

# Can NIMBY Top the Bottom Line?

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## Abstract

*NIMBY may be more than a pejorative acronym. In Pierce County, Washington, a garbage hauling corporation attempted to override local residents' opposition to its proposed construction of a "state of the art landfill" on a 360-acre site subject to annual flooding. Neither side in the long running controversy saw the area's solid waste disposal problem as part of a national or global predicament in which the ability to segregate three functions of environment (supply source, activity space, and disposal site) has been severely diminished by population increase, urban growth, and industrial progress. Inability to segregate the three environmental functions may be an important indicator of having overshot carrying capacity. Despite organized opposition by two citizens' groups concerned with defending the area's "sole source" aquifer, as well as protecting residential property values, the for-profit corporation had recurrent editorial support by the area's metropolitan newspaper and persistent concurrence by county officials in claiming that local disposal was more cost-effective than shipping county garbage to a drier landfill east of the Cascade Mountains (as adjacent cities and counties were doing). The corporation gained one required permit after another from county and state authorities, as well as repeated postponements of required closure of a previous (Superfund site) landfill it was already operating for Pierce County. When the proposed new landfill was "killed" by denial of a final permit by the Army Corps of Engineers, the corporation sought court reversal of the Corps' decision, while county officials began reluctant accommodation to the long-haul alternative.*

NIMBY is widely understood to mean "Not In My Back Yard." This acronym has become a familiar term, referring to resistance to a LULU (Locally Unwanted Land Use). It often seems meant to convey pejorative connotations of selfish parochialism.

"The bottom line" is a phrase often used broadly to signify something like "the essence," or "the main point." As business jargon it simply alludes to the ultimate entry on a balance sheet, and connotes the quest for profit and profitability (Gilman 1989 197).

The two concepts collided head-on in Pierce County, Washington, where, for nearly a decade a profit-seeking garbage hauling corporation attempted to override local residents' opposition to its proposed construction of a "state of the

art" landfill on a 360-acre site subject to annual flooding, and located atop the aquifer serving as the sole source of drinking water for many rural households. The corporation, with a burgeoning investment at stake and hoping for substantial profit in decades to come, together with county officials and editors of the county's largest circulation newspaper, favored the dump. They repeatedly used the NIMBY epithet to stigmatize opponents. That tactic raised these questions: (1) Was the resistance accurately characterized by the term's connotations as pathologically self-centered? (2) Does insinuating such a pathological quality, by injecting quasi-clinical jargon (as in speaking of "the NIMBY syndrome") fatally weaken opposition to a proposed development?

The proposed dump was to replace a previous one that had become a Superfund site and was soon to be closed when filled to its planned capacity. The ensuing controversy, understood in light of the local history, suggests at least partial answers to the above questions. Studying what happened here can (a) penetrate the stigma attached to a NIMBY attitude, and (b) show how it may be able sometimes to prevail over powerful economic and political forces.

As a retired sociologist residing in rural Pierce County, familiar with the sites of the proposed dump and the one it would replace, I followed the controversy closely for several years. I attended the various hearings and some of the community meetings, and talked with various participants in the process. Then, from reading the Environmental Impact Statements, other legal documents, and copies of correspondence, and from clipping and saving every pertinent newspaper item I saw, I became involved in a kind of documentary analysis somewhat akin to that practiced long ago when the Chicago sociologist W.I. Thomas (Thomas & Znaniecki 1927) studied the adaptation of Polish immigrants to their new (American) cultural context.

Attitudes of the two sides toward the land in question became polarized as the controversy evolved. They brought to the issue opposing perspectives that caused them to see in very different terms what impacts the proposed dump would have on more or less contiguous properties, on the underlying aquifer, and on one person's pocketbook or another's. Significantly, however, despite this polarization of attitudes locally, some important theoretical aspects of the nature of the problem from a nonlocal perspective escaped consideration by either side.

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## Some History

In the 1960s, Pierce County constructed and began operating a landfill known as Hidden Valley, located on a 72-acre site about 8 miles south of Puyallup on Highway 161.<sup>2</sup> In 1977, that Hidden Valley dump was sold by the county to a consortium of local garbage haulers combined under the corporate name "Land Recovery Incorporated," and that company took over the dump's operation.

