

Docket ID No. EPA-HQ-OAR-2012-0452**Comments on June 26, 2012, Federal Register Notice, "EPA Activities to Promote Environmental Justice in the Permit Application Process, Appendix—Best Practices for Permit Applicants Seeking EPA-Issued Permits: Ways to Engage Communities at the Fence-Line"****Submitted by**

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Synopsis

These comments describe the importance of ensuring that community engagement activities (especially those designated "best practices") are thoroughly grounded in knowledge of the community and the stakeholders who reside, work, learn, or play within it. The components of a basic "community assessment" as spelled out in by some of the activities outlined in the U.S. EPA's 1992 document, "Community Relations in Superfund: A Handbook," have been used by the Agency and its contractors for several decades. However, the comments contained herein explain how an enhanced assessment process—which offers an approach involving "indicators" that is similar to the one spelled out in the U.S. EPA document, "Toolkit for Assessing Potential Allegations of Environmental Injustice"—can provide the insights into stakeholders and their communities necessary to work toward achieving "meaningful involvement" and environmental justice.

The enhanced assessment process described in these comments was developed by Carol J. Forrest, president of Rose Hill Communications, Inc. (www.rosehillcommunications.com). It is based on her work with more than 60 private- and public-sector organizations over the past 20-plus years. Most of Ms. Forrest's assessment work (which afforded her the opportunity

to develop and enhance the model) has been performed for the private sector. She has worked primarily with chemical-manufacturing or hazardous waste treatment, storage, and disposal facilities to support permitting activities or to meet other regulatory or industry requirements for community relations/public involvement. As such, these comments are based on real-world experience.

In addition to discussing the enhanced community assessment process and key community characteristics that can and should be identified, these comments also address certain public engagement practices or tools that are sometimes poorly applied by facility or corporate management or by communications consultants who do not fully understand the issues surrounding environmental justice or meaningful involvement.

1.0 Introduction

As part of its efforts to achieve environmental justice, the U.S. Environmental Protection Agency is seeking to promote “meaningful involvement” in the public decision-making processes surrounding the granting of environmental permits. The term “Meaningful Involvement,” as defined on page 3 of “Plan EJ 2014,” means that:

1. Potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health;
2. The public’s contributions can influence the regulatory agency’s decisions;
3. The concerns of all participants involved will be considered in the decision making process; and
4. The decision makers seek out and facilitate the involvement of those potentially affected.

Over the years, U.S. EPA has been working on a system for gathering information and measuring the likelihood that environmental injustice—disproportionately high adverse effects of impacts on low-income and/or racial or ethnic minority populations or communities¹—could be present in

¹ Note that demographics may not be an absolute determinant: “Historically, environmental justice concerns have focused on populations considered to be minority and/or low-income; however, since environmental justice is

given communities or populations. The U.S. EPA document, "Toolkit for Assessing Potential Allegations of Environmental Injustice," published in 2004, outlines a preliminary system for gathering and assessing such information.

I will be commenting on the "Appendix—Best Practices for Permit Applicants Seeking EPA-Issued Permits: Ways to Engage Communities at the Fence-Line," to the June 26, 2012, Federal Register Notice, "EPA Activities to Promote Environmental Justice in the Permit Application Process." However, I mention the "Toolkit" because it uses an "Indicators" approach for gathering and analyzing information and data on environmental and health impacts on communities and populations. This is an excellent approach that allows stakeholders to consider both quantitative data and qualitative (though still well-supported) findings during their discussions and to inform their decision making.

Unfortunately, I found the "Best Practices" set forth in the Appendix of the June 26, 2012, Federal Register Notice to be seriously lacking—especially when held up to the rigorous "indicator" process described in the "Toolkit." And although the "Toolkit" includes suggested "indicators" for gathering information on the "social" and "economic" characteristics of communities and populations, unlike the breadth and depth of "indicators" described to assess "environmental" and "health" characteristics, which should provide highly useful and well-documented data, the suggested "indicators" in the "social" and "economic" categories fail to mention several community and population characteristics key to understanding the needs of stakeholders and, ultimately, to crafting public involvement efforts that will make "meaningful involvement" more likely.

This is surprising given that EPA and/or its contractors have historically gathered basic information pertaining to social factors that can influence the manner or extent to which stakeholders may participate in dialogues surrounding environmental decision-making. Components of a basic community assessment process are presented in EPA's "Community Relations in Superfund: A Handbook" publication, both within Appendix A, Community Interviews, and Appendix B, Overview of Community Relations

defined as the fair treatment of all people, this characterization would not necessarily cause an (EJ) assessment to be considered "closed" if the population were not considered minority or low-income," From "Toolkit for Assessing Potential Allegations of Environmental Injustice," pp. 21-22.

Plan. Over the 20 some years since I initially became acquainted with the basic assessment model, I have expanded its scope-of-inquiry substantially. The process I now use is as rigorous as EPA's "Toolkit" approach for "environmental" and "health indicators", and far more rigorous than the approach used for the "social" and "economic indicators" in that same document. Like the "Toolkit" approach, the assessment process I use is scalable and can be used in large, complex, and overlapping communities or jurisdictions as well as small towns and rural areas with relatively stable and homogeneous populations.

As an added benefit, the assessment process that I use can generate documentation to demonstrate that a serious effort has been undertaken to identify all potential stakeholders who might be interested in, affected by, or perceive that they are affected by a permitting action, and that stakeholders' needs and preferences for participating in substantive dialogues have been considered and accommodated to the extent practicable in the design of public engagement activities.

2.0 Commenter's Background and Basis for Commenting

Before I present my comments, I shall describe my professional experience and expertise in environmental community relations/public involvement and the process of community and stakeholder assessment. My name is Carol J. Forrest and I have worked in the environmental consulting and environmental community relations/public involvement field for the past 24 years. The first four years were spent working primarily on the technical side of environmental consulting (e.g., RCRA Facilities Investigations/Corrective Measures Studies, LUST projects, some CERCLA Remedial Investigation work). My formal educational credentials include a Bachelor's of Science in Journalism from Southern Illinois University and a Master of Management (MBA) from the J.L. Kellogg Graduate School of Management at Northwestern University.

After working on the technical side of environmental consulting, I founded my own consulting firm to concentrate on environmental communication and community relations/public involvement to address the need I saw for this type of expertise while I was working in a technical capacity. My company is Rose Hill Communications, Inc., which is the

successor company to Equinox Environmental Consultants, Ltd. Through these companies I have provided community relations/public involvement and other environmental and crisis communication services to more than 60 private- and public-sector organizations. The majority of my work has been within the chemical manufacturing sector and with municipal waste and hazardous waste treatment, storage, or disposal companies.

I have worked on community relations/public involvement projects in approximately 20 different states. These projects include RCRA permitting and corrective actions, air permitting, voluntary remediation/risk-based cleanups under state programs and the U.S. Army's Base Realignment and Closure (BRAC) program, the set-up and/or facilitation of various advisory panels, including facilitating the Chemical Industry Council of Illinois' State Outreach Panel for more than five years, the Clean Air Act's Risk Management Program, and in the aftermath of facility accidents and accidental releases. I have given presentations on community relations/public involvement, crisis communication, and community and stakeholder assessment to professional and trade organizations, law firms, and corporations.

In addition, I publish frequently on environmental management, environmental communication, and community relations/public involvement issues in various journals. I co-authored five manuals on various environmental and occupational safety management topics and a book on community relations, *The Practical Guide to Environmental Community Relations*, published in 1997 by John Wiley & Sons, New York. I also taught one of the "capstone" business and the environment management classes at the Illinois Institute of Technology's Stuart School of Business's environmental management graduate program for a couple of years and was a guest lecturer in environmental policy classes at Roosevelt University in Chicago.

The majority of the work I have done and currently do involves community and stakeholder assessment. Along with environmental crisis communication, assessment is my specialty. I began performing community assessments to support RCRA Part B permitting efforts in the early 1990s using the basic components for Community Interviews and Community Relations Plan preparation set forth in the U.S. EPA publication, "Community Relations in Superfund: A Handbook." However, because of my background

as a journalist and my education and training in strategic planning, industry analysis, and market research in the graduate business school at Northwestern, I realized that the basic assessment model could be expanded to identify and examine a whole host of other community characteristics, including how political power and information is or isn't shared, how stakeholder groups interact with each other, how they have confronted environmental and other issues in the past (which suggests what is likely to happen in the future), and even such basics as the geographic extent of the community as perceived by stakeholders.

