



Geographic Democracy

A widespread power shift changing project outcomes

BY JAMES KENT AND KEVIN PREISTER

People today, whether part of a community or an organization, expect to be involved in decisions that affect them. This is especially true when infrastructure projects are involved. For projects to succeed these days, citizens within an impacted community must become engaged in the process from the early stages of planning through its implementation.

Creating a Firestorm

Opposition groups can form rapidly and become widespread when project proponents don't take the time to introduce and discuss the project with the people affected. A good example is the Atlantic Coast Pipeline Project. It was originally called the Southeast Reliability Project, an organic name that reflected the region it would serve, while addressing the local concern about the reliability of their gas supply.

Changing the name to the Atlantic Coast Pipeline must have seemed harmless enough to the corporate decision makers. However, at the community level, a firestorm erupted that fed the suspicion that the gas was actually destined for the Atlantic Coast and would be shipped to international markets. To make matters worse, an announcement was made that this pipeline would not necessarily lower natural gas prices for consumers. This further reinforced the perception that indeed, the gas was not for the local community. In less than 90 days, there was widespread and hostile citizen reaction to this project.

The Power Shift

The industry has historically relied on three factors for project implementation: favorable regulation from state public utility commissions, landowner cooperation and the use of eminent domain. For too long, the industry strategy has been based on pushing back on project opposition under the "last person standing" rule, which simply means surviving your opposition through a lengthy and daunting approval process.

Over the last few years, however, a global trend has emerged. It is called "geographic democracy," and it defines how people are taking over

what happens in their physical and social space. A widespread power shift is occurring in which citizens are becoming more aware of how a project impacts their immediate surroundings, and they want more control over those potential impacts, with or without government or corporate allies. Given an opportunity, people are willing to absorb change—but they do not want to be surprised and they want to see how the project benefits their quality of life.

Communities have forced a fundamental long-term change, both nationally and internationally, while the industry has been relatively unchanging in its development and approval strategies. The industry response has been to treat this shift to geographic democracy as episodic (it will go away) rather than systemic (the change is permanent). This does not serve the industry well.

This shift was evident in the Keystone XL project and led to its demise. In retrospect, the developer may have underestimated the power shift taking place at the community level and its importance to the project's success. The years of disruption caused by the approval process was used by well-organized ideological groups to train "pipeline warriors" to carry out the fight against the Keystone XL pipeline, and then ultimately against any pipeline project nationally. While this activity was taking place, TransCanada continued to fight the battle for approval using the "last person standing" rule—and lost.

Abandoning the Old

Despite increasingly effective citizen resistance to right of way and infrastructure projects in general, industry has done little to address this power shift. Instead of partnering and collaborating with

the various impacted communities, the industry often moves in the wrong direction, doubling down to go higher up the ranks to accomplish a project. As citizen opposition has risen in recent years, so has the corporate reliance on legal and regulatory options.

A recent example involves the Department of Energy (DOE). In March 2016, the DOE approved a 700-mile \$2 billion project crossing several states with federal authority to override the state Public Utility Commissions. Decisions about energy projects have resided with the state Public Utility Commissions for generations. The backlash that this decision has created will continue to grow and impact future projects in the same manner as the Keystone XL battle unless a social risk intervention is undertaken.

In an attempt to appease the local communities and state authorities after the decision was made, the DOE listed several Public Protections. The first one stated: "The federal government will only exercise eminent domain as a last resort." This statement, more than any other, was a flash point for an adversarial reaction from the landowners in the 700-mile corridor. Because the DOE listed eminent domain first, some citizens misinterpreted the announcement, believing that eminent domain would be the main approach used to acquire the land. Of course, this only created a negative perception among landowners and worked to taint most, if not all, of the negotiations.

A Change Veteran

Over the last 30 years, the U.S. Forest Service has undergone a paradigm shift in how it works with its local communities. In the late 1970s, citizen



By integrating a collaborative community-based approach, the U.S. Forest Service was able to cut the 15-year project approval process by more than 80 percent.



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issues surfaced over the Forest Service’s herbicide spraying, as well as its inventory of roadless areas. By 1989, as the issues gained national attention, the agency was in gridlock, unable to implement projects even though it had the legal authority to do so. If projects were implemented at all, they routinely took 15 years or more as national groups scrutinized its every move.

The Forest Service was forced to restructure its approach to projects and develop policies favoring community-based collaboration. It also began experimenting with different approaches to communicate with local citizens in an effort to resolve project issues. It rewarded employees who excelled in this area and even rated them on collaboration skills in their performance reviews. Over time, the projects began to get backing from local communities, which served to buffer the projects from formal opposition groups. As a result, the project development timelines were typically reduced from 15 years to an average of two to three years. Today at the Forest Service, the process is routinely used to conduct citizen engagement, and it is funded as part of the formal project management structure.

Creating the Right Structure

The infrastructure industry is facing a serious need for fundamental changes in how it does business. By integrating some of the following approaches, leaders can

take a more proactive role in addressing the structural change needed.

- **Move citizen engagement upfront** in the design process and give it equal footing with engineering feasibility.
- **Add knowledgeable right of way professionals to the design team** early in the process so they can provide critical insight on the local communities before any final decisions are made.
- **Integrate social ecology concepts into the project plan.** Working through informal networks, company personnel can address potential issues created by this power shift. To facilitate this on an industry-wide level, the IRWA has addressed this power shift by creating Course 225, Social Ecology: Listening to Community for its members.
- **Ensure trained representatives are on the ground.** The company responsible for the project needs its own trained representatives to serve as the face of the company, responsible for direct citizen contact and coordinating issue responses. Their involvement will help eliminate communication gaps while identifying and resolving citizen issues. To be effective, they will require real-time access to corporate decision makers.

Changing the Odds

An article titled “Minimizing Non-Technical Risks” was published in the July/August 2016 issue of Right of Way Magazine. The author, Shaun Tweed stated, “As many as 70 percent of major capital projects are being delayed by months—if not years—as a result of non-technical risk factors.”

This statistic will become greatly improved when the industry’s attention is focused on the structural shift to geographic democracy that has taken place in our society. ☘



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