

POLITICAL AND MONETARY INFLUENCES

AND THE SITING OF

NOXIOUS FACILITIES

BY

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ABSTRACT

This paper examines the way political and monetary influences effect the siting process for noxious facilities. Understanding their effects is an important first step to controlling them so that social and environmental equity is maintained.

How is it that certain agents are able to have more political influence than others. The role of different types of political influence, the differences between governmental and non-governmental agents, the differences between Primary and Secondary agents and the differences between the potential to create influence and inherent political influence will all be examined. The way these elements combine to create political influence is important to understand how certain agents are able to effect the siting of noxious facilities.

The construction of an hierarchy of power will be attempted, taking into consideration the above factors as well as some internal factors such as the credibility, reputation, commitment and strategies used, of the individual agents. Monetary influences are easily defined, and will also be taken into consideration.

These elements of political and monetary influences will be examined in the context of a siting process which occurred in Halton Region over a waste disposal site. Each agent involved in the siting decision will be examined, using the above elements to determine if the hierarchy is correct and, if the agent with the most political and monetary influences is in fact, the agent to effect the siting of that noxious facility.

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CHAPTER ONE

INTRODUCTION

1.1 STATEMENT OF OBJECTIVES

Do political processes exert influence over the siting of noxious facilities? Monetary and political influences are the main forces behind political processes, and as a result, if monetary and political influences are present it would indicate the use of political processes in the siting process.

These two statements will be examined using the Halton Region and its attempt to locate a site for a regional waste disposal facility as an example. Did political processes influence the location of the regional waste disposal site in Halton? Through a case study of the proposed site (site-f) monetary and political influences will be examined to see if they did in fact influence the decision not to locate the facility at site-f.

Since the final decision as to where the Halton waste disposal site will go has still not been made, the focus of this paper will be only on the part of the siting process where the decision was made not to locate the facility at a particular site. The waste disposal site was proposed to be put at a location termed site-f, at the corner of Tremaine and Britannia roads in Milton. This paper will examine why the facility was not put there, and what processes were at work within the siting process such that the facility was not located there.

It is the hope of this paper to show that it was in fact because of political processes created by monetary and political influences that the facility was not located at site-f. Site-f was not the area of least resistance and therefore did not have the noxious facility located in that area.

The data required to take an in-depth look at the processes behind the decision not to locate the waste disposal site at site-f were gathered through personal interviews with people who were key participants at the time the decision was made. Knowledge was acquired from several points of view and provided a well-rounded data base from which to research the problem.

Key participants interviewed were Ann Katz, past president of the Tremaine Britannia Citizens Group; Roy Main, the Town Administrator of Milton; Dennis Perlin, past Chief Administrative Officer of the Region of Halton; and David Estrin, who was the lawyer for the Tremaine-Britannia Citizens Group.

Some assumptions will be made in this paper: firstly, the assumption that a suitable site for the particular noxious facility does in fact exist and, to preserve social and environmental equity, the noxious facility must be located on that site. This assumption is primary to the understanding of this paper, for if there is no correct or most suitable location for a noxious facility, then it does not matter that

political processes exert influence over the locational process.

Political processes may interfere with social and environmental equity by influencing the siting process to locate a noxious facility where it does not belong. A noxious facility does not belong in a place where there is the potential for damage to either the social or environmental equity.

A second assumption which has to be made is that there are two possible ways of siting a noxious facility. The first is the technical approach where a location is selected based on empirically sound scientific data which has been acquired through technical means. This process will provide the most equity when determining a location for a noxious facility. Under this approach there are set rules to insure that a noxious facility is located on the most suitable site.

The second approach is the political approach which deals with the existence of political processes. Through this approach a location for a noxious facility is mainly determined by factors other than empirically sound research data. Factors such as monetary and political influences have much more of an influence on the location of a noxious facility than the technical data. This process can lead to social and environmental inequities such that a chosen location may not be capable of successfully handling the facility. The inequity of this approach exists only in a

situation where the assumption as stated above is in place. It is within this approach that the most social and environmental damage is done.

There are undoubtedly many different types of political processes which exist, and which could possibly occur in a situation similar to the one being studied. Also within these political processes there are bound to be many different elements and factors which make the political process work. For reasons of length and time, this paper cannot focus on all of the different process and elements which lie behind them. Instead, this paper will examine just two elements which seem to have inequitable influence over the siting of noxious facilities.

Monetary and political influences are to the political approach what research data is to the technical approach. These two factor show themselves to be important in two main political processes: "least resistance" and "negotiation and compensation". Monetary and political influences provide the main impetuous to make these two political processes work.

When considering whether political processes influence the siting of a noxious facility one must be aware for any monetary and political influences. The main principle behind the "least resistance" approach is that a facility will be sited in the area which has the least resistance to having that facility in the neighbourhood.

The negotiation and compensation approach deals with

siting a noxious facility by negotiating with and paying compensation to the people who are directly affected by the noxious facility. This approach is a political process because the final decision is made based on monetary and political influence instead of empirical research data.

This paper will have five sections, the first of which will be a review of the literature which has been written on the topic. The second section will contain a brief, but thorough history of the attempt by the Region of Halton to locate a waste disposal site near the Town of Milton. Following this will be a section which defines and discusses monetary and political influences and demonstrates how they fit into the general scheme of the siting process. The fourth section will use specific examples of monetary and political influences from the Halton Region case to show that political processes did in fact exert an inappropriate amount of influence over the siting of this noxious facility. Finally there will be a discussion of the results found in this study.

1.2 LITERATURE REVIEW

The siting of noxious facilities has been a topic much studied over the past twenty years. A noxious facility is any type of facility which has real or perceived negative impacts on the surrounding area. Such facilities can take many forms, however, most of the literature to date has focused on the siting of hazardous waste facilities.

The United States Environmental Protection Agency estimated that in 1980 between 50 and 125 new sites for hazardous waste facilities would be needed; since that time no major facility has been sited anywhere (Mitchell and Carson, 1986). O'Hare (1977) and Pushchak and Burton (1982) state, that there has been a failure to win public acceptance of noxious facilities despite a general public agreement that a region would be better off with a facility somewhere.

Controversy over the siting of noxious facilities centers around two types of effects they create: physical and attitudinal. The Conservation Foundation (1984) suggest that economic effects might be the decline of both personal and commercial property values. Duberg et al (1980) state, that the difficulty in siting noxious facilities can be traced to the adverse publicity given to environmental problems. Poorly constructed hazardous waste sites have eroded public confidence in industry as a safe manager of environmental health quality (Anderson, 1986).

As Anderson (1989), Duberg et al (1980) and Pushchak and Burton (1982) suggest, there is a certain amount of perceived risk which residents share that can be attributed to the widespread public awareness of possible danger to local communities as raised by the Love Canal problem.