After receiving the majority of Pierce County municipal solid waste, plus a portion from the City of Tacoma, for more than two decades, this landfill was nearly due by the end of the 1980s for closure but was allowed in the early 1990s to expand to 86 acres, even though in April 1989 it had been listed on the federal National Priorities List (a.k.a. the "Superfund" List) because of ground water contamination including metals, nitrates, and low-level volatile organic compounds.<sup>3</sup>

So, in December 1989, LRI applied to Pierce County for a Conditional Use Permit to build a new landfill on property it had surreptitiously acquired eight miles farther south along state route 161 at 304th Street! The project site totaled 320 acres, on which the actual landfill would cover 168 acres. Buffer areas that consisted of existing vegetation (mixed conifer and deciduous trees and shrubs) were to be left around the perimeter of the property as visual screening. Buffers would be 250 feet wide along the east, west, and south sides of the landfill, and approximately 1300 feet wide to the north (Pierce County, Department of Planning and Land Services 1995, 3-5). The following September Pierce County officials issued a Draft Environmental Impact Statement for the LRI-proposed landfill, but it met strong local opposition (Tucker 1995a),<sup>5</sup> a principal objection being that underlying the site is a huge aquifer that is the sole source from which most residents of rural Pierce County obtain drinking water.

The county's Final Environmental Impact Statement (FEIS) was issued on November 28, 1990. Appeals were made, and on December 4, 1990, and January 29, 1991, public hearings were held. Following these, on April 10, 1991, the Pierce County Hearings Examiner issued a Report and Decision which approved the Conditional Use Permit, and dismissed the EIS appeals (Causseaux 1996).

Reconsideration was requested by opponents. On May 24, 1991, the Examiner issued a Report and Decision on Reconsideration. It reaffirmed the decision to approve the Conditional Use Permit.

Next, the Pierce County Council (in its peculiar "quasi-judicial" role<sup>6</sup>) heard an Appeal of the Examiner's decision. On November 8, 1991, the Council remanded the case back to the Examiner.

On January 31, 1992, the Examiner issued a Report and Decision on Remand, approving for a third time the LRI request for a Conditional Use Permit. The following May, after hearing a Reconsideration of the Examiner's decision, the Pierce County Council issued a decision denying the Reconsideration and upholding the Examiner's decision.

Seeking to advance from "quasi-judicial" to genuinely judicial proceedings, opponents went to court in 1993, and on February 12, the case of *Weyerhaeuser v. Pierce County* resulted in Pierce County Superior Court entering a judgment for the plaintiffs, reversing both the issuance of the Conditional Use Permit and the dismissal of the EIS appeals. Unlike the County Council, the court found that the County Hearings Examiner had not provided due process. On May 26, 1994, this judgment by the Pierce County Superior Court was affirmed by the Washington Supreme Court.

The project appeared to be dead; LRI was informed by Pierce County on October 19, 1994, that the county would take no further action on the landfill application.

But LRI's attorneys, ostensibly to avoid a backlog of cases in the Pierce County Superior Court (Gibbs 1994), sought out a more receptive judge, and on January 13, 1995, a peremptory Writ of Mandamus was granted by the Superior Court of the State of Washington in and for Yakima County. Pierce County was ordered by that writ "to initiate and complete processing of LRI's 1989 application."

Meanwhile, the time it was taking to obtain the required permits meant no new in-county dump would be available by the expected time of Hidden Valley's closure. As a strategy for buying time, to avoid abruptly having to ship all garbage out of county, officials of LRI and the county made arrangements in March 1994 to begin shipping *some* Pierce County garbage to a landfill over in the drier area east of the Cascade Mountains (Second Addendum to Agreement Between Pierce County and Land Recovery, Inc., 1).<sup>7</sup>

## Federal Authority

Beyond the county, though, there was a federal dimension to this struggle. On August 16, 1990 Resource Investment Inc. (RII), a corporate clone of LRI (comprising the same handful of garbage company shareholders), applied to the Army Corps of Engineers for a wetlands filling permit required under the Clean Water Act. RII were owners of the 320-acre site at 304th Street East and Meridian Avenue South. If the permit was granted, LRI would build and operate the landfill, according to LRI attorney Polly McNeill (Tucker 1995a, B-6).