Through the years I have refined this enhanced community and stakeholder assessment process, which involves both interviewing stakeholders and document research. The value of the information these assessments can provide hasn't gone unnoticed. In 1997, for example, assessments I performed for a chemical industry client, Akzo Nobel Surface Chemistry LLC, were named an "Industry Best Practice" by a Management Systems Verification team conducting an audit under the American Chemistry Council's Responsible Care® initiative. Last year, I was invited to give a four-hour presentation on the assessment process at U.S. EPA's Community Involvement Training Conference in Washington, D.C.²

I have attached two articles that provide details about the enhanced version of the community and stakeholder assessment process for use by EPA in supplementing their "Best Practices" for permit applicants and for use by others who wish to access them through this public filing. (These and other documents are also available for download at www.rosehillcommunications.com/environmental-justice.html) I request that you reference this work if you use it, and that if you or anyone else uses a portion of the text in its entirety, depending on the amount used, that you either reference or obtain permission from John Wiley & Sons, the publisher.

3.0 Comments on "Best Practices" for Permit Applicants Seeking EPA-Issued Permits: Ways to Engage Communities at the Fence-Line

² This session was titled "Enhancing Community Profile Development: Identifying Community Characteristics and Behavior Templates." Session slides can be viewed and downloaded at www.epa.gov/ciconference/abstracts.htm and scrolling down to Thursday, July 21, 2011, 1:30 to 5:30

The following comments address the Notice published on June 26, 2012, in the Federal Register, "EPA Activities To Promote Environmental Justice in the Permit Application Process, Appendix – Best Practices for Permit Applicants Seeking EPA-Issued Permits: Ways to Engage Communities at the Fence-Line."

3.1 Community Assessment, the Key to Achieving "Meaningful Involvement," is omitted in the Proposed "Best Practices"

The Appendix, "Best Practices for Permit Applicants Seeking EPA-Issued Permits: Ways to Engage Communities at the Fence-Line," displays what can only be described as a serious omission by *not* discussing the importance of having permit applicants conduct formal community assessments. The author of the Appendix indicates that the managers of facilities applying for permits (permit applicants) already possess substantial knowledge of their communities. While this is true in some cases, I respectfully submit that, in my experience, this is definitely not true in the majority of cases—especially if one considers the high hurdle of ensuring "meaningful involvement," especially in large or complex communities or in communities where the potential for environmental injustice exists.

Following are four reasons why facility managers often lack the knowledge of their facilities' communities that is the key to performing outreach efforts that can help achieve "meaningful involvement" and avoid situations of potential environmental injustice.

3.1.1. Communities and Neighborhoods Change Over Time

Some managers of facilities have conducted outreach with their neighbors in conjunction with permitting, as part of an industry initiative (such as the American Chemistry Council's Responsible Care®), or in conjunction with the initial release of consequence analysis/spill history information under the Clean Air Act's Risk Management Program in 1999. These outreach efforts may have run the gamut from positive, to uneventful, to unpleasant (but thankfully over). Managers tend to view these efforts as something they can point to, build upon, or simply resuscitate ("We did this before and it worked. Let's do it again").

Unfortunately, the passage of time may mean that the neighbors managers met have moved away. The entire neighborhood may even have "turned over" and been replaced by residents who may know nothing about

a permit applicant's facility and may have very different perceptions of industry than those held by the former residents. This is an issue that I have confronted with a number of clients, and it has meant that we have had to start over and build a new outreach program.

Permit applicants may find that, even if the neighborhood itself hasn't turned over (or is doing so only gradually), the presence of a new "player" can mean that outreach efforts must be stepped up before a permit renewal or other permitting actions. In one case I worked on, several years had passed since a prior substantial outreach effort in support of an air permit. The facility's managers had done an excellent job of working with the neighbors and had continued to keep lines of communication open to some extent. They intended to engage once again in proactive outreach to support an upcoming permit renewal. Before they could do so, however, facility management discovered a new neighbor that they didn't know about previously—a new "charter" school that had recently taken over a former church facility. Management learned of this new school only *after* the school children and staff sent more than 100 letters to the state agency handling the permit renewal, complaining about odors (some of which were from the facility and some of which weren't). The letters were sent after a teacher happened to see a public notice about the impending permit renewal.

The makeup of a community can also change with the addition of new housing developments or the redevelopment of old areas. The availability of large tracts of new housing almost invariably means that "new" residents will be moving into the area or community. In my experience, new residents, especially in cases where large numbers of them move in at roughly the same time, can display attitudes and behaviors that differ dramatically from those held by long-time residents. New residents may develop alternate channels of communication, their perception of what is geographically "close" to them can vary from long-time residents' perceptions, and they often hold very different views of industry and the potential (or lack of potential) for adverse environmental or health effects connected with permitting.

3.1.2. Merely Being "Acquainted With" Some Stakeholders Is Insufficient for Ensuring the Design of an Outreach Program That Seeks to Achieve "Meaningful Involvement"

As the “Toolkit” and other documents from U.S. EPA indicate, ensuring meaningful involvement within the context of environmental justice is not usually as simple as inviting the most obvious of stakeholders to partake in a facility open house or briefing session.

Absent the systematic identification of stakeholders, many facility managers and even some public affairs and other communication staff often engage primarily with formal leaders (such as local officials, business and civic group leaders) and some residential neighbors.³ There is a natural tendency to avoid people or groups that are perceived as potentially hostile or difficult in order to avoid “stirring up trouble,” even though approaching stakeholders proactively and communicating with them openly can often minimize conflict and lead to positive dialogues.

3.1.3 Managers Often Have Limited Actual Knowledge of the Community or Populations Located Near Their Facilities

Especially in the private sector, managers often do not live in the communities where the facilities they manage are located. Some managers become acquainted with elected officials or a handful of other stakeholders, but as a rule, managers are extremely busy, and they often have very little knowledge of (for example) long standing political or social traditions and how these may affect various populations within the community or their ability to participate in public involvement processes. Moreover, in my experience, managers and other personnel are often unaware of schools, daycare centers, nursing homes, etc. located within a few blocks of their facilities if the buildings do not happen to be situated along the route they take to and from work.

These observations are not meant in any way to belittle facility management. Overwhelmingly the managers and other staff members of facilities with whom I’ve worked are smart, diligent, compassionate, and very willing to engage in public involvement—once they know what they need to do and with whom they need to meet. However, without the knowledge of what to look for in a community (and the time to spend looking for it), they may be completely unaware of the potential for serious conflict surrounding a proposed permitting action.

³ Business and commercial neighbors are often overlooked and should be included. It is surprising how often they “weigh in” with less-than-flattering comments about permit applicants that they have never shared with them.

3.1.4 Turnover of Facility Management and Staff Can Result in Loss of Institutional Knowledge

Another trend that was initially pointed out to me by Mary Jane Naquin, of Informed Futures, who is a facilitator who has worked with some of the Community Advisory Committees located in the Houston Ship Channel communities, other parts of the Houston metro area, and elsewhere, has to do with management turnover. Many long-time facility managers who were involved in earlier environmental initiatives (such as dialogues surrounding the initial availability of Toxics Research Inventory information, disclosures under the Risk Management Program, the adoption of Responsible Care®, Part B RCRA permitting, and the beginning of cleanups under RCRA and CERCLA) have retired and been replaced by younger managers. In some cases, the new managers fail to understand fully the importance of good community involvement. They may have inherited outreach programs, but they may or may not fully understand *why* they need to take time out of their already over-worked schedules to maintain the programs, especially if relations with the community appear placid on the surface.

In addition, some companies (notably in the chemical industry) have in the past employed facility-based community relations or public affairs specialists to serve as liaisons with their communities. Unfortunately, budget cuts over the last decade have taken their toll, and dedicated outreach specialists are no long found at many of the facilities that used to have them.

4.0 What Is the Community Assessment Process?

Community assessment is the process of systematically examining social, political, and economic issues and dynamics in a community and identifying stakeholders, their wants, needs, and opinions, and the experiences and history that may color their views of environmental issues or the organizations connected with them.