NIMBY ("not in my back yard") is a reaction to the perceived risks which a noxious facility is thought to hold. Pushchak and Burton (1982) state that NIMBY arises because of

the spatially inequitable distribution of risk, both actual and perceived. An interesting note about NIMBY is that citizens agree that a new facility is needed, but many of those who agree to the need tend to oppose any proposals involving their town (Anderson, 1986).

The inability of facilities to find sites has prompted analysts to say that compensation is the logical refinement in existing siting methods to deal with the NIMBY problem (Pushchak and Burton 1982). Compensation is a cost-effective means of reducing the uncertainties and delays in siting facilities due to local opposition (Anderson 1986).

The concepts discussed above, are well documented, However, when one searches to examine the processes which occur while these factors are interacting - no documentation can be found. The focus of this paper will be on those underlying factors and processes which occur when the elements involved in siting a noxious facility come together.

CHAPTER TWO2.0 HISTORICAL BACKGROUND ¹2.1 HISTORICAL CONTEXT

To understand the impact of the events which have transpired over the last 19 years in the Region of Halton, a brief set of historical notes must be presented. There are several pieces of information which contributed greatly to the problems which grew between the Town of Milton (Milton) and the Region of Halton (Halton), and the Tremaine Britannia Citizen Group (TBCG).

The first important factor is that the Town of Milton was the County seat for the County of Halton before Regional government was implemented in 1974. Having the County seat in Milton gave the town a certain amount of prestige which it otherwise would not have had.

When the new mechanics of Regional government took control one of the first things they did was to move the seat from Milton to Oakville. The residents of Milton and area viewed this move as a loss of a power base as well as the loss of prestige implicit in the city which is the County seat.

¹ The factual information contained in this chapter was obtained from personal interviews with Ann Katz, President of the Tremaine-Britannia Citizens Group; Roy Main, Town Administrator of Milton; Dennis Perlin, past CAO of Halton Region; and David Estrin, Environmental lawyer; each of which were key participants in the siting process. Additional information was obtained through a newspaper clipping file in the Urban Documentation Centre.

The Regional council, was another area of contention for Halton and Milton. The number of representatives for each municipality was proportionate to their population, as a rural small town, Milton held only 3 seats. In comparison, Halton Hills had 5, Oakville had 7, and Burlington had 9.

The urban areas, as a result , held a demanding majority of seats in the council. Thus when it came time to vote about the waste disposal site, the urban centres always defeated Milton, which did not want the waste disposal site.

Before Regional government in 1974, each of the municipalities had their own waste disposal site. Milton's landfill site was small and when it was exhausted Milton began shipping its garbage to Halton Hills, when this was full, to Oakville and then finally to Burlington. Thus, before the advent of regional government Milton had been shipping its garbage to other municipalities for disposal.

The shipping of garbage and lack of waste disposal sites in the County did not go unnoticed by the people of the County. They hired the consultant firm of McLaren and Associates to conduct studies and tests to find a suitable location for a regional waste disposal site. In 1974, when the reformist PC Provincial government created the Region, the McLaren study was dropped and the newly formed Region hired M. M. Dillon to carry out the same study.

Milton felt that since it had been sending its garbage to other municipalities for disposal for a number of years,

was an unspoken agreement between the municipalities and the Region that it was Milton's turn to take the Region's garbage. After reviewing the results of the studies the Town Administrator of Milton felt that the studies had been conducted with the condition that the waste disposal site be put in Milton from the very beginning. The consultants parameters were to "put the waste disposal site anywhere, as long as it is in Milton" (Main, 1989).

2.2 PLANNING COMPLIANCE STAGE

In October of 1975, the Region released a report stating that there were only two years of life left in the existing landfill sites and that a new site had to be found quickly. The Region was working against time, as it would take approximately 12-18 months to get a site ready to accept garbage from the time they found a suitable site.

By January of 1976, M. M. Dillon had produced a list of seven sites (A-G), as possible locations for the Regional waste disposal site. In February of that same year after another round of studies, M.M. Dillon produced a ranking of the seven sites in which site- F, at the corner of Tremaine and Britannia Roads in Milton was ranked most suitable.

The first responses to this ranking came from the citizens who lived in the area of Tremaine and Britannia Roads (Appendix B, Map 1): they founded the Tremaine - Britannia Citizens Group (TBCG). Between February and May of 1976,

there were several meetings and rallies as the central organization of the TBCG made their plans and prepared strategies of opposition. By May, through the use of fund raisers and donations, the TBCG was able to hire a lawyer.

In September the TBCG met with the provincial Liberal and NDP leaders in the hope of finding some parliamentary support against the Regional government. In October, Milton denied the Region permission to carry out soil testing at site-f in a bid to stall for time.

However, after determining that site - f was the best location for the waste disposal site, on March, 2, 1977, the Region passed zoning by-laws which rezoned the agricultural land on the site. The area was changed from one of agricultural land use to one of industrial land use, so that the proposed waste disposal site would not be a non-conforming land use zone. The rezoning was the essential first stage of the Approval Process (Appendix A); without which the rest of the process could not have continued.

The TBCG took the Region to court in response to the Region's by-laws. The main platform that the Town of Milton and the TBCG used was that the Region did not as of yet have an Official Regional Plan and therefore did not have the authority to pass the by-laws. The lawyer for the TBCG, David Estrin, argued that as there was no Official Regional Plan, the by-laws passed by the Region on March 2, contravened the Official Plans and zoning by-laws of the Town of Milton.

On April 20, 1977, the Supreme Court of Ontario rejected the Regions by-laws, saying that they were in contravention of existing zoning by-laws. After an appeal by Halton on July 12, 1977, the court once again quashed the by-laws. In an attempt to avoid a costly and extremely time consuming OMB hearing, the Region prepared recommendations for amendments to the official plans and zoning by-laws of Milton and presented them to the Milton council. In April of 1978 the Milton council voted against giving the necessary zoning and official plan changes that the Region required.

As a result of their refusal to change the zoning by-laws the Town had necessitated an OMB hearing. To continue to put the waste disposal facility at site-f, the Region had to obtain permission from the OMB hearing, which had arisen as a challenge to the first stage of the Approval Process.

2.3 ONTARIO MUNICIPAL BOARD (OMB) HEARING STAGE

At this point it would be best to state clearly the reasons the Town and the TBCG were involved in opposing site-F. Initially for the TBCG there was a NIMBY (not in my back yard) reaction, however this did not last long, for as the TBCG researched the problem they began to believe that site-f was actually the wrong place to put the waste disposal site. Also, site-f was on prime agricultural land and as such should not be used to bury garbage. They also believed that the facility would destroy the aesthetics of the view from Rattle

Snake Point, a historical and beautiful escarpment lookout.

The Town of Milton was involved in the issue primarily because they wanted to stand behind the TBCG who represented the feelings of a large proportion of the local population. They did not believe that they should have to accept the large quantities of garbage the urban areas produced when they produced only a little themselves.