On April 18, 1994, having studied the issues and (as Tucker 1995a, reported) after "arguing long and hard with the applicant and Pierce County officials, the corps filed a notice of intent to prepare [its own] draft environmental impact state-

ment.” This Army Corps of Engineers’ draft EIS covered the same issues as the original county EIS, but it contained some different interpretations. To the corps, hauling garbage out of county appeared a reasonable alternative to the in-county land-fill even though the county and state study said it was not. That would turn out to be a crucial difference.

## Ecological Myopia

Neither side in the on-going controversy seemed to perceive the area’s solid waste disposal problem as part of a national or global predicament. A simple version of the ecological niche concept (Catton 1995:163) makes it clear why in today’s world such a predicament confronts us. It arises from the inescapable fact that every organism needs an environment

from which to obtain required energy and materials,  
in which to carry on life’s activities,  
into which to discard metabolic products.

So any organism (and thus any population) must use the available environment three ways—as

Source of sustenance,  
Activity space,  
Disposal site.

In present global circumstances this becomes a sad fact. The acronym, “SAD,” should be a reminder of the real reason garbage dump siting has become so vexing. *The ability to segregate these three functions of environment has been severely diminished by human population increase, urban growth, and industrial progress.* Today’s “back yards” crowd upon and seriously affect each other.

## Ecological Change, Institutional Obsolescence

Increasing difficulty in segregating these three environmental functions is an important indicator of a *fundamentally changed relationship between our species and the carrying capacity of humanly inhabited environments around the world*.<sup>8</sup> Various writers have lately been declaring that Earth’s human load has now exceeded the level of sustainability (for example, Postel 1994; Earle 1995:219; Brown 1996; Pimentel and Pimentel 1996).<sup>9</sup> In other words, *Homo sapiens*<sup>10</sup> today has to grapple with a carrying capacity deficit. Under the influence of such a carrying capacity deficit, it has to be expected that human actions must differ from the patterns prevailing when there was a carrying capacity surplus.

Discovery of a “New World” in 1492 gave Western Civilization access to a vast increment of less densely populated and less intensively used lands in an additional hemisphere. That enormous addition of available carrying capacity fundamentally shaped our institutions, and expectations. Segregating the three functions was both less imperative and less difficult in those favorable circumstances than in today’s world. A comparable “sea change” is occurring in our time in the opposite

direction. The overload (another way of looking at the carrying capacity deficit) is severely challenging traditional American “onward and upward” expectations (Catton 1997, 175).

In none of the hearings nor in any of the editorials was it ever mentioned that past solid waste disposal practices in much of the world now imperil drinking water availability and contribute to global climate change. The problem has a nonlocal dimension, but throughout the controversy in Pierce County it was seen as a local matter. Solid waste landfills in many countries are near capacity. And in many of those landfills, toxic chemicals are leaking into groundwater and methane gas is going into the atmosphere (Gardner 1997, 6).<sup>11</sup> In retrospect one may wonder if the ultimate resolution of the Pierce County issue might have been reached years sooner (with less stress and expense) if the nonlocal dimension of the problem had had local recognition.

## Opposition

For several years, organized opposition to the proposed new dump in Pierce County was mounted by two citizens’ groups—Concerned Residents On Waste Disposal (CROWD), and Residents Concerned About Urban Sprawl (R-CAUS). The two groups largely comprised rural people living near the dump site or in communities along Highway 161. They sought to protect residential property values and defend the area’s “sole source” aquifer. Although adjacent counties and nearby cities were already sending garbage to a huge regional landfill in drier country east of the Cascade mountains, the for-profit corporation, LRI, had recurrent editorial support by the area’s metropolitan newspaper” and persistent concurrence by county officials in claiming that local disposal was preferable to such “long-hauling.” (Documentation appendices are available from the author.) Thus the controversy took the form of **NIMBY** versus “the bottom line.”

The newspaper, county officials, and LRI spokespersons alike, continually tried to interpret concern for the garbage company’s “bottom line” as a means of saving householders some needless expense. As readily as the business and government “bottom line” made the pro-dump forces skeptical of the authenticity of opponents’ concern about the aquifer, for rural residents with the audacity to oppose the dump, *their* “bottom line” enabled them to doubt the sincerity of concern about householders’ cost-of-living by LRI, county officials, and the newspaper.