Community assessment provides vital insights into the *context* within which a permitting action will take place. No issue exists in a vacuum, and understanding the backdrop against which a permitting action will be viewed by stakeholders can help permit applicants account for existing community concerns and predict possible stakeholder responses. Properly done, the

assessment process provides a detailed profile of the community that enables a community relations/public involvement specialist to make the following determinations necessary to design and implement a program that can set the stage for meaningful public involvement:

- Who are *all* of the stakeholders for this particular issue? How do they interact? What is their level of knowledge regarding this issue? What aspects of the issue interest or concern them?
- What is the actual or perceived geographic extent⁴ of interest or concern regarding a permitting activity? Although permit applicants will want to make sure that they are venturing far enough afield to include all of those who might have an interest, they do need to define an area of study and, ultimately, of outreach.
- What is the social and political structure of the community? Do some stakeholder groups hold all or most of the political power? If groups share power and work together, are there still other groups (possibly new residents or low-income residents living in certain “stigmatized” neighborhoods) who aren’t involved, either because they are actively excluded or simply stay away? Are there stakeholder groups or populations that have essentially been disenfranchised? Why? How can they be reached and included in the dialogue?
- How does information flow through a community or among stakeholder groups? Is information freely disseminated or held close? What are the channels of communication? Do different stakeholder groups use different channels of communication?
- How do stakeholders in the community or area typically react to issues that concern them? Are there certain groups or opinion leaders to whom others turn, and can these groups or persons be invited into the involvement process early on to encourage an open dialogue?
- What are the other sensitivities, issues, concerns, or history that could influence how stakeholders might react to a permitting action?

This last item is of particular interest, since “other” issues (especially if they are non-environmental in nature) are often overlooked or discounted by permit applicants who have not done a thorough assessment. Such

⁴ Modeling data can be used to show actual geographic extent of emissions; however, stakeholders who live farther away may still believe that they could be affected. Conversely, some stakeholder groups that may live within an area that modeling indicates could be affected may have traditions of not crossing “hard” municipal or other boundaries and be reluctant—or refuse—to become actively involved in a dialogue about permitting.

oversights can lead to problems in the public involvement process, since environmental issues are often intertwined with political, economic, or social issues. Although the public involvement effort may not address these other issues, permit applicants and Agency staff need to be aware of them and the effects they can have on stakeholder interactions and develop strategies for addressing them that won't harm the public dialogue or derail the permitting action.

4.1 Drivers of Questions and Concerns

One of the most important questions that must be asked in the assessment process is: What is the basis of stakeholders' potential or actual concerns regarding a permitting action? (Note: If the public is not yet aware of an impending permit application, the person performing the assessment can either give a brief description of what facility management is thinking of doing [with the client's permission, of course], or examine the attitudes and beliefs that stakeholders hold about other, similar situations or issues to identify likely questions or concerns.)

There are three major drivers of stakeholder concerns about, or opposition to, permitting actions:

- Misinformation or lack of information or understanding regarding risk or other aspects of a facility's operations.
- Differences of opinion or belief as to—for example—the potential for significant exposure to emissions or the health effects from a facility's emissions or operations, or differences of opinion regarding how a facility should be operated.
- Other, non-environmental issues, including opposing a permitting action for political gain or to obtain some competitive advantage.⁵

Permit applicants will need to know which of these drivers (or which combination of them) are behind stakeholder questions or concerns in order to address them appropriately.

4.2 Mechanics of the Assessment Process

⁵ See the article, "Hidden Agendas: How Dubious Motives Can Lurk Behind Environmental Issues—and Complicate Public Dialogue," by Carol J. Forrest, *Environmental Quality Management*, Spring 2010. Available for download at: www.rosehillcommunications.com/publications.html

The community assessment process (as it was originally suggested by the “Community Interviews” activity in Appendix A of U.S. EPA’s “Community Relations in Superfund: A Handbook,” and by the suggested format of Community Relations Plans set forth in Appendix B of that same publication) and the process that I use both involve gathering information through personal interviews with local officials, opinion leaders, neighbors, advocacy organization representatives, others with knowledge of the community (e.g., researchers involved in area planning and sociology), and the like. Both processes also involve reviewing documents that can provide insights into stakeholders and the community (including political, social, and economic structure). I have expanded on the types of documents that may be reviewed to include not only demographic data from the U.S. Census Bureau and Agency reports, but also: municipal or county board meeting minutes; municipal/county planning documents; newspaper stories; newsletters produced by advocacy groups and neighborhood associations; studies of the area performed by government, foundation, educational, and other organizations; local histories; and the like. With the exception of demographic data and government documents (e.g., Agency reports, meeting minutes), not all of these types of documents may be available or relevant in every case. However, viewing as many of these types of documents as possible will help confirm and elaborate—or possibly rebut—the information that is being gathered during the interviews.

I use an iterative process when conducting assessments. This means that I conduct an initial round of interviews and document research, analyze the information, fine-tune or expand my questions and document research, and then conduct a second, and often a third, round of interviews and document research to test preliminary hypotheses or conclusions and to follow up on interesting stories, comments, referrals regarding additional persons who should be interviewed, etc. I should note that although this process is rigorous, it can usually be completed by a competent practitioner — to the point of providing the vast majority of the information required to design a solid public involvement program — in less than a month, depending on the availability of the stakeholders who need to be interviewed.⁶

⁶ In one case involving an assessment of a two-county area to support a multi-facility Risk Management Program effort, the assessment process took about 10 weeks and involved approximately 150 interviews. We wanted to

Some permit applicants may question the accuracy or usefulness of what are primarily qualitative findings. Beyond the fact that opinions are typically based on qualitative information, the process that I use involves the critical review and “verification” of the raw information. Following are examples of what this means:

4.2.1 Case 1: Correcting Erroneous Impressions about Neighboring Residents

In the first case I present here, one or more local officials claim that the low-income residents who live somewhat near a facility aren’t really interested in getting involved in public dialogues, and that it isn’t even worth the permit applicant’s time to try to talk to them (especially since they don’t live *that* close by).

However, a review of local newspaper stories and village board meeting minutes reveals that one or more residents of this neighborhood have at various times spoken out, protested, attended village board meetings, written a letter to the editor, etc. about environmental or other issues, suggesting that there is at least some interest in local issues by residents of this neighborhood. In addition, interviews with residents of the neighborhood reveal that they have questions and concerns about a lot of things—including the permit applicant’s facility. These interviews also reveal that these residents believe that some local officials simply don’t think that they should be allowed to speak out because they are “low income.”

In this case it is clear that the officials’ impressions of the neighborhood residents is incorrect, and that efforts to ensure that the low-income residents are able to participate in the dialogue surrounding the permitting process should be taken. Without additional inquiry, however, it is not clear whether the local officials would actually try to prevent involvement by these residents.

4.2.2 Case 2: Residents Hold Negative Views About Industry

In the second case, many of the persons who are interviewed at the beginning of an assessment claim that, as far as they are concerned, industry is dirty and that it has caused serious health effects among

include at least one representative from each town and/or other jurisdictions (school districts, fire protection districts), hence the magnitude of the assessment.

residents in the area. Further, they state that they are against any new permits because not only are emissions harming the community, but manufacturers in the area have spills “all the time” — and between these spills and occasional fires, area industry poses a real threat to public safety.

Review of accidental release and emergency response records and emissions data and reports for the area indicate that two local facilities were scenes of high-profile accidents (two releases and one fire), all of which occurred eight or more years ago. A review of the local newspaper reveals that a lengthy article—with photos—appeared a month ago on the tenth anniversary of the fire. One facility appears to have closed down the process that was involved in one of the releases and the fire that was recapped in the recent newspaper story. In addition, several facilities in the area historically emitted substantial amounts of pollutants to the air and water, but over the past decade and a half, all of these facilities have reduced their emissions by more than 30% (and two by almost 60%).