With the approval from the Region the OMB members widened the parameters of the hearing at the request of the TBCG and Milton. Instead of only determining whether site-f was needed or not, the hearing took on the form of an Environmental Assessment allowing information first deemed irrelevant to be submitted. The Region did this because it did not want to have to return to court due to a technicality which resulted from not all of the information being taken into consideration in the final decision.

The main point of the argument for the Town and TBCG was that a site in Burlington, site- A, would be a more suitable location for the Regional landfill site. On February 16, 1979, the OMB was told that more studies would have to be done before a Burlington expansion was considered. Finally, on February 23, William Goodings, vice-president of Proctor and Redfern Ltd. (Consultants) suggested expansion of the Burlington site as a long term solution to the problem and as an alternative to site-f.

Five months after the hearing had begun, the OMB approved

site-f as the site for a Regional waste disposal site.

"After considering all the evidence, the advantages and disadvantages of site- F, the objections and concerns of the Town and the citizens, we have come to the conclusion that the Region has made out a sound case for the approval of its proposal which has not been weakened by those in opposition." (Hamilton Spectator, Nov., 1979)

Halton was pleased with the ruling because they knew that the second stage of approval was the Environmental Protection Act (EPA) Hearing. Their logic was that the EPA was a narrow piece of legislation and would not take into consideration most of what was said at the OMB hearing and because they won the OMB hearing they would win the EPA hearing.

The TBCG appealed this decision to the Provincial Cabinet (as could be done in 1979) and the Cabinet agreed with the OMB ruling allowing the zoning by-law changes needed for the site. The next step for the Region was to undertake an EPA hearing, which is the second stage of the Approval process.

2.4 ENVIRONMENTAL ASSESSMENT ACT (EAA) STAGE

Halton, to this point had been working to gain Planning Act compliance, and then going right into an Environmental Protection hearing under the Environmental Protection Act (EPA). The EPA, as a narrow piece of legislation, examines only the physical side of things; socio-economic factors do not come into play. Another advantage was that alternatives to the proposed site did not have to be

presented.

A bench mark date was soon to change the Region's confidence in getting EPA approval. On June 3, 1980, the Environmental Assessment Act (EAA), once only applicable at the provincial level of government, was legislated to also apply to the municipal level of government.

The possibility of an EAA hearing did not sit well with the Region as it was a much broader piece of legislation, and could damage the Region's hopes for site-f. The Town and TBCG liked the EAA precisely for those reasons. The only way the TBCG and the Town could win now was to get an EAA because they knew that the Regions evidence and process was not on a par with what an EAA would require.

The issue of whether to have an EAA or EPA hearing was given to the court to decide. After some consideration the court determined that the Minister of the Environment, Harry Parrott, should decide which to have. On February 6, 1981, Harry Parrott announced the hearing would be conducted under the EAA.

When it was time for the EAA hearing, Milton stated that Halton had not carried out the site selection process properly. The Region should have done tests and studies, true to siting process form, at a number of different sites. The Town held the belief that the Region had done a 'siting reversal'; they had full intentions of putting the facility in Milton from the beginning and picked a site in Milton and then

used technical evidence to support and justify its choice-
the opposite of the proper siting procedure.

In reality the Region had found site-f by looking at hydro-geological maps of the Region and picking sites which were hydro-geologically sound. They then narrowed the number of sites down to one and began drilling and other tests to see if the site was suitable.

With all of this evidence weighing against Halton, Milton and the TBCG won their case: the original siting process, which ranked site-f at the top, was invalid. Under the EAA, which studies social, economic, physical and environmental factors, Halton's evidence seemed weak.

The process had to be repeated from the beginning, and the Region hired the consultant firm of Walker, Wright and Young Associates to conduct the new studies. The result of this second study was a ranking of seven other sites, in which, Burlington (new site- F) was ranked first and a close second was a site in Milton (site- D). The original site-f did not appear in the study because further study found there was an underground stream passing through the site.

In the form of an update, since this study began in September, a final location for the Halton regional waste disposal site has recently been found. After a lengthy hearing between Burlington, Milton and Halton, site-D, only a few kilometers from the original site-f was chosen as the site.

CHAPTER THREE

3.0 DEFINING MONETARY AND POLITICAL INFLUENCES

This chapter will define exactly what monetary and political influences are and how they combine with various agents involved in the siting process. This should make it easier to see that these influences were in fact important factors behind the political processes, particularly the "least resistance", which influenced the siting of the Halton Regional waste disposal site.

Political influence will be defined first, stating the different types of political influence and the hierarchy in which they exist. The second part of the chapter will discuss monetary influences and the way that they have an effect on the siting of a noxious facility.

3.1 POLITICAL INFLUENCE

Political influences are created by the agents involved in the siting process. Each agent, as a general rule, has its own type of political influence which it uses to try to influence the siting of a noxious facility through the political processes.

From the data, it was possible to categorize political influences into four types, drawing from two general groups, the governmental and the non-governmental. The types of influence and the corresponding groups to which they belong are listed below:

- 1) Authoritative (governmental)
- 2) Pressure (non-governmental)
- 3) Persuasive (non-governmental)
- 4) informational (non-governmental)

The basis for this differentiation between the two lies in the form of the power they wield. The non-governmental agents who use the corresponding non-governmental influences only have the potential to create power, while the governmental agents have a real inherent power.

The agents involved are also categorized as either primary or secondary agents. The difference between these two groups is that the secondary agents have nothing at stake over the outcome of the siting process. Their only concern is performing well for the primary agents who have hired them to help create a strong political influence.

Thus, secondary agents on their own would never make an effort to combine their own powers, this is strictly a function of the primary agents. The primary agents will differ from case to case but the secondary agents may always be the same.

The four types of political influence exist in an hierarchy where the inherent power of each type decreases from "authoritative" through to "pressure", "persuasive" and finally to "informational" influence. This hierarchy however is not fixed; it becomes increasingly flexible depending on the characteristics of the agent using the political influence.

Through the study certain characteristics such as the

reputation, credibility, commitment , and strategies of the agents, have proven to be important in enabling an agent using a particular type of political influence to create more power. Thus, depending upon the internal characteristics of the agents the political influences may move up or down in the inherent hierarchy of power. Political influence is proportionate to the quantity of each of the above four characteristics such that high levels of the characteristics create a stronger political influences.

Each agent involved in the siting process uses a particular type of political influence and that influence has a specific strength which in turn depends on the characteristics of the agent. The power that each primary agent creates through his political influence can be combined with the power of other agents to create a stronger political influence.

