local communities and had to be addressed to provide safe environments.

In summary, four key points are applicable at most sites:

1. Stakeholders want to understand the process and the timeline.
2. Stakeholders need a good understanding of the extent of the problem, and of the potential remedial options. Typically, they have heard rumors and may have formed misperceptions about the key issues (i.e., the nature and extent of the problem and potential options for addressing the problem).
3. All parties need to understand and communicate about the role of science at the site.

4. Project teams, including the scientists, need to seek out "community wisdom" and demonstrate a responsiveness to it.

ROLE OF STAKEHOLDER ENGAGEMENT IN DECISION-MAKING

Stakeholders provide key information about what is important to the community, such as the anticipated future uses that might be desired, which feeds into the decision-making process about how to manage risks at contaminated sediment sites. Sometimes, stakeholders even work toward providing alternative solutions. The usefulness and value of stakeholder input depends on stakeholders having a common understanding of the issues and potential options for managing risks. However, stakeholders are not the decision-makers at Superfund sites, and it is important that this be clarified during the initial stage of the site proceedings.

For example, a project manager at one site learned of the importance of a mudflat to a group of stakeholders. Everyone worked hard to find an alternative that would save the mudflat, but none could be found. Because of the stakeholder engagement process, everyone understood why the mudflat could not be saved. If that issue had not been raised as early as it was, with the subsequent effort to find a solution, the stakeholders undoubtedly would not have been as understanding as to why the final remedy did not preserve the mudflat.

At another site, stakeholders felt the proposed solution was overbuilt and would destroy a valued meadow. They worked together to find an adequate solution that would preserve the meadow. This alternative was ultimately adopted as the final remedy.

ADDRESSING CHALLENGING STAKEHOLDER SITUATIONS

At some sites, stakeholders are very polarized, and there may be dominant voices that do not represent the mainstream perspective of the community. A vocal minority of stakeholders who do not represent the mainstream community may persist in dominating the dialogue and elevating the issues using such techniques as calling the media, "going political," or involving national nongovernmental organizations. Perseverance is key when faced with vocal minorities because they tend to discredit themselves over time with the rest of the community. To facilitate hearing voices in addition to those of the dominant personalities, it may be helpful to limit them to two questions per meeting or otherwise put bounds on their participation. This technique works when the community clearly is tired of hearing from the dominant personality.

For example, at one site, it was reported that stakeholders at meetings yelled at and called each other names. This was not productive because it made it very difficult to capture the variety of opinions and could have discouraged some individuals from participating in the process. Politicians and the media were drawn into the scrum, and it was challenging to prevent the majority of the community's voices from being drowned out.

At another site, a small town was overwhelmed by the presence of approximately fifteen national environmental groups and national media at every stakeholder meeting. The community was focused on very different things than were the national environmental groups and the national media. The local community was losing its voice and was very frustrated. To rectify the problem, it was acknowledged that the national issue had to be addressed, and then the local community was provided a different venue for voicing its concerns.

One strategy for preventing political or media problems is to provide information throughout the process to politicians, the media, and local experts to whom the media might turn for information or opinions. Educating and building credibility and trust with politicians, the local environmental reporter, and local experts (e.g., local professors) can help. A politician does not want to hear about a potential problem for the first time from an angry constituent. If the politician hears first from an angry constituent, damage control is very difficult because credibility and trust have not been established. Similarly, if the first time the local media is engaged is after a negative story about a site, trying to address perceptions after the fact is challenging, again because credibility and trust have not been built. Moreover, establishing a relationship with the local media may increase the opportunity for balanced viewpoints to be presented in articles and stories about the site. Otherwise, the media may gravitate toward the interesting story, which may be more reflective of extreme viewpoints. Over time, this could result in polarization and make continued, effective communications with stakeholders more challenging.

EFFECTIVE TECHNIQUES AND FORMATS FOR STAKEHOLDER ENGAGEMENT

Some formats are more conducive than others for soliciting input from a wide variety of stakeholders. Formats range from establishing a working group that will provide input throughout the life of a site to formal notice and comment on a proposed plan.

For example, at one site, a professional facilitator was retained to form a group that represented a cross-section of the community, and this group was asked to communicate with the broader community. At the group's request, a regularly updated, informational website was created, and periodic site updates were sent to community members. These updates contained information on upcoming meetings, new developments, and other news of interest. One of the biggest challenges was keeping the group together for the duration of the site proceedings. Volunteers can become worn out over the long duration of Superfund sediment sites.

Formal input, either through public meetings or notice and comment, often is not the most productive way to solicit input. First, it often occurs too late in the process (i.e., after a plan has been proposed) for it to be effectively addressed. Second, it can result in posturing, with vocal minorities raising the same issues over and over again. This can frustrate those in the mainstream, who may lose interest in participating. As an alternative, drop-in sessions or open houses can be a good way to solicit a broad range of input. Individuals who may be reticent to speak publicly or to sit through public meetings where a vocal minority rehashes the same issues may be more willing to speak at a drop-in session or an open house.

Whatever the format, it is important to show all stakeholders that their issues and views are taken seriously.

USING A COMMUNICATIONS EXPERT FOR STAKEHOLDER ENGAGEMENT

Professional facilitators can help bridge the communication gap that often exists between the project team's scientists and engineers and the public. They can help hone the message so that people do not tune out during a presentation or miss the key message in a presentation. In addition, professional facilitators often are very important when there is media interest, because they can communicate with their fellow professional communicators on the same level.

However, the decision to use a professional facilitator is a site-specific decision. There are some situations where a professional facilitator is not helpful. For example, if the professional facilitator does not understand key technical nuances at a site, the facilitator may answer questions incorrectly, thereby putting the project manager in a bind by undermining the project team's credibility. Thus, if a professional facilitator is used, it is important that the facilitator be well versed in the technical aspects of the site and be treated as an integral component of the project team.

CONCLUSION

Engaging stakeholders early in the life of a complex contaminated sediment site has many advantages. It establishes credibility, trust, and an ongoing dialogue and provides important information about the site and potential options for managing risks at the site well in advance of remedy selection. It also allows the project team (i.e., the agency and responsible parties) to listen to and understand the concerns of the community and address those concerns as part of managing risks associated with contaminated sediment. Stakeholder engagement is a critical aspect of addressing contaminated sediment sites and as such, it should be conducted in a thoughtful, purposeful manner.

REFERENCES

National Oil and Hazardous Substances Pollution Contingency Plan. 40 CFR Part 300.

U.S. EPA. 2002. *Principles for Managing Contaminated Sediment Risks at Hazardous Waste Sites*. OSWER Directive 9285.6-08.