Not surprisingly, long-haul cost estimates by dump proponents tended to exceed opponents’ estimates. During a public hearing on the LRI application, Stephen Wambach, a former garbage-rate analyst for state regulators, testified that his cost analysis for the county showed if a new landfill were built in Pierce County, the residents and businesses outside of Tacoma could save up to \$608 million in rate increases over 20 years (Tucker 1995b).<sup>13</sup> On the other hand, David Luneke, a solid

waste engineer of West Linn, Oregon, testifying on behalf of landfill opponents William and Gail Weyerhaeuser, said the county would save only about \$245 million, much less than what either LRI or the county had calculated (Tucker 1995c).

In January 1995, to cover the cost of long-hauling about 400 tons of county waste per day, which was being done to extend the life of the Hidden Valley dump, LRI applied for a 10% increase in its so-called tip fees. According to an LRI attorney, the price increase would translate into a 4-5% rise in residential collection rates (Gibbs 1995a).

The claims made by LRI, county officials, and the newspaper as to the costliness of long-hauling all garbage changed over time, usually with little or no clear explanation. A claim surfaced in a news item published in February 1995 (Gibbs 1995b) that the extra cost of long-hauling would mean county residents would pay between \$1.4 billion and \$1.7 billion more on their garbage collection bills over the 20-year period than if they could otherwise rely on the proposed new local dump. Numbers that high never showed up again, however.

In October 1995, Pierce County officials were reported to agree with the LRI claim that long-hauling garbage would cost local rate-payers over 20 years \$500 million more than using a new landfill in the county (Tucker 1995d). That number persisted for the next two years, but reasons for doubting LRI's claim were also reported at that time. Since more recycling means heavy items such as glass are no longer in the waste disposal stream, Seattle now calculated garbage weight on the basis of a full 32-gallon can equaling 25 pounds (according to Seattle solid waste division spokesperson Jennifer Bagby) whereas LRI and Pierce County were said to be still using a 40 pounds per can figure in their calculations. If Seattle's 25-pound can weight were used, the additional cost to long-haul was reported as only 70 cents more each month per weekly can. Total 20 year extra for long-hauling would be \$115 million, not \$500 million.<sup>14</sup> The newspaper persisted, however, in claiming editorially that in-county disposal would be "in the long run . . . far cheaper for ratepayers—as much as \$500 million cheaper over the 20- to 50-year life of a new landfill" (Editorial 1997—Feb. 17). Suddenly, without explanation, the landfill's life was not described as 20 years, but 20-50 years!

### Tactics of the Pro-Dump Forces

An LRI spokesperson admonished the Pierce County Hearings Examiner that his task was not to make policy but 'only' to decide whether to grant a conditional use permit. Perhaps so in a strict legalistic sense, but in fact if the dump were established, alternatives would be abandoned, with the prospect that enormous problems could lie ahead. So his decision *would amount to* a policy decision. It was misleading to pretend otherwise.

By tone of voice, by slow (almost lethargic) presentations, and by their general demeanor, spokespersons for LRI (and the County!) seemed at the various hearings to imply confidence that **this** dump was already decided upon. These hearings, and the preparation of an EIS, etc., they seemed to be trying to indicate, were merely tedious legal hurdles to get past so the inevitable project could proceed. Such "unnecessary" delay of the "inevitable" project was clearly resented.

People attending the hearings often heard the phrase "state of the art." It was used as if it were a synonym for "virtually infallible." If it means anything less than that, could frequent repetition enhance its significance? According to Webster's Dictionary of English Usage (Gilman 1989, 872), "As a general adjective it is not much more than a flossy version of up-to-date with pleasant overtones of technical knowhow." Could posterity and the aquifer expect to be protected by pleasant overtones? Occasionally, says this dictionary, almost as if the writer had foreseen this landfill battle, "it is a pure buzzword." The dictionary's six-column-inch treatment of the phrase concludes by suggesting "a reader has the right to be suspicious of what you may be trying to hide behind bright and shiny terminology."

The main tactic of LRI's and the County's hired witnesses in hearings before the County Hearings Examiner and again before the Army Corps of Engineers appeared to involve something besides "bright and shiny terminology." More important was their on-going effort to overwhelm decision-makers by reams and reams of paper submitted as exhibits (whether or not the decision-makers could be expected to have time to read and comprehend so much material). The apparent message was almost like declaring, "Notice how voluminous this 'documentation' is by comparison with more meager quantities of paper submitted by those [less well-financed] opponents." It appeared that the literal *weight* of LRI paper was intended to bury citizens' objections to the dump. Yet LRI insisted the weight of millions of tons of garbage would make little or no impression on the proposed dump's plastic liner. Nor would the liner succumb, they alleged, to chemical or seismic actions.