Although the informational influence is the weakest of the four types of influence which will be discussed, it can, at any point in time, be more or less powerful depending on the above four characteristics. The information provided by a consultant who has a good reputation and is credible will hold more influence then data from the consultant who has neither of these assets. Thus the consultants, based on the strength indicators (the four characteristics), will have their own hierarchy of political influence with the consultants at the top being more influential than the others. The top

consultants would be the most desirable for a primary agent to combine political influence with.

The type of relationships between the agents and their particular forms of political influences are demonstrated in Figure 1 (Appendix B). The diagram shows which agents use which type of political influence and who they can effect with it. Since certain agents are limited to certain types of power, it may be to their advantage to combine their power with that of another agent.

The agent, or group of agents, which can create the largest amount of political influence will be able to effect the siting of a noxious facility. Political influence is one of the two indicators of the existence of a political process and thus the presence of this influence would lead one to believe that political processes were involved.

3.2 THE AGENTS INVOLVED

The agents involved in the siting process may vary from case to case. Figure 1 is a general diagram which shows the types and paths of influence each agent has within the siting process. The types and paths of the agents will generally stay the same even though certain agents may be missing. Thus, the Citizen Group will always have pressure influence over the provincial government, however, if the provincial government is not involved then the citizen group's influence over the them becomes useless.

The above information applies to each of the following agents who are present in any siting process. Each will have a political influence with a certain amount of power, which is directly related to the internal characteristics of the individual agent. Each agent can combine their political influences and thus their power with other agents in the hopes of creating a stronger political influence.

3.2.1 Consultants

The consultants act as the generators of information for the whole system, and as such their power is termed "informational". It is through these consultants that the other agents obtain the data needed to support their views. The influence the consultants have is passive in the sense that they do not get involved in the siting process directly. As the arrows in Figure 1 indicate, the consultants simply supply information for the lawyers, the citizens groups and the local governments.

3.2.2 Lawyers

The lawyer, as indicated in Figure 1, uses what has been termed "persuasive" influence which is directed at the citizens groups and the local government. The lawyers take the information which the consultants have provided and use it in a 'persuasive' manner in the hopes of ultimately effecting the siting of the noxious facility.

Lawyers take the information and generate strategies with which they present the views of the local government and the citizen groups. The "persuasive" influence is on a higher level than the "informational" influence because the lawyers use the information the consultants provide to increase their own persuasive influence.

3.2.3 Citizen Groups

Citizen groups gain their power through pressuring the government: letting the politicians know, through various actions, that they are not happy with the status quo. The influence they generate has been termed "pressure" influences and, as can be seen in figure 1, they pressure both the local and provincial levels of governments. The citizen groups are on a higher level than the lawyers because they take the lawyers' influence and add their own "pressure" influence to it.

3.2.4 Local Government

By virtue of being a level of government, the local government has a source of influence which automatically effects every other agent involved in the siting process. The local government has what can be termed "authoritative" influence, and because of this the local government has direct influence over the siting of noxious facilities. The local government can enhance their inherent power by combining

it with the non-governmental forms of influence. In this manner the local government can create a stronger political influence to add to its already existing inherent power.

As figure 1 indicates, all the other agents are acting upon the local government while it does not act on the others. This is in large part due to its authoritative influence which effects everyone automatically.

3.2.5 Provincial Government

Also being a governmental agent, the provincial government has the inherent authoritative influence that the local government has. As a governmental agent this authoritative influence also automatically effects every other agent as they know how much real power the provincial government possesses. However, the provincial government also has an influence on the local government by virtue of the governmental hierarchy within which the two exist.

Thus, even though both levels of government have authoritative influence, the hierarchy is such that the local government, which is on a lower level, must do as the provincial government dictates.

As figure 1 indicates, the governmental agents do not have to effect the non-governmental agents other than through their authoritative influence. However, they may use the non-governmental agents and influences to help support and strengthen their own authoritative influence.

3.3 MONETARY INFLUENCE

Monetary influences refers to the ability of money to influence the siting process. Money can do many things to influence the decision to site a noxious facility; the list is almost endless. An important one is what money enables an agent to conduct a well organized and successful campaign. More specifically, money enables an agent to pay for a good lawyer, it enables an agent to hire excellent consultants and to pay for expert witnesses, money pays for court costs, and lots of money helps an agent stay in court for a prolonged period of time.

Thus, it can be seen that money can influence the siting of a noxious facility. The degree of monetary influence is proportional to the amount of money an agent has. Monetary and political influences are closely related and as such it is sometimes hard to have certain types of power without money. Also, monetary influence is more important to the primary agents than the secondary agents in the siting process because they use the monetary influence to gain the political influence of the secondary agents.

CHAPTER FOUR

4.0 POLITICAL AND MONETARY INFLUENCES - HALTON

Given the general model and definitions outlined in chapter three, this section of the paper will use specific examples to show that monetary and political influences, and thus political processes, were indeed influential in the decision not to locate the Halton regional waste disposal site at site-f in Milton. This chapter will be divided into sections describing the various agents and the political and monetary influences acting upon them.

Figure 2 (Appendix B) is a diagram similar to Figure 1 but has variances which are specific to the Halton case. As Figure 1 was a general model, variances are expected to occur as not all siting cases will be exactly the same. The two main differences from the general model are that the local government sector is broken into two levels - regional and municipal, and that some agents use more than one type of political influence.

4.1 THE TREMAINE-BRITANNIA CITIZENS GROUP (TBCG)

As a citizen group, the TBCG depended upon the people in the area for both monetary and political support. The size of the TBCG reflected the belief in the local residents that site-f was the wrong place to put the waste disposal site. The sheer numbers of people the TBCG could depend on when they

needed either money or a show of support was enough to create political power.

The TBCG was able to develop political influence through a series of actions which increased the credibility and responsibility of the citizens group. As mentioned earlier these two characteristics, along with commitment and strategies, are two important elements which can increase the political influence of an agent, which in turn creates power.

Creating and maintaining an air of credibility and a good reputation is the hardest part of making a citizens group successful. "It's hard to find people to go to bat for you unless they are sure they will get paid." (Katz, 1989) One of the main tasks for the TBCG was to prove that they were financially viable and that they were responsible for what they did. The importance of money is demonstrated quite clearly on this point. The TBCG had to show that it had the money to pay for the consultants and witnesses, before they would be taken seriously.

The TBCG and the Town of Milton were both in opposition to the Region and the proposed site-f. However, the Town did not give the TBCG and the citizens group did not ask for financial help - this would have been a sign of weakness and therefore a loss of political influence. "Having to depend on some one shows that you don't have the dedication or will, to get it yourself." (Katz, 1989)

The TBCG was constantly seeking new information about

waste disposal: spending time and money researching alternatives to landfill sites and other waste disposal problems. The TBCG continually supplied the politicians with this information, making them aware and educating them. As Figure 2 shows the TBCG used informational influence to try to create political influence. At the same time they were using their pressure influence to try to get the Region to change its waste disposal policies. In February of 1977, the TBCG distributed a newsletter through the mail stating policies they felt the Region should follow. Through this process the TBCG developed credibility and influence and as a result they were taken seriously.