In this case, the persons who have thus far been interviewed have a very negative view of industry, which appears to be based on the performance of a few facilities. Working with such stakeholders regarding a permitting action will require explaining how the permit applicant’s facility operates, what it emits, and the safeguards it has in place to protect public safety and the environment. However, the prevalence of negative opinions about industry in the area also suggests a need for additional inquiry to learn more about the possible causes of these strong opinions. Following are reasons why such negative opinions might be held:

- Area facilities have not done a good job of working with residents, either by discussing their pollution prevention efforts and the emissions reductions they have achieved or, in the case of the two facilities that experienced high-profile accidents, providing sufficient information during or after the incidents to satisfy residents that appropriate actions had been taken to minimize the likelihood of future incidents. The assessment should determine whether any of these facilities have attempted to communicate with community residents. If so, what did they do? Why did their efforts apparently fail? Obtaining such information can assist a permit applicant in avoiding the mistakes that others have made.

- Other factors may be coloring local views of industry. These issues may include bitterness over labor issues (e.g., strikes, lock-outs, drastic downsizing and off-shoring). Or those persons thus far interviewed may have strong views regarding how they want their community to look—a view that doesn't include "dirty" industry.

4.2.3 Case Three: "Ground-Truthing" Demographic Data

In the third case, demographic data indicate that the neighborhood near the permit applicant's facility is composed of approximately 60% white residents and 40% Hispanic residents. Further review of the Census data indicates that approximately 40% of the residents are living in residences where they didn't reside ten years earlier. Based on this data, you begin your interviews.

You soon learn that the Hispanic population is basically split into two groups. The first group comprises second- and third-generation Mexican-American families who have lived in the neighborhood for several decades. The majority of these residents own their homes rather than rent. They are U.S. citizens who speak, read, and write English as well as any other average native-born Americans, although most of them also speak Spanish and maintain ties to extended family in Mexico. The second group is made up of new immigrants, also primarily from Mexico; they speak little English, live in rental homes, and often move on to other new-immigrant communities after a year or two. The long-time Hispanic residents interviewed indicate that they have little interaction with the new immigrants other than to say "hi" to them.

You also find that the majority of the white residents are second, third, and fourth generation Irish- German-, or Polish-American (or a mix) who have also lived in the neighborhood for decades. These white residents interact and socialize at community and church functions with one another and with many of the long-time Hispanic residents. Both the white residents and the long-time Hispanic residents tend to mention the same venues for interaction (e.g., Catholic Church groups and functions, community organizations). Although all four groups (Mexican-American, Irish-American, German-American, and Polish-American) proudly identify with their national and ethnic origins, and many participate to some degree in ethnic heritage organizations, ethnic pride appears less important than allegiance to their neighbors and neighborhood. When asked about the new, non-English-

speaking immigrants, long-time residents of all ethnicities tend to respond sympathetically about the difficulties of the immigrant experience and explain that the local Catholic Churches perform outreach to assist these new residents.

There are also some new non-Hispanic white residents. Based on comments made during the interviews, it appears that many of these new residents moved to the neighborhood because they already had (or once had) family living there. Other residents appear to be completely new to the area and were drawn there by the affordable housing.

In this case “ground-truthing” of the demographic data indicates—among other things—that the Hispanic population is not all one group. In fact, the long-time Hispanic residents and the new immigrants have little interaction. Also, outreach to the new immigrants will require the use of interpreters and translated materials. More must be learned about how to reach out to these new immigrants. In addition, regardless of ethnicity and the maintenance of strong ethnic identities by neighborhood residents, ethnic identity doesn’t appear to lead to group-wide divisions or exclusions. Most of the persons interviewed mention several of the same “venues” for disseminating information and engaging in interaction with neighborhood residents.

4.2.4 Enhanced Assessment Yields Higher-Quality Information

As the above examples show, the enhanced assessment process that I use does not merely report the comments that are made during interviews. Instead, the assessment process involves subjecting gathered information to a rigorous review and cross-checking (both by conducting additional interviews and through document review) in an effort to understand where certain beliefs, attitudes, or opinions come from, to confirm whether comments made during interviews actually reflect reality, and to understand what raw data—such as demographic data—really mean in terms of the people residing in a community. Thus, this process yields qualitative information and conclusions that are supported by far more than a few random comments.

4.3 The Business Case for Community and Stakeholder Assessment

Good public involvement (especially in diverse neighborhoods that include stakeholders with differing needs or interests) often involves

significant work and the expenditure of significant funds and management time. However, failure to “get it right”—to reach out to all of those stakeholders who are affected, or perceive themselves as affected, or have an interest in the issue at hand—can not only derail a permitting action, it can lead to lawsuits and bad publicity.

This is especially true in cases of suspected environmental injustices that occur because of poor public engagement program design. Examples of poor design or execution that can call into question the effectiveness of the involvement process—and the sincerity and competence of the permit applicant, include:

- Failing to provide non-English speakers with information that has been translated into their language(s).
- Failing to take extra steps to inform groups that may not read the “main” community newspaper about the availability of information and opportunities to participate in meetings, submit comments, and the like.
- Failing to schedule availability sessions, open houses, or informal or formal public meetings at times and in places that will make it possible for shift workers to attend and/or to accommodate persons who rely on public transportation.

These types of errors can easily be prevented through research and by consulting stakeholders regarding their needs and preferences. Properly performed, a good assessment will help permit applicants gather sufficient information to avoid such mistakes and ensure that information sessions and materials address the specific questions or concerns that community stakeholders are likely to have. In addition, conducting an assessment can save money overall by ensuring that a permit applicant concentrates on those issues and activities that are most important and most desired by stakeholders, rather than wasting money on generic communication activities that can be expensive without being effective.

Thus, managers of both private- and public-sector facilities that are undergoing permitting actions should view the assessment process as they would efforts to conduct marketing research before designing and launching a new product or service, or collecting soil samples and testing them for load-bearing capacity before designing the foundation of a new building. In both of these examples, the potential cost of failing to conduct such research

can range from costly and damaging to an organization's reputation to catastrophic.

4.4 Important Information That the Assessment Process Can Yield

I have alluded to some of the types of information that one can obtain via a thorough assessment. The following paragraphs further describe some of the information that permit applicants may not have thought to gather, but that can be very important in the design of an effective outreach or stakeholder engagement program.

4.4.1. Using Demographic Data to Identify Potentially Marginalized or Excluded Stakeholders

As the example in Case 3 (section 4.2.3 above) shows, demographic data—which are available through the U.S. Census Bureau—provide a good starting point. But permit applicants should not assume that stakeholders can invariably be divided into neat groups based on race, income, or length-of-time in the community, etc., or that these demographic characteristics will, by themselves, define stakeholder groups for a given issue. For example, concern about contamination at a facility may cause all those who live near it to join into one cohesive group to address the “threat,” even though they may be of different races, incomes, or tenure in the community.

Conversely, groups that have worked well together in the past can occasionally find themselves in conflict (e.g., group A supports facility X because its expansion will provide jobs, while its former ally, group B, is against facility X because it will bring traffic congestion to a neighborhood where many of the group's members live).

Demographic data can be used to find “hidden” residents (of specific racial, ethnic, or income groups) who may represent stakeholders that are essentially disenfranchised from public dialogues. In one case I worked on, local officials stated that everyone in a reasonably well-off community had access to the relevant information, and that they could (and did) participate in public discussions. However, when these officials were asked about the residents of a mobile home park just outside of town (and quite near a facility that was seeking a permit—my client for the assessment), they insisted that the residents of “that place” weren't part of *their* community and didn't deserve to be involved. Other comments made by officials left no

doubt as to their negative opinions about, and hostility toward, these residents.

Interviews with the mobile-home park residents confirmed that they knew they weren't welcome in town (most shopped elsewhere). These residents also had a number of specific concerns about the facility that was seeking the permit, based on their proximity to it and to truck traffic traveling to and from the operation.

The point of cross-checking demographic data against maps, information collected in interviews, and the like is that doing so helps permit applicants or community relations/public involvement practitioners identify "hidden" groups and understand just which characteristics are relevant to identifying stakeholders within a given community and for a given issue.

Note: The U.S. Census Bureau has changed the way it is collecting and reporting some information. The old reports (DP-1 through DP-4, which provided data on demographics, income, levels of educational achievement, housing characteristics, occupation, and the like) have been replaced by the American Community Survey (ACS). The ACS data is available through the www.census.gov website and provides most of the data that the old DP-1 through DP-4 reports used to provide. Also, the ACS data are updated regularly through representative sampling to supplement that actual census, which means that the data are less likely to be out of date.