But could the scales of justice really be tipped that way? It was impossible to inventory the unpaid but often agonizing man-hours and woman-hours of toil, study, thought, community meetings, discussion, and sheer anxiety invested by thousands who dreaded and actively opposed this dump. One can only wonder how that total would compare with all the paid hours invested by LRI and County employees in their paper blizzard.

Part of that blizzard was called an Environmental Impact Statement. Insistent opposition to the project from the start certainly required major changes be made in the draft EIS to produce a final EIS. Improvements in the final EIS were then flaunted by LRI spokespersons, without acknowledging that any of the changes had been necessitated by real weaknesses



and omissions opponents had revealed in the draft version. Opponents, it seemed, were obstacles to be surmounted, not people to be respected.

These opponent-obstacles were stigmatized, supposedly, when agents of LRI called their anticipated objections “NIMBY arguments,” as if only by being naive and/or selfish could anyone doubt the wisdom of the proposed dump or the validity of extravagant claims for its merits and the adequacy and permanence of its safety features.

Not surprisingly, neither the Hearings Examiner, nor other county officials, nor the newspaper editorial writers, nor LRI executives, nor any of the “expert witnesses” ever offered to resolve the problem by proposing the dump be sited near them. Few if any of these pro-dump persons lived near the site of the proposed landfill, or even in the southern portion of the county. Many of course resided in the city of Tacoma and got their drinking water from the Green River, not from the threatened aquifer. As there was no serious prospect of a dump being sited near *their* residences, it was easy for them to act holier-than-thou toward opponents of the project. So any incentive for them to express a NIMBY attitude of their own was able to remain latent and was never made manifest like the wrath of the opponents whom they sought to stigmatize in order to pursue corporate profit.

In short, there was little reason to doubt everyone has a NIMBY view. Some NIMBY views doubt become visible, some remain disguised or unacknowledged. *It depends on which backyards are threatened*

### Adaptive NIMBYism

Was it foolish and emotional for those in the Pierce County hinterland, not drinking from the Green River as people in Tacoma and its suburbs do, to become concerned about endangerment of the sole source aquifer underlying so much of the county and providing water for so many of its rural residents? NIMBY may be an adaptation to the real world. It is not always an anti-social attitude. It can reflect recognition of a simple fact—that various substances (or activities) are intolerable in too-close proximity to other facets of our lives. Even the next-door back yard may be too close.

There are many things most normal people would deem intolerable next door *as* well as in their own back yard. Because each of us is our neighbor's neighbor, the members of a human society are obliged to avoid some of the conceivable uses we might make of *our own* back yards. We may not disregard the impact upon neighbors of odious or hazardous objects, or disreputable activities. Nor may we get rid of unwanted things by tossing them over the fence into our neighbor's back yard.

In modern communities, one is not entitled to use one's own back yard as a mini-landfill, letting the garbage generated by the household pile up there. The Refuse General Manager for the City of Lakewood (a large Tacoma suburb) put it this way: “Garbage collection is a matter of safety and health” (Eckart 1997). Legally requiring that our by-products of living be periodically collected and taken “away” is an essential and reasonable protection of public health and of our neighbors' rights. NIMBY need not be a character flaw.

But one citizen's “away” isn't necessarily another's “away.” The manner in which this Pierce County experience unfolded strongly suggests there would be a no less indignant outcry from city dwellers if rural garbage were trucked into the city for dumping in a landfill in the city center. Yet urban populations can be unmindful of the rural impacts of waste disposal routines that export unwanted materials from city to countryside.

To suppose the familiar acronym, NIMBY, is the ultimate put-down of objections to siting a LULU is a disservice to members of a society struggling to come to terms with constraints of living in a changed and changing world—an overloaded world in which *a deepening carrying capacity deficit renders increasingly obsolete many customs, practices, and expectations formed in a bygone era of carrying capacity surplus*.

### The Outcome

When the proposed new landfill was “killed” on September 30, 1996, by denial by the Army Corps of Engineers of the final wetlands filling permit required under Section 404 of the Clean Water Act (Pollution Control Hearings Board, State of Washington 1996, 2), “two Plaintiffs,” RII and LRI, sought Federal District Court reversal of the Corps' decision. But on September 16, 1997, Judge Robert Bryan upheld the decision by the Corps (Tucker 1997). County officials began reluctant accommodation to the long-haul alternative.