Part of the TBCG's strategy was to use local people who were both authority figures and credible. By using people who were already credible the TBCG added to their own credibility, and thus their political influence, and at the same time saved money. The TBCG "took local people, schooled them on what was happening, gave them information and made them knowledgeable." (Katz, 1989)

Following this line of strategy they convinced Robert Bateman to auction off one of his paintings for a fund raiser. At the time Bateman was on the Escarpment Commission and as such held a position which could eventually help the TBCG.

Another local painter, Betty Goodfellow was commissioned to paint a picture from Rattle Snake Point overlooking the area where the proposed dump would be built.

This picture was put on a post card and used in a postcard campaign which attained parliamentary attention.

Probably the most influential local figure the citizen group convinced to join them was Dr. Benidict. (Katz, 1989) A person of authority in Milton, his aid was cultivated by the TBCG because they saw the potential influence he held. He quickly "became a friend and his advice was good as well as free." (Katz, 1989) Retrospectively, the most important thing Dr. Benidict did for the TBCG was to lead them to David Estrin, and Environmental Lawyer. David Estrin was to become an important part of the political power the TBCG was to develop.

One of the most important thing the TBCG did, was to use its pressure power to try to influence the provincial government. As Figure 2 shows, the provincial government has authority over the Regional government and the TBCG felt if they could influence the former then they could effect the siting of the noxious facility. (Perlin, 1989)

The citizen group once again used a local person with both credibility and authority when they tried to influence the provincial government. This person was Jim Snow, a PC minister in the government who carried a lot of weight in the party, and although he lived in Milton, his riding was in Oakville. (Katz, 1989)

The TBCG used Jim Snow to get to Premiere and through him they let the premiere know that unless the Environmental

Assessment Act was used to assess site-f, then a PC candidate would never again be elected in Milton. (Perlin, 1989). As an election was nearing and the PC's wanted to win the Milton riding, they decided to help the TBCG in the hopes of eventually winning the seat. (Perlin, 1989) In this manner the TBCG was able to create power to influence the provincial government.

The most important aid that strategies provide for an agent is the ability to create the same amount of power (influence) that its advisories have at a lessor cost. This can most clearly be seen in the realm of lawyers. The TBCG was paying their lawyer, David Estrin, one quarter of what Halton was paying their lawyers. (Katz, 1989) Halton had acquired Oslar, Hoskin and Harrcourt, one of the oldest and most respected law firms in Ontario to represent them. (Main, 1989) Here, both monetary and political influences were weighing against the TBCG because Oslar, Hoskin and Harrcourt did not come cheaply and they had an excellent reputation.

At first glance it would seem that Halton had the better lawyer, certainly he was very credible, however, strategies the TBCG used tempered the individual influence of the lawyer such that Estrin became more influential.

David Estrin knew a large number of the consultants in Ontario; he knew what they were like, how they operated and who was the best. (Katz, 1989) He was also important strategically because he negotiated how much the consultants

would charge before the TBCG hired them. (Katz, 1989) This personal knowledge gave Estrin an advantage over the other lawyers - an advantage for which money and reputation could not compensate. This made Estrin's work for the TBCG more influential than did Oslar, Hoskin and Harrcourt for the Region, and ultimately added to the citizens group's growing political influence.

Another strategy which paid off for the TBCG when they were dealing with the consultants was to always know ahead of time what they wanted from the consultants. (Katz, 1989) Halton was paying a great deal of money for consultants who were less than good, while the TBCG was getting good consultants at prices which kept them competitive.

The TBCG had always done the ground work for the consultants and as a result cut their consultant costs even more. As Figure 2 indicates, while the consultants provided the TBCG with information, by doing the groundwork first and already knowing what they wanted the consultants to find, provided information to the consultants and in this way created political influence.

This also had the added benefit of enabling the TBCG to stay in sight of their goals without being led astray by consultants' reports. (Katz, 1989) It was strategies such as these which helped increase political influence while at the same time saved money.

Commitment is another of the four characteristics

which increase the amount of power that an agent can create. It helps demonstrate that money and political influence are indeed important factors in the siting of noxious facilities. The constant pushing of the politicians and keeping them aware of the issues creates an air of responsibility and credibility - a force to be reckoned with.

Commitment and hard work also paid off for the TBCG because through their commitment people came up with strategies which were influential in both saving money and creating power. "The TBCG was excellent, they were responsible and they really felt that it was wrong to put the site there, and they were committed." (Perlin, 1989) This statement by the Chief Administrative Officer of Halton shows just how much influence the TBCG was able to create through their quest to be credible and responsible and just generally committed to the cause.

4.2 THE TOWN OF MILTON

The Town of Milton, was not as successful as the citizens group in creating power with which to influence the location of the waste disposal site. They were, however, successful in the sense that the power they did create helped influence the location of the noxious facility, in the overall scheme.

As a governmental agent the Town of Milton was involved in the governmental hierarchy as indicated by

Figure 2. As a municipality Milton was at the bottom of this hierarchy along with all the other municipalities. The low level of political influence upon the higher levels of government was compounded through the allocation of seats on the Regional council. From a possible number of 24 seats, Milton, Burlington, Oakville and Halton Hills had 3, 9, 7, and 5 seats respectively. As a result Burlington and Oakville had a great deal of influence in the Regional government and thus, when it came to any kind of vote about the waste disposal site, Milton was always discriminated against. (Main, 1989) The power the Region had over Milton was quite limiting for Milton, and the Region would have used this power to have the proposed waste disposal site located in that town.

Since the Regional governmental had not yet made an official Regional plan, Milton found itself in an unusually powerful position over the Regional government. The Regional government should have been able to use its governmental authoritative influence over the municipality to force them to change the zoning by-laws to accept the waste disposal site. But as the Regional plan was not yet in place the hierarchy of political influences was disrupted and Milton was able to refuse the Region permission to change the by-laws. This equality in authoritative influence is indicated in Figure 2 through the double headed arrow connecting the two agents. This refusal forced the issue to a higher level of government, the provincial OMB, which gave both Milton and the TBCG the

opportunity to create power where there would have otherwise been no opportunity.

The OMB hearing put Milton and the Region on an equal level of governmental authoritative influence and gave Milton an increase in political influence while the OMB hearing lasted. The OMB hearing was also beneficial because it made possible the use of lawyers and consultants in a forum which amplified their influence. Outside of an OMB hearing the lawyers' and consultants' influence would have been inconsequential. There would have been no effective way to use lawyers because they would not have been in court; and consultants' influence would mean little because the Region would not have to listen to them. Thus, until the Region won the OMB hearing, Milton's political influence was essential to the generation of power for both Milton and the TBCG.