4.4.2. Geographic Extent of Potential Concern and Issues with "Outsiders"

In the case of air emissions, the use of emissions modeling data can help define the geographic extent of potential stakeholder concern about a permitting action. However, I have found that the geographic extent of potential concern (or the desire to "weigh in" on an environmental issue) often has as much to do with how stakeholders themselves define their community as with any official jurisdictional boundaries.

In rural areas, stakeholders may consider entire counties to be "their community" or at least the area over which they believe they should have a say. Some towns and city neighborhoods have "hard" boundaries that they simply don't care to cross, and that by tradition, nobody crosses to weigh in on what are viewed as the decisions of others—even if a facility is literally just across the street. Overlapping units of government, such as school

districts, can sometimes lead to confusion (or expansion of traditional perceived borders).

Fortunately for permit applicants—who need to determine how far to extend their outreach efforts—there is an easy way to determine the extent of the “community” as perceived by residents: You ask them. The vast majority of long-time residents will give surprisingly consistent responses to the question, “What do you, or other people here, think of as your community?”

Another issue in regard to community boundaries has to do with how amenable residents and officials are to groups from outside their borders who are attempting to join the dialogue about a local facility. This trait—whether residents and officials will welcome “outsiders” into a community dialogue or vigorously block them from participating—is also something I have found in my work to be consistent and easy to identify. Once again, persons performing interviews can ask, “What would you think if people from town X wanted to attend or participate in some of the meetings?” and typically get a straight and accurate answer. Reviewing newspaper articles about major issues in the area can also sometimes shed light on how willing—or not—residents are to team with persons or groups from outside their community or to allow them access to “local” dialogues.

I mention the issue of whether residents accept or repel attempts by outsiders to join in to a public involvement process because this characteristic can definitely shape the complexity of the public dialogue. If “outside” stakeholders may indeed be affected (or believe that they will be affected), but cannot easily join the dialogue, their exclusion can create serious issues in regard to “meaningful involvement.” Efforts to ensure that their voices are heard will have to be taken.

On the other hand, communities that welcome anyone who wants to join their dialogues, or that have a tradition of inviting in outside advocacy groups to help them “fight” industry or represent them with the state or federal government, can also add significant complexity to the public dialogue. Permit applicants need to know what they may be facing in such cases.

4.4.3 How Does the Local Social and Political Structure Operate? (Inclusive or Non-inclusive)

An important characteristic of a community is whether its social and political structure is “inclusive” or “non-inclusive.” These terms indicate the extent to which those governing a community are open to input from people outside their immediate circle. Although communities may contain elements of both approaches among the various units of government and organizations within them, they are typically predominantly one or the other. This characteristic is of vital importance to persons who are attempting to craft outreach activities and dialogues that will support meaningful involvement because they need to know how likely it is that they will face resistance from the local political powers-that-be.

The inclusive community offers many opportunities for interested residents to provide input into the governing process. Such communities’ governments typically have many committees, which include diverse memberships. Responses to conflicts or threats often include the formation of additional *ad hoc* committees to provide input to elected officials and holding public meetings or offering other opportunities for residents to ask questions, give suggestions, or voice concerns.

Truly inclusive communities will not purposely shut out racial or ethnic minority residents, lower-income residents, or newcomers to the community. However, one can find communities that appear inclusive, but whose inclusiveness extends only to certain groups (for instance, it may not include new residents, residents of mobile home parks, lower-income residents, or certain racial, ethnic, or religious minorities. A rigorous comparison of census data [e.g., income, race, housing characteristic data] to information about participation rates and representation in local government and other prominent local organizations can uncover cases of non-overt exclusion). Communities with non-overt exclusion characteristics are typically governed by long-time residents of a specific race, class, or ethnicity who hold entrenched ideas regarding who should (or would want to) be involved in governance, despite their pronouncements of inclusiveness.

Communities with overtly non-inclusive power structures typically operate under the old “boss” system, whereby a core group wields most of the power. Input from residents is rarely sought, or else involves “going-through-the-motions” meetings. Deals are made behind closed doors. When committees are formed to study an issue, they tend to include

handpicked members whose discussions are confined within dictated parameters.

The lack of meaningful opportunities for input within non-inclusive power structures can often radicalize “out” groups. These groups realize that they will not be heard without resorting to demonstrations, boycotts, or lawsuits. In addition, residents of such communities may not be used to participating in local governance, which means they may lack both the experience and the understanding regarding how public involvement programs work—skills that will need to be built. Thus, permit applicants may find that engaging residents of these communities in productive dialogues can require a great deal of work that may include helping formerly excluded stakeholders find their own voices and their own ways of participating in public dialogues.

Persons who are new to community relations/public involvement may assume that it is easier to work with communities that have non-inclusive power structures because they involve fewer points of contact who must be briefed or consulted. In fact, however, it is far easier (albeit more labor-intensive) to establish positive, meaningful dialogues that lead to durable, well-reasoned, and well-accepted decisions within inclusive communities because both the residents and the officials have the skills and the desire to give and receive input.

4.4.4 Recognizing Community Behavior Patterns

All established communities exhibit specific “templates” of behavior that they employ when they are faced with issues of concern. Knowing that a community tends to engage in certain behaviors helps permit applicants anticipate community reactions—and take note of those reactions that stray from the norm. (This can signal the presence of new stakeholders who wish to enter into or influence the public engagement or decision-making effort.) In addition, knowledge of typical behavior patterns can be used to design effective public engagement programs by leveraging existing traditions, such as holding meetings in specific venues or using certain channels of communication.

Examples of typical community behaviors one might see include:

- Creating *ad hoc* groups (often, many of the same people will come together to form single-issue groups as issues emerge).

- Looking to existing advocacy groups to review information and advise the community about an issue.
- Looking to public officials for answers and assistance.
- Inviting outside “experts” or environmental advocacy groups into the community to assist on an issue (or rejecting outside experts).
- Picketing, boycotting, and disrupting businesses.
- Filing lawsuits.

5.0 Other Thoughts on Public Involvement

This section includes observations on community relations/public involvement “Best Practices” that permit applicants may not have considered, or that they may be using or planning to use without fully understanding their true purpose of the possible ramifications of their use.

5.1 Who Should Communicate?

Public relations, public affairs, and community relations/public involvement specialists may be good at the mechanics of communication. However, in virtually every community relations effort in which I have been involved, participants in informal public meetings and other such events would rather hear from the persons who manage or operate a facility or who are involved in addressing its technical or environmental issues. Persons with technical backgrounds sometimes believe that they are not good speakers; however, they possess the authority and the knowledge that members of the public attend information sessions to hear. As a rule, a smooth presentation from someone who is not a technical expert or who does not hold a position of authority will be less well received than a presentation from an actual facility manager or a technical expert—even if the manager or technical expert is less than polished in their speaking than a professional communications consultant.

Community relations and other communications specialists who are knowledgeable about a project can provide supplemental information, amplify such information, or act as go-betweens to obtain additional information from the organization’s personnel. Their value is in working with stakeholders to ensure that stakeholders can obtain information and voice their questions and concerns—not in standing in for facility managers or technical experts who may not be the most polished of presenters.

5.2 Working with Outspoken or “Difficult” Stakeholders

Permit applicants often dread interactions (particularly at public meetings or information-sharing events) with members of the public or representatives of advocacy groups who are particularly outspoken—and who can sometimes behave rudely or provocatively. However, my experience has encouraged me to recognize that these folks often serve a vital function in their communities: they often ask questions or make comments that other residents are too timid or polite to voice.

I can usually determine the role these people are playing in the community during assessment interviews. Stakeholders will say, in regard to the person in question, “He can be kind of abrasive, but he knows what he’s talking about,” or, even less subtly, “She knows how to ask the important questions.” Such comments will let you know that at least some (and often many) people in the community are looking to this person to help them get information. Thus, attempting to shut down a perceived “provocateur” or acting dismissive toward him or her can do significant damage to a permit applicant’s image in the community.

Some stakeholders who are difficult to deal with may not be filling the role of opinion leaders; they may simply be very outspoken. Again, a good community assessment will often help you identify these people (although unless they are extremely outspoken, they may not come up in interviews unless you explicitly ask such questions as, “Who can we expect to come and speak at the meeting?”) As the paragraph below explains, you may be able to work with an outspoken person at an informal meeting to assure him or her that he or she has been heard.