Having attended *this* court session and taken extensive notes, I can affirm that Judge Bryan seemed to be telling the Plaintiffs they really had no case. He found that the permit had been denied by the Corps on two grounds: (1) Plaintiffs had failed to demonstrate that alternatives to the proposed dump were not less damaging or not practicable. (2) Plaintiffs failed to demonstrate that the 304th Street dump would not threaten public health. In sustaining the permit denial, the judge said the burden of proof was on Plaintiffs to prove the Corps was wrong; the Corps did not have to prove in court it was right. But he added that if evidence is not evenly balanced, it does not much matter who has the burden of proof.

In decisions by a federal government agency (such *as* the Corps), factual determinations by that agency are entitled to

substantial deference by the Court, said the Judge. The agency had the right to rely on specialists of its choice, when experts used by the two sides disagree. But in this case, he said, the record supports the agency, whether the Court gives deference or not.

The Corps had rightly determined that the *purpose of the project* was to provide a public service (solid waste disposal for the next 20 years). Plaintiffs had claimed its purpose was to provide an in-county landfill. The Judge said the Corps has authority to determine the purpose, and was not bound by applicants' attempt to define the purpose so narrowly as to preclude any alternatives by definition. Even though it was to be carried out by a private firm under contract to Pierce County this was a *public* project—to meet the public need for waste disposal. Applicant being a private corporation does not make this a project for a private purpose. So the Corps did not err in treating this as a public project, and applicants' objectives remain subordinate to public objectives.

Plaintiffs had claimed long haul was not practicable because the County Solid Waste Management Plan calls for in-county disposal. According to the Judge, the Corps was not bound by the County plan. The Corps gave it ample consideration, hence, there had been no error of law *or judgment*. The denial was not arbitrary or capricious, and the Corps did not abuse its discretion.

The decision of the Corps, said Judge Bryan, was that the *risk is unacceptable*. Even if the Corps' detailed analysis of scientific facts contained errors, the conclusion of unacceptable risk was theirs to make. Even if risk was "infinitesimal" (as Plaintiffs claimed) if there are practicable alternatives available the Corps need not accept the unresolved risk. In summary, the Judge declared that the Corps did give all issues the required hard look. Relevant factors were considered and there was no error of judgment by the Corps.

The plaintiffs seemed to have been judicially rebuked quite emphatically. If the NIMBY forces had at last prevailed over the bottom line forces, perhaps the aquifer was safe. LRI, however, said it would appeal.

## Conclusion

Can NIMBY top the bottom line? Apparently it can, if three conditions prevail. The NIMBY effort must (1) be sufficiently dauntless, (2) show persuasive environmental justification, and (3) have support from an external authority (such as the Army Corps of Engineers—and an independent federal judiciary). In this on-going controversy, the resistance to the proposed dump was not *pathologically* self-centered. Protection of property values did figure in the protesters' motivation but was not, apparently, all there was to it. Concern for the aquifer was more than a monetary matter. Many opponents seem to have been motivated by 'place attachments' of a deep-

er-than-financial nature" which remained throughout the controversy almost entirely unacknowledged by spokespeople for LRI, the County, and the newspaper.<sup>16</sup> Perhaps such additional concern was a factor so alien to their bottom line orientation as to be incomprehensible to these project proponents. At any rate, the proponents' repeated imputation of a pathological quality to the opposition, by referring to "the NIMBY syndrome," did not fatally weaken resistance to the proposed aquifer-threatening and wetlands-displacing in-county landfill.

Studying what happened here should perhaps dispel the stigma so commonly attached to a NIMBY attitude. This experience did show it is possible in some circumstances for ill-financed grass-roots defenders of their "own back yards" to prevail over powerful economic and political forces.

Does the decision to long-haul all of Pierce County's non-recyclable solid waste solve the County's disposal problem once and for all? Not likely,<sup>17</sup> but it does reflect the **SAD** fact that keeping a separation between the three functions of environment requires different practices in today's world than would have sufficed in an earlier, less populous, less affluent time. Modern numbers and life processes mean that the territory encompassed within the boundaries of a single county may be insufficient to provide adequate, and adequately segregated, facilities for serving all the needs of that county's citizens.