During the OMB hearing, Milton tried to develop power through the use of political influence, without the use of strong strategies to save money. The municipality had more money to allocate to the waste disposal problem than did the TBCG and therefore they did not focus on the specific strategies. However, without the use of strategies the Region's spending power negated what the Town could create.

In total, Milton spent three hundred thousand dollars from a tax base of eight million dollars to fight the proposed waste disposal site in Milton. Halton, on the other hand spent two million dollars from a tax base of approximately

forty million dollars. (Main, 1989) At this level, Milton could not compete with the Region: they were able to hire lawyers with better reputations and who were more credible than the lawyers Milton could hire.

Milton also did its own studies on other possible sites as alternatives to site-f, at their own expense. In order to pay for the studies, consultants, lawyers and court costs, projects the Town had been planning were sacrificed. The money spent during the OMB hearing and all the court dates delayed the construction of a second arena by three years as well as cancelling two road projects for the town. (Main, 1989)

The cost of the whole situation was huge for a small town, Milton had only 30,000 people from which to raise the money while Halton had 250,000 from which to raise the money. The taxpayers in Milton were taxed twice to pay for the cost of the hearing, once for the Town and once for the Region. (Main, 1989)

As a result the Region was able to "over power" the Town on the basis of monetary influence. From Milton's point of view, citizen participation was not an important factor. Milton was quite disappointed because they never got public support in the same way that the TBCG achieved. There was the initial NIMBY reaction but soon after that the excitement died down, it became boring and people lost interest. In a summing comment about the effects of citizen participation on the Town

of Milton, the Town Administrator stated that "garbage is out of sight - out of mind, if it was located here, probably the only people to complain would be the people who had to drive past it every day." (Main, 1989)

Milton not only lacked strategies to help them generate political influence, it seems they also lacked the strength indicator of commitment. While it did not like the idea of having the regional waste disposal site in its municipality, it did not feel as strongly as the TBCG that site-f was absolutely the wrong place to put the facility. Milton did not want the facility for different reasons and were not as committed about these reasons as the TBCG was about their reasons. Thus the potential political influence which could have been developed through commitment was not realized.

The Town of Burlington approached Milton at one point and proposed that Burlington annex the piece of land that the dump would be on. The problem for Milton would have then been over because the noxious facility would be in Burlington's hands. However, the problem with this proposal for Milton was that it would be selling the people like the TBCG down the river. (Main, 1989)

Had the situation been different and the TBCG not been so powerful, perhaps Milton would have annexed the property to Burlington and be done with the issue. This point has been used to illustrate that Milton really was lacking in quality

commitment and it was therefore not able to turn that potential source of influence into real political influence as well as the TBCG was able to do.

4.3 THE REGION OF HALTON

For the Region the siting process was to be a simple three step process (Appendix A): first do studies to find the best location for a waste disposal site (siting process), then gain planning act compliance (approval process step one) by using their governmental authoritative influence over the Town, and finally, obtain Environmental Protection compliance (approval process, step two) ,which would also be easy because of the narrowness of the Act.

The first step was completed quite easily with site-f being the preferred location. The Region had hired M. M. Dillon to carry out the study and before hand told the consultants that it wanted the site to be found in Milton. (Main,1989). As figure 2 indicates the Region used informational influence, combined with the employee-employer relationship which exists between a consultant and the people who hire them, to get the waste disposal site location in Milton. While Milton and the TBCG felt there was an unsaid consensus that the site was to be put in Milton, the Region believed that site-f was a suitable location. (Perlin,1989)

While trying to gain planning act compliance for the waste disposal facility some problems developed. The Region

was taken to court by Milton stating that since there was no regional plan for Halton, the Region could not enforce the zoning and planning by-laws they had implemented. The courts decision to make the Region repeal its by-laws was a detrimental factor for the Region because they no longer had their inherent governmental authoritative influence over Milton. Both Milton and Halton were on an equal level in the governmental hierarchy as they went before the OMB hearing.

Without its governmental authoritative influence over the Town, the Region now had to seek the aid of secondary and non-governmental agents such as lawyers and consultants to try to develop the power it would need to get planning act compliance. The Region had an advantage because it had a lot of monetary influence with which it could hire consultants who were credible and reputable, and would help create political influence.

Halton's ability to present strong cases against all the evidence that the opposition was allowed to place before the OMB was a result of spending a great deal of money on studies and consultants. The Region had hired between 18 and 21 consultants and had spent one million dollars on the OMB hearing. (Perlin, 1989) The Region's consultants and lawyers managed to create enough political influence that the OMB

members stated that "site-f could be engineered to meet all the requirements denoted by the Ministry of the Environment. The Region also demonstrated that the area could be put back to agricultural use, and that a properly designed and operated landfill would have no adverse effect on the ground and surface water in the area." (Hamilton Spectator, June

1979)

Their success in the non-governmental arena demonstrates quite well the power of monetary and political influence. However, it was in the governmental arena where the Region's power failed. The second stage of the approval process was not as easy as the Region had anticipated. The ease with which they would obtain Environmental approval was hampered with the legislation of the Environmental Assessment Act (EAA) to the municipal level.

The EAA had a broad scope and the Region would not be able to pass it because their evidence was weak under EAA guidelines. The TBCG used this fact as a strategy to work against the Region: they used the political influence they had produced in the OMB hearing to influence the provincial government.

The provincial government, because it wanted to win the Milton seat in the next election, decided to use the EAA as the tool with which to assess the Region's plan to locate the waste disposal site on site-f. (Perlin, 1989) Thus, the provincial government used its position in the governmental hierarchy (Figure 2) to force the Region to undergo an Environmental Assessment hearing instead of an Environmental Protection hearing.

The reason why the TBCG and Milton got their way was because they had lobbied the provincial government (as stated in the TBCG section). The Region had failed to go to the

provincial government because they assumed that the provincial government would wait until after the election to see if they were elected in the riding before giving the residents what they wanted. However, the Province decided to give the EAA and then hope the people in Milton voted for them. This caught the Region off guard, they were asleep at the switch and therefore missed an opportunity to create some political influence. (Perlin, 1989)

The Region failed in siting the Waste disposal facility at site-f because it did not have enough political influence over the TBCG and Milton. Or rather, Halton failed because the provincial government had more power over it, the provinces greater political influence was stronger then the Regions and therefore its will was done. The TBCG, through monetary and political influence was able to create enough power to effect the siting process, and oppose site-f.

CHAPTER FIVE

5.0 CONCLUSIONS

Did political processes influence the siting of the Halton Regional waste disposal site in Milton? Did political and monetary influences play an inappropriate role in the siting of this noxious facility. The evidence to answer these two questions has been provided in the first four chapters of this paper and, as the evidence shows, yes is the appropriate answer to both questions.

The regional waste disposal site was not located at site-f. If political and monetary influences were influential in the siting of the facility then either the Tremaine-Britannia Citizen Group or the Town of Milton must have been the agent with the most political and monetary influence.

Each of the agents involved in the siting process have been examined, looking for the elements which are factors of both political and monetary influences. The political influence each agent was able to create was measured by the effects that their influence had on the other agents.

The TBCG was the agent that most successfully created political influence which carried more force than any other agent. This enabled them to influence the siting process, such that the regional waste disposal site was not located at site-f.

The Halton regional waste disposal site was in fact

influenced by political processes and those processes originated from political and monetary influences. They were created through several factors such as the internal characteristics of the agents, the type of political influence the agents used, and whether the agent was governmental or non-governmental; each helped create political influence and the agent able to create the most influence from these sources will be able to influence the siting of a noxious facility.

In the Halton case it was the citizen group which was able to create the most influence. However, because the elements behind political and monetary influences are variable, the same out come will not always occur. Perhaps in another siting case a different agent will create the most political influence and therefore effect the location of a noxious facility.

This paper has tried to shed some light on the role of political processes in the siting of noxious facilities so that, in the future, they may be controlled to ensure social and environmental equity.

APPENDIX A

The siting process for a waste disposal facility has three stages which must be carried out accurately and which were designed to find the best possible site. The first stage of this process is to locate general areas in the region which could have suitable locations for a waste disposal site. The second stage is to designate specific sites within these general areas which may be possible facility sites. The final stage of the process is site selection, in which the one site deemed most suitable is chosen from the rest as the specific site for the facility. (Bunting, 1989)

Each stage of this process is important and must not be omitted or violated in any way. Tests and studies proving the suitability of each site as a possible candidate for the waste disposal site must be undertaken without fail: this will ensure that the most suitable site has been selected.

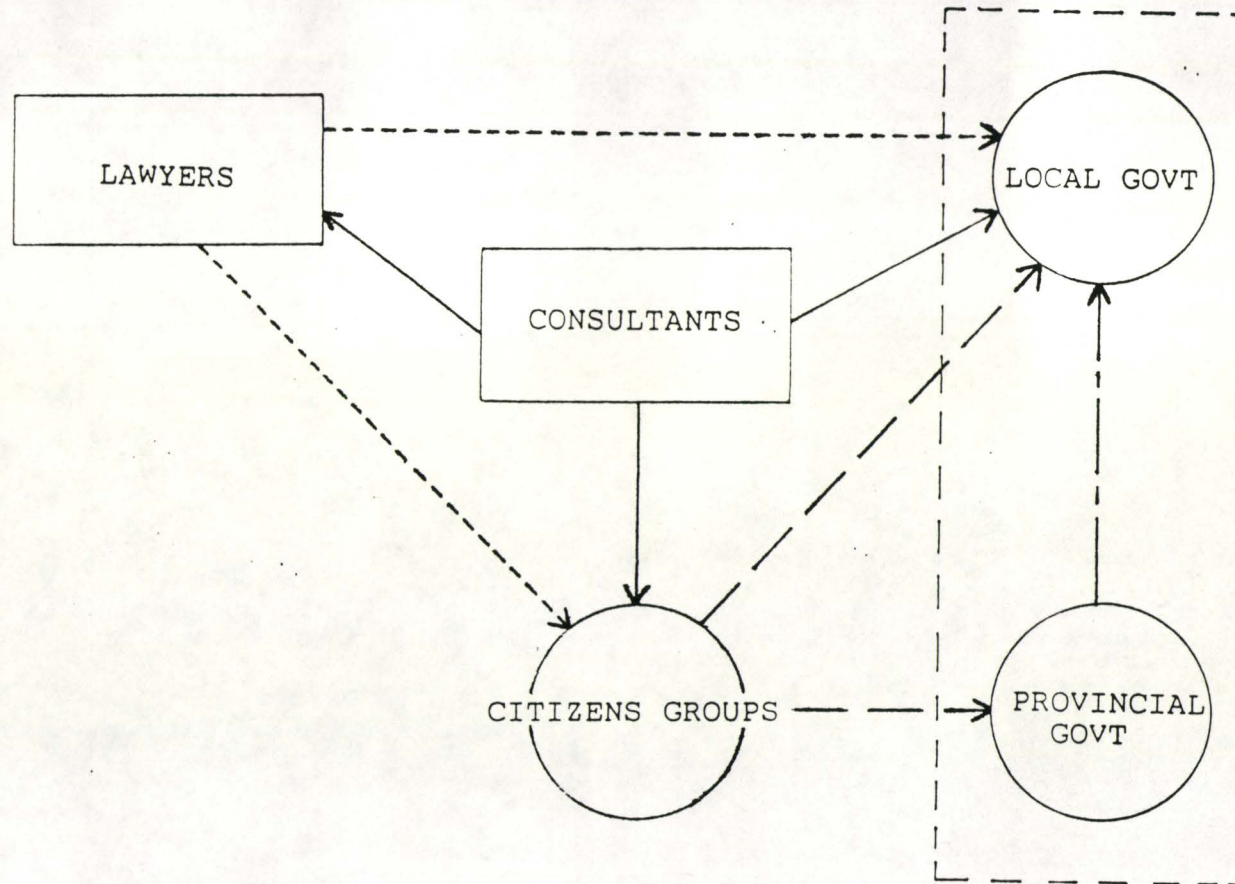
Then follows the approval process which has two stages, and deals with obtaining proper planning regulations before a facility can be built. The first stage is obtaining Planning Act Compliance ; this may in some cases entail changing existing zoning by-laws so that a new land use can begin at the site.

The second part of this process (at this time in 1977) is to obtain Environmental Protection Compliance by undergoing an Environmental Protection hearing under the Environmental Protection Act. This hearing is necessary to

ensure that no damage will occur to the surrounding environment. Both of these stages must have full compliance before a waste disposal site can be set into operation. Planning compliance must be obtained before an Environmental Protection hearing can be held; without rezoning by-laws the waste disposal site cannot be located at that site.