As in the case of the opinion leaders discussed above, outspoken persons must also be treated politely and with respect. Even though other community stakeholders may also view the person as “difficult,” he or she is one of their own, and most people will not want to see members of their community treated with rudeness. (Note: Setting up good rules of facilitation, such as placing limits on the amount of time that someone can speak, can help presenters manage talkative people so that everyone is able to voice their opinions or ask questions.)

Many permit applicants have heard stories about out-of-control meetings, and for this reason, they may shy away from holding informal

events in advance of a formal, agency-held public hearing. They may hope to spare themselves from repeated public tongue-lashings—especially if they know that some of the stakeholders who may attend are very outspoken. However, holding informal events beforehand can (and often does) help resolve issues *before* the formal public hearing. This can minimize posturing at the formal public hearing and lead to better relations with the community. This is why community relations/public involvement specialists and Agency personnel suggest that applicants hold informal meetings—to resolve issues as much as possible before the formal hearing.

5.3 Enlisting Stakeholders to Speak on Permit Applicant's Behalf: Be Careful!

Although this is a popular strategy among persons who work in public relations/public affairs (in part because it can appear smart and strategic to clients) this is a tactic that should be used with caution and careful thought regarding the finer points of the stakeholder's relationship with the applicant.

For example, it is appropriate for someone from a city or county environmental or health department to speak with stakeholders about a permit application. However, as public employees, they should not be asked to *endorse*, or be presented by the applicant as *endorsing*, the permit application or the facility. Remember, these persons are supposed to represent the *public's* interests. Certainly, public employees can speak about what they know about a permit application and how they might be interacting with facility management and with other government agencies, such as U.S. EPA, but facility managers do not want to give the impression that they have public servants "in their pockets."

Actually, the power of independent authorities rests in their independence. Thus, any hint that a permit applicant (or their communications consultants) are actively seeking to line up "endorsements" from such persons can cause major credibility problems—both for the "independent" person or organization and for the permit applicant. Resist the urge to "tie the bow" tighter than it ought to be. Although senior managers may be impressed by the supposed savvy of such actions, these activities can constitute a substantial mistake in some communities and among some stakeholders.

Another common gaffe along these lines is implying that a group (such as a local advocacy organization, whose members may have visited a facility or reviewed information about a planned permit application or its operations) “endorses” the facility. It is one thing to mention that you have met with an advocacy group and want to maintain a dialogue with them. It is far different (and over-reaching) to say that this group thinks everything the facility is doing is great. The latter presumes far too much and can invite a rigorous and very public smack down.

This is also the case with groups such as Community Advisory Panels (CAPs). CAP members may have knowledge of a facility and its operations, and they may want to participate in community outreach activities pertaining to permitting activities as private citizens or residents. But the CAP ought not to be viewed as, or used as, an instrument of a facility for anything other than receiving feedback from CAP members (and hopefully, by extension, community residents or other groups with which they are associated).

5.4 Surveys and Questionnaires

Some facility and organization managers shy away from the idea of gathering information via interviews or other personal (face-to-face or telephone) inquiry, believing that this yields purely qualitative, “anecdotal” data rather than the far more “valid” quantitative data that can be compiled from conducting stakeholder or resident surveys. They may instead choose to distribute questionnaires through the mail or via email or conduct “on-going” surveys by including questionnaires on their websites.

Surveying via questionnaires *can* yield useful information. However, some of the organizations that use them fail to consider the following issues. Please note that everything written in the following paragraphs applies to web-based surveying and questionnaires as well as those sent out via the mail or otherwise distributed in “hard” copy.

5.4.1 Using Qualitative Research to Design Questionnaires that Yield Valid, Quantifiable Data

Professional market researchers and opinion pollsters typically conduct substantial qualitative research in order to help them develop questionnaires that will yield valid and useful results. This is especially important when researchers are seeking to gather information on complex topics and issues that may not have terminology that is well known or consistently used by

the public—which is definitely the case with most environmental issues. For example, how do people within a community tend to define “environmental issues?” When the term is brought up, do they think of water pollution from outfalls or air pollution specifically from stacks and other point sources? If they are bothered by odors, dust, or noise, do they consider these to be “environmental issues?”

I know from my own experiences—and from the experiences of others who work in the environmental and the community relations/public involvement field—that the concept of “environmental issues” can vary substantially from community to community. In addition, community residents, in particular, may focus on very specific sources of emissions (such as the stack of a particular facility that is highly visible, or emissions that are accompanied by odors), while being unaware of other sources that may actually contribute more emissions to the environment, but that may be less visible or are viewed as benign.

Thus, for questionnaires to yield data that can be considered valid and useful, researchers need to word their questions in a way that will result in responses that are clear and consistent in what they convey. Facility managers who expect a hastily thrown-together questionnaire to yield valid and useful results need to rethink their approach—especially if they are dealing with an issue that hasn’t been widely discussed in the media and among stakeholders.

Typically, researchers should put together a draft questionnaire after initial focus group (qualitative) work. They should distribute it to a test population whose members may also be asked to write notes clarifying their answers (or indicating that they don’t understand particular questions or believe them to be irrelevant). Based on the comments collected, the researchers will then fine-tune the questionnaire.

Even in cases where a thorough community assessment has been performed, if additional survey data were desired, I would still, at a minimum, develop and distribute a draft questionnaire to “pilot” the language and the perceived relevance (to the stakeholders) of the survey instrument.

5.4.2. The Issue of Non-Response Bias

Simply defined, non-response bias refers to the likelihood that the persons who return a questionnaire or participate in a survey are different from persons who fail to return a questionnaire or refuse to participate in a survey. Without getting into statistics, the validity of survey results is dependent on both sample size (number of participants) and sample variability (homogeneity of the sample—greater variation requires a larger sample size to produce statistically significant result. Note: you can always administer the same survey separately to groups having different demographic characteristics and use relatively small sample sizes for each survey. Doing so will also enable you to assess the differences in issues awareness or opinions among groups.)

The key is to ensure that you are obtaining a sample that is sufficiently large and that adequately represents the variability of the community (or area) being sampled, so that the results can be considered “statistically significant.” Demographic data can be used to assess the representativeness of the returned questionnaires (some coding to indicate neighborhood may be necessary on the questionnaire, or some voluntary reporting of demographic characteristics: race, income, length of time in community, although requesting that respondents self-report such data without adequate explanation can be viewed as intrusive and could result in low response rates or even in bad press).

Achieving an adequate number of responses to questionnaires sent out without follow-up can be a major issue. For example, if a survey is mailed out to 400 homes and only 20 surveys are returned (this is a common occurrence in “general” surveying by facilities that are seeking to fulfill industry or company/organization requirements for “outreach”), the results will not be something to hang one’s hat on. Moreover, researchers need to be asking themselves, “Why didn’t we get a better response?”

The following are some possible reasons for low response rates:

- *Residents are too busy to bother with a questionnaire (and the facility isn’t high on their list of important issues).*
- *Residents have a neutral/positive view of the facility, and so they let answering and returning the questionnaire slide.*
- *Residents ignore the survey because in that particular community (or among those particular stakeholders) communication tends to be funneled through other, already established channels. (For example,*

in some communities that have strong advocacy groups or traditions of working through specific officials or opinion leaders, residents are used to receiving their information—and funneling their feedback—through specific groups or individuals. It can be possible in these communities to team with these advocacy groups, officials, or other opinion leaders to distribute and gather surveys, but this action should avoid the appearance that the facility is attempting to usurp authority or co-opt certain persons or groups. Still, working through these already-established channels of communication can strengthen dialogues with important groups, officials, and opinion leaders, and also let residents know that you are serious about wanting to hear their questions, comments, or concerns.)

- *Residents don't know what the questionnaire is referring to* (I frequently encounter people who may live near a facility, but don't know its name or what it does. Also, many facilities experience name changes due to corporate mergers or acquisitions or rebranding. In one case, the company owning a facility changed its name five times in three years—but most of the residents were still referring to it by the name of the company that owned it 20 years earlier.)
- *Residents have concerns about the facility, but they are reluctant to commit them to writing and/or they find the questionnaire frustrating (or even infuriating) because it either doesn't include a place for them to write in their concerns or because they believe that, due to prior communication with the community, news stories, etc., facility managers should already know of their concerns.*
- *Residents are so displeased with the facility, but so sure that nothing they say will have an effect, they tear up the questionnaire and toss it in the recycling bin* (or place it in a folder that they are, at some point, planning to hand over to an attorney to “sue the place” for real or perceived harm done).
- *Residents who are in some way disenfranchised, or view themselves as such, are wary or afraid to answer, lest they draw attention or punishment down onto themselves* (this can be the case with immigrant populations, whether they are “documented” or not. It can also be the case with low-income residents or racial minorities who have been ignored, excluded, or actively abused in the past).

Thus, depending on the community and/or stakeholder group, low response rates may result from very different reasons. Please note that

some of the opinions or perceptions of residents may be false—but you still need to know what they are if you wish to address them.

5.4.3. Over-Interpretation of Survey Data

When properly designed and conducted, surveys can provide useful information—particularly on specific issues or specific activities (e.g., “Based on your experiences, would you say that the truck traffic on Mott Street is better than it was before the recent construction, worse than it was, or the same? Please circle your choice: Better Worse Same. Please indicate when you are usually driving on Mott Street _____”). However, facility and organization managers must take care not to draw conclusions that are not supported by the data (e.g., “They don’t say that they are concerned about our emissions, so they probably won’t mind if we double the size of the facility.”)

5.4.4. How Surveys and Questionnaires Should be Used

Surveys and questionnaires are particularly useful for gathering very specific information. One excellent use of such tools is as a follow-up to public information events (such as informal meetings, open houses, and availability sessions), where they can be distributed and collected at the end of the meeting or before stakeholders leave. These surveys are used primarily to measure the perceived usefulness, relevance, or effectiveness of the information that was made available at the event. Such surveys should also include “write in” sections for stakeholders to ask questions or make suggestions about additional information to include or alternative information-presentation formats.

Remember that non-response bias issues are present; persons who attend information events are often different, in regard to level of interest or the time and ability to get to the events, than other stakeholders. Thus, they may leave the event feeling well-informed, but additional work to reach other stakeholders may still need to be done.

5.5 Community Advisory Panels

Community advisory panels (CAPs), which may be called by various names, can provide useful information and advice to the organizations that form them. CAPs are not a panacea for addressing all stakeholder issues, however. Like all other public engagement tools or activities, they work

better in some communities than in others, and their effectiveness can be affected by the same attitudes, opinions, behaviors, and traditions as any other activity.

Some industry groups and other organizations have pushed CAPs as “must-have” elements of community outreach. But poorly created, poorly run, or poorly used CAPs can damage community engagement efforts.

5.5.1 What CAPs Are —and What They Do

A CAP (as the term is typically used) is composed of stakeholders drawn from various sectors, neighborhoods, interest groups, advocacy groups, and the like who are brought together to meet with the management of one or more facilities. The CAP is often facilitated by a neutral, outside facilitator. It usually meets on a regular basis to discuss issues that CAP members have regarding the facility—or issues they have heard other people express regarding the facility. Facility managers can answer CAP members’ questions, and discussions of the issues can be held with all the CAP members. Facility managers also may give presentations on topics such as facility operations, plans for the future, upcoming permitting actions, or changes in regulations.

Dialogues between and among CAP members and facility personnel can provide important insights for all parties. The CAP members learn about the facility, its operations, how it is regulated, and other important issues. Facility managers are able to hear the questions, concerns, and misinformation that may be circulating in the community about the facility, as well as news of what is going on in the community and with specific stakeholder groups. Most CAPs are initially put into place with the intent that the CAP will provide a permanent conduit between the community and facility management.

Note: Some readers will be familiar with Remediation Advisory Boards (RABs) that function in a similar capacity in conjunction with the investigation and cleanup of government-led or government-owned contaminated sites. RABs are often formed and run in the same way as CAPs, but RABs are expected to be in existence only during the life of the cleanup process (although, of course, this can span a decade or more).

5.5.2 Creating a CAP

Various approaches are used to form CAPs. In some areas where CAPs are common or where consultants skilled in their formation are brought in to assist, the process can be elaborate and involve some of the elements of a community assessment in terms of formal information gathering. In these settings, a facilitator may convene one or more initial "steering" groups to nominate potential CAP members with an eye toward creating a body that will represent the stakeholders within the community. This sort of multi-step process can itself be a valuable outreach activity that provides useful information, in addition to helping ensure a well-planned CAP.

Formal CAPs typically operate under charters that set forth the types of issues the group will discuss and bylaws that address such procedural issues as how long individual stakeholder representatives should serve, how many meetings they must attend, how new or replacement members will be chosen, and the like.

CAPs may also be formed without going through a formal nominating process. This is often the case when a CAP is being formed in an area where the public is not well-acquainted with the CAP concept and people need to have it explained to them, sometimes repeatedly. In such cases, facility management or community relations/public involvement practitioners may select members for their first CAPs based on what they know about the stakeholders and the community.

Although such informally convened CAPs may have rocky starts in terms of the structure of the original dialogues, they can grow into useful and well-regarded bodies. I have been involved in the formation of CAPs based on the information I provided to facility management from the community assessment process. Our strategy was to enlist representatives from the various stakeholder groups that the assessment had identified. Since these efforts were undertaken in communities where the concept of a CAP was unfamiliar, some stakeholder groups were initially reluctant to "get cozy" with industry or simply didn't understand how establishing a dialogue with facility managers would benefit the community. Ultimately, a good cross-section of stakeholders was recruited, and those who were "on the fence" about participating were allowed to attend the first few meetings to see what they thought of the process.

Although such processes are messier than the convening of steering committees and the immediate development of charters and bylaws, they

worked in these communities. Viable CAPs were indeed formed after stakeholders became familiar (and comfortable) with the CAP concept.

5.5.3 Dealing with Contentious Issues and Reluctant Stakeholders

CAPs will be less useful to the facilities that convene them if they are composed primarily of persons representing stakeholders who have neutral or positive views of the facility. If this is done intentionally—if managers have avoided stakeholders who may make negative statements—then the managers have missed the point of forming a CAP.

In some cases, of course, facility managers may have to avoid certain stakeholders because of lawsuits or other highly contentious issues. Or stakeholders may refuse to join a CAP out of concern that others may believe their objectivity will be compromised.

If managers find that contentious issues and highly charged emotions are creating difficulties in forming a CAP, they should consider holding off on setting up a CAP and instead work on forging informal relationships with the individual stakeholder groups. This can also be the case if, for example, certain stakeholder representatives indicate that they are unwilling to serve if representatives of other groups that they do not like are asked to join the CAP. In such cases, it may be better for facility managers to seek other outreach options rather than settle for a “compromised” CAP.

Dialogues with reluctant stakeholders can be accomplished through other means (e.g., informal meetings, invitations to tour the facility), some of which may even involve the CAP. For example, on several advisory panels in which I was involved, the panel members wanted to know more about the views of various advocacy organizations that were not represented in the group. In another case, panel members wanted insights into how local reporters covered stories involving environmental issues. To gain these insights, we held several sessions where we invited these other parties—several of whom had chosen not to join the advisory panels formally out of conflict-of-interest concerns—to make presentations to (and hold discussions with) the panel.

5.5.4 Advisory Panels and Environmental Justice

There are a number of issues that can come into play any time facility management wants to engage members of the public and volunteer-based

advocacy groups in advisory panel settings, whether “environmental justice” communities are involved or not. These issues include such basics as the times of day (or days of the week) when would-be panel members will be able to meet.

Volunteers with advocacy groups or residents who hold low-paying jobs may have limited flexibility to take time off from work without incurring significant financial consequences (as compared to paid staff, retirees, or persons holding professional positions with some flexibility in hours). Meeting locations must also be chosen to ensure that persons who take public transportation can easily reach them. The safety and security of CAP members coming and going from meetings held during evening hours are also important considerations. And if the CAP is to include persons for whom English is not their first language, arrangements may need to be made to ensure that translators are available and that handouts or other documents are available in their first language.

Level of educational achievement and specialized knowledge (especially in areas such as science or engineering) can be an issue for all advisory panels—even those on which most or all members are basically the same in terms of common demographic markers such as income. My own personal experience in working with the public on complex technical issues has revealed that anyone of average intelligence who is interested in a topic can be helped to understand it through clear, basic presentations and clear, well-written documents. Once equipped with such information, these individuals can make significant contributions to advisory panel discussions, regardless of their formal level of educational achievement.

Concepts such as exposure, dose, risk, source reduction, secondary containment, and the like can be readily understood—if communicators are willing to devote the necessary time to working with CAP members or other stakeholders who are truly interested. Further, working with stakeholders who have limited literacy (an issue that extends across demographic lines) can also be done.

It is neither necessary nor appropriate to exclude stakeholders from discussions—or from CAPs, for that matter—because they lack formal

education or have poor reading skills.⁷ If stakeholders are interested in or concerned about an issue, they deserve the opportunity to learn about it and have their comments heard.

Finally, some stakeholder groups may have certain religious views or deeply grounded cultural practices that affect how they view the environment and human activity within it. Facility managers (and some community relations/public involvement practitioners) may not be aware of these beliefs or practices, their extent, or how modern industry might bump up against them. This is why substantive dialogues with stakeholders, particularly those whose views may differ from facility managers', are so important.

A CAP may not be the best venue for discussions of such beliefs or practices, at least initially. However, community relations/public involvement practitioners and facility managers who are involved with CAPs or other outreach or engagement activities should be sensitive to the possible emergence or mention of such beliefs or practices. Managers and outreach practitioners should take the time to learn more about them so they can better understand the needs and preferences of the stakeholders who hold them.

5.5.5 Fitting Within the Community or With Key Stakeholders

As several of the preceding paragraphs suggest, some communities and some stakeholders within them are more amenable to the idea of advisory panels than others. If a community is marked with a lot of contentiousness, trying to form a CAP as the first major outreach effort may be misunderstood by stakeholders, potentially adding to the contentiousness and even rivalry among stakeholder groups.

Instead, facility managers and community relations/public involvement practitioners may opt to begin their stakeholder engagement work by holding informal meetings with stakeholder groups on the stakeholders' own turf. After additional meetings and other events (such as facility tours, volunteering to work with stakeholders in community events, and the like), the idea of a CAP might then be explored.

⁷ The issue of literacy is one that hits very close to home for me. I had (and still have) a significant learning disability and I did not learn to read with reasonable ease or comprehension until I was 14. I have met people in of all economic strata and walks of life who have literacy issues—issues that many of them have learned to hide or compensate for, but that still must be addressed when it comes to learning complex new concepts.

I should note that CAPs (at least as actual standing bodies) don't work in some communities. If a community already has strong group processes, residents and officials might consider the idea of a CAP to be redundant or may even see it as interfering with their existing processes. For example, in some communities where people have a tradition of regularly attending community meetings, they may be suspicious of or offended by the idea of a "special" group that doesn't include whoever may wish to attend.

It is unwise to try to change such established practices; the better approach is to integrate engagement processes with them. In several cases that I have been involved with, we have worked successfully with existing groups and community processes. We often arranged to make occasional (or even regularly scheduled) presentations in front of existing groups during their meetings. The presence of facility managers at these community meetings encouraged residents and even officials to talk with them (and since I always attended, too, I could relay questions to facility managers on behalf of those residents who were reluctant to ask them).

5.5.6 Permanent Bodies or Issues-Driven, Temporary Panels?

Time can erode the effectiveness of a CAP, especially if the facility it advises is no longer facing new or ongoing issues. In addition, long-serving members may eventually experience "CAP fatigue."

Some CAPs rotate members out after a given length of time. This may be a workable option in some relatively populous places where a sizable number of residents maintain at least some level of interest in local facilities. But it may not be feasible in smaller communities that have a limited number of "concerned" citizens—or that simply have more pressing issues vying for residents' and officials' time. Thus, I am of the opinion that when a CAP runs out of issues, facility management should consider placing the panel on hiatus for a time rather than wearing out the CAP members. This doesn't mean that outreach efforts should cease, however.

Temporary advisory panels can sometimes be a good option, especially for permit applicants who want public input, but whose facilities do not already have CAPs. Such facilities can recruit a group of stakeholders to act as temporary advisors. This is an excellent approach for facilities that just want short-term assistance in preparing permit applications or developing information about a facility or permitting action for dissemination to the

community. Many of the same considerations mentioned in the preceding paragraphs apply to recruiting a temporary panel. However, since the members are being asked to assist in a targeted and finite process, concerns about compromised objectivity are often minimized.

I have worked with several temporary “advisory” groups that have been convened specifically to assist managers and community relations/public involvement practitioners to identify issues, concerns, or questions, suggest methods for encouraging public engagement, critique draft presentations or documents, and the like. The input these groups provided was very valuable—possibly more valuable than the input of a CAP for this particular purpose, since CAP members already tend to know a lot about the facility or permitting activities and thus may not give feedback that reflects how “average” community residents might view the information included in presentations or fact sheets or different types of engagement activities.

5.5.7 Misuse of CAPs

This section highlights actions that violate CAPs’ legitimate intent and function. I have already touched on the most serious type of violation: stating to the community (or otherwise implying) that the CAP “endorses” what the facility is doing. This is not what a CAP is for, and such claims presume on the good-will of CAP members. If CAP members wish to speak as private individuals and share their knowledge or views of the facility and its operations, that should be up to them. Facility management should in no way try to make them do so, however.

Similarly, CAP members should not be asked to speak on behalf of a facility in the event of a crisis. If reporters covering the crisis contact CAP members, facility management should be willing to step in and explain that these individuals are involved on a voluntary basis and that their role doesn’t include speaking on behalf of the facility or explaining facility operations or practices.

Finally, because of their participation in a CAP, members may become knowledgeable regarding a facility. Facility managers sometimes think this means that CAP members should assume part of the facility outreach function and “spread the word” about it. In fact, many facility managers initially decide to form CAPs because they believe that the members will take

on this role. Outreach is not the responsibility of CAPs, however. CAPs are already providing a valuable service—and giving management a precious gift—by sharing their views, questions, or concerns with facility managers.

Facility managers and permit applicants must remember that they need to do their own outreach and public engagement work. A CAP can provide insights, but it is *not* a tool for communicating with the public.

5.6 Use of the Internet to Provide Information and a Forum for Discussion

Websites are excellent tools for making information available to the public. However, they should not be used in place of other outreach tools.

Advantages of websites include:

- Organizations can post large amounts of information on websites, including information that provides varying levels of detail. For example, a fact sheet posted online might provide basic summaries, along with options to access additional information. Websites can also provide links to other websites for additional information and resources.
- Websites can include video clips and interactive features.
- Websites are useful for posting time-sensitive information quickly. They can also be rearranged to make them easier to use (based on public input).
- Websites can be used for the posting of comments and as forums for discussion, although comments and discussion need to be moderated to avoid the posting of libelous, inflammatory, or obscene statements. In addition, comments and discussions (which aren't being posted in real-time) can sometimes lead to serious conflicts or misunderstandings that could be avoided in actual face-to-face meetings. Thus, organizations that wish to use comment boards or discussion forums will need to consider how best to manage them (e.g., setting ground rules, or stepping in if discussions begin to veer off track or into areas of serious misinformation or conflict).

Use of websites and providing information electronically can have pitfalls, too:

- Stakeholders have to know about the website and visit it to get information. Also, they have to remember (or be prompted) to visit it for updates.
- Care must be taken in crafting information placed on a website. Presenters at public meetings can observe “blank” faces — and immediately step in to provide additional information or field questions that will assist in helping stakeholders understand what is going on or head off serious misunderstandings. But when posting online, the organization has to be sure beforehand that all fact sheets, graphics, and video clips are well thought out, carefully written, and thoroughly proofed. (This is also true of any written materials that are distributed.)
- Not everyone has access to the Internet. Even in this day and age, there are still many people who are not computer literate or who lack access to the Internet. While recent poll data show that 50% of senior citizens in the U.S. are now using the Internet, this means that the other 50% are not. Low-income residents may not be able to afford computers or web access. Many homeless persons and lower-income residents used to be able to access computers at local libraries or other public places. However, in some communities these facilities are operating on restricted hours or have closed their doors because of budget issues, limiting access to Internet resources for the people who have relied on them.