## Endnotes

1. There **has** arisen a considerable literature about the concept. See, for example, Brion 1991; Freudenberg 1984; Inhaber 1997; Lee and Jones-Lee 1994; Levey 1996; Mowrey and Redmond 1993; Munton (ed.) 1996; Portney 1991; Rabe 1994; United States Advisory Commission on Regulatory Barriers to Affordable Housing 1991.
2. The footprint of the landfill and support facilities covered approximately 50 acres of the 72-acre site. The site area has since been enlarged to enable the dump to expand as it filled up.
3. See Pierce County, Department of Planning and Land Services 1995, Appendix A, p. A-1, and Washington State Department of Ecology, February 1997. Hidden Valley Landfill (Fact Sheet), P.O. Box 47775, Olympia, WA 985047775.
4. This highway is the most direct route traveled by Seattle visitors to Paradise, in Mount Rainier National Park.
5. See Pierce County, Department of Planning and Land Services 1995, p. 7: "Comments: The entire site is located within the Rural Residential category of the 1962 Pierce County Comprehensive Plan. Properties placed in this category lay outside the path of immediate urban expansion in 1962. Low density residential uses were recommended in the Rural Residential category. . . . Lands placed in the Rural Residential category were also identified as areas within reasonable commuting distance of major employment centers where rural living could be enjoyed with a minimum of use regulations. . . . Its physical character is derived from Pleistocene glaciation and more recent alluvial action. . . . The property is mostly flat, with the steepest slopes (slightly over 5 percent) occurring in the southernmost 25 percent of the site. . . . Surface soils at this site are generally derived from glacial till. Surface soils are underlain by about 30 to 40 feet of Vashon till a

highly compacted soil with low hydraulic conductivity.”

This county document **also** says, Appendix A, p. A-2 “The site has been logged and farmed in the past and is now a combination of forest, wetlands, and pasture. Approximately **70** acres of wetlands occur on the site. About **40** acres of the wetlands consist of wet pasture. . . . Upland portions of the site have been logged and consist of second and third growth timber, including deciduous trees and brush.

“The surrounding community is rural in nature, with land uses consisting of agriculture, low density residential, and a few businesses. . . .

“The proposed landfill would be constructed and operated in eight sections, or cells, and would have a capacity of about **29.2** million cubic yards of material including mixed municipal solid waste and daily and interim cover.”

6. Opponents of the dump were continually frustrated in their efforts to persuade members of the County Council that, as legislators for the county, they ought to protect county residents from the danger of polluted water by changing county policy, and deciding not to put a dump over the aquifer. County attorneys persistently advised council members to avoid taking a stand on the issue because, in their “quasi-judicial role” as the body that would hear any appeal of the Hearings Examiner’s decision, they must be seen to be “neutral.” So, in effect, the county’s legislative body abdicated its policy-making function, while the Hearings Examiner purported not to be making policy when deciding on purely legal grounds whether to grant a permit. By default, then, county policy was shaped by LRI.

Eventually, the law was changed to extricate the County Council from this anomalous “quasi-judicial” role.

7. See also the April 12, 1993 Tacoma News Tribune Editorial, “Don’t rule out new landfill—yet.” It had said, in part: “Because the privately operated Hidden Valley landfill south of Puyallup is now expected to close by March 1995 . . . the county has no choice but to begin shipping part of its daily garbage intake to a regional landfill in Klickitat County.” The News Tribune writer seemed to regard NIMBY, not environmental risk, as the obstacle to the proposed in-county landfill, for the editorial went on to say, “Politically, long-haul would be the easiest thing to do. It’s an out-of-sight, out-of-mind solution. No NIMBY syndrome to contend with. The garbage would go to a big, state-of-the-art landfill in Eastern Washington where the geology and climate are better for landfills, and where the locals welcome the business.” But the editorial stressed the extra monetary cost of long-hauling.
8. By “carrying capacity” I mean: the maximum load of human use that can be sustained by an environment without diminishing its future suitability for supporting an equivalent load. The heuristic importance of such a concept of carrying capacity is not diminished by the difficulty of specifying its numerical value. As the load grows larger, observable environmental degradation must be seen as symptomatic of overshooting carrying capacity. In writing a book “king, “How many people can the Earth support?” J.E. Cohen (1995, 161, emphasis added) decided the question was “obviously incomplete,” and required further specification: “Support with what kind of life? With what technology? For how long? Leaving what kind of Earth for the future?” As those two questions in italics imply, the emerging essence of the carrying capacity concept is the issue of sustainability (see, e.g., Brown 1981; Milbrath, 1989; Daily and Ehrlich 1992 Hardin 1993; Catton 1995).