APPENDIX B

TYPES AND PATHS OF POLITICAL INFLUENCES



Informational Influence
 Persuasive Influence
 Pressure Influence
 Authoritative Influence

○ primary agents
 □ secondary agents

governmental hierarchy

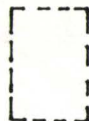
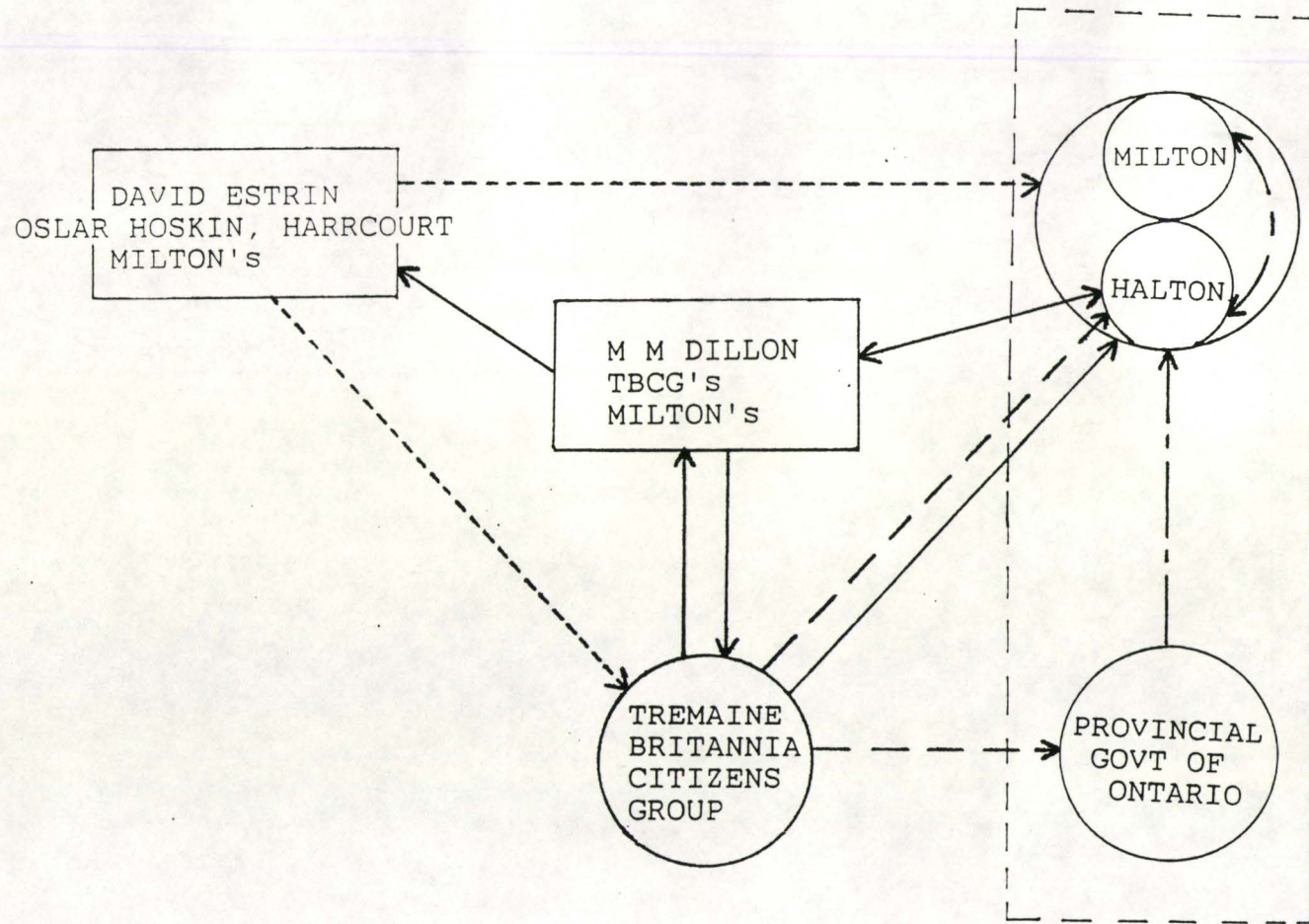


Figure 1

TYPES AND PATHS OF POLITICAL INFLUENCES IN HALTON

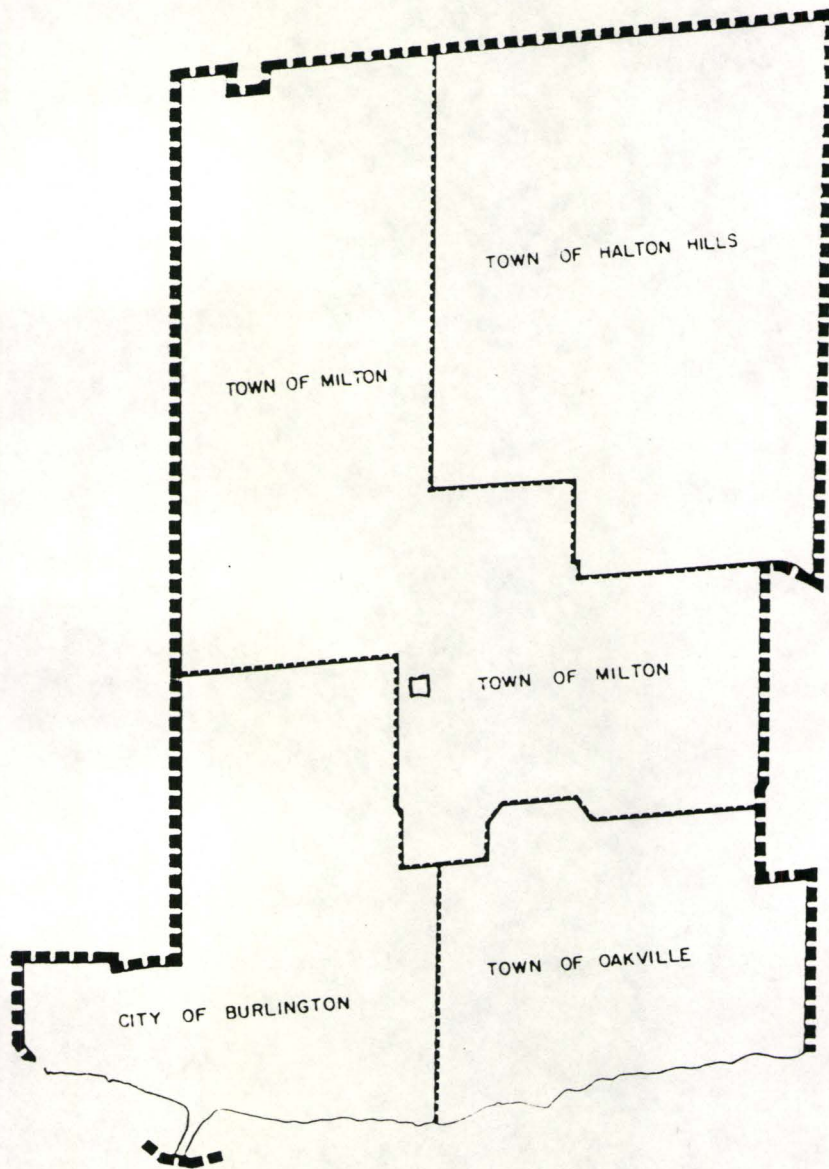


Informational Influence ————
 Persuasive Influence - - - - -
 Pressure Influence — · — · —
 Authoritative Influence — · — · —

○ primary agents
 □ secondary agents

governmental hierarchy []

Figure 2

LOCATION OF SITE-F IN HALTON REGION

Site-F ☐

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