Cohen’s book considers in abundant detail the history of efforts to determine the planet’s human carrying capacity. Because he finds (p. 237) “at least four different concepts of carrying capacity” have been used in “ecology as a *basic* science” and *applied* ecology’s various specialties (i.e., range management, wildlife management, fisheries management, forest management and agriculture) have involved “at least five additional concepts of carrying capacity,” and because he concludes that none of these previous concepts of carrying capacity in basic or applied ecology suffices for the human population, his work may too easily be misconstrued as documentation of a basis for *rejecting* further use of the carrying capacity concept.

But the careful reader will realize that is *not* Cohen’s message. Cohen (1995, 260) concludes his chapter about these diverse definitions with sentences in which the *idea* of carrying capacity limits remains implicit: “This generation inherited the Earth and will surely leave it to future generations,” he says. “The view that your generation and mine take of the role and importance of future generations **will** influence how we treat the Earth today.”

According to Cohen (1995, 356) constraints on the Earth’s human carrying capacity are no less real than the choices we make within such limits. He cites Easter Island as “one example of the many civilizations that undercut their own ecological foundations.” If he seems (p. 358) to give aid and comfort to cornucopians when he declares that a “number or range of numbers, presented as a constraint independent of human choices, is an inadequate answer to the question ‘How many people can the Earth support?’,” he nevertheless almost echoes Malthus by saying, “If human choices somehow failed to prevent population size from approaching absolute upper limits, then *gradually worsening conditions* for human and other life on the Earth would first prompt and eventually enforce human choices to stop such an approach” (my italics).

Cohen’s criticism of the various methods used in the past to estimate a particular numerical magnitude for global human carrying capacity does not, in the final analysis, contradict the following statements: “Exceeding the carrying capacity in one year diminishes the carrying capacity in subsequent years” (Hardin 1993, 207), and “[A]t a sustainable size of population, *the quality of life and the quantify of it are inversely related*” (Hardin 1993, 213).

9. For an unusually thoughtful discussion of the causes and ramifications of the overshoot condition, see the chapter on “Unsustainable Human Ecology,” in Freese (1997, 171-208). Also, in letters to *Science* (19 Sept. 1997, 1746-1747), America’s political leaders were said by Hoover Institution Visiting Scholar B. Meredith Burke to “have sealed our ecological fate” by having chosen “to maximize rather than optimize population,” while retired University of Colorado physics professor A.A. Bartlett questioned whether *scientists* themselves are being responsible when they “hold out the hope that endless population growth can be matched by endless doublings of world food production.”
10. It would be more accurate to say *Homo colossus* so as to take into account the colossal per capita resource demands and environmental impacts of people living the industrial way of life.
11. Many industrialized countries are closing landfills. In the United States, whereas 8,000 landfills were operating in 1988, the number had been reduced by 1996 to a little over 3,000, because many were unable to comply with federal environmental regulations, or were simply filled up. Remaining landfills were bigger on average, so total capacity had actually increased, but a waste capacity squeeze was widely felt. For example, New York City’s last remaining landfill, the world’s largest at nearly 3,000 acres, was



- due to close in 2001, so city officials were working on plans for exporting their 13,000 tons of daily garbage to other states. But several states are requiring their dumps cut their intake in half by then. Authorities in the United Kingdom are working to increase recycling of household refuse. And Tokyo's filled dumps have caused that city to consider garbage collection fees that would discourage waste generation (Gardner 1997, 13-14).
12. There was almost no TV coverage of this controversy, even though it is the television medium especially that public officials commonly rely on "to help them coalesce groups in support of" a policy or project (see Kaniss 1991, 161, *et passim*). Whether the newspaper's owners or editors were in outright collusion with the garbage company and pro-dump county officials is not easy to determine. News articles generally reported opposition efforts and ideas with commendable clarity, if perhaps less voluminously than the statements by LRI spokespersons. Many protesting letters to the editor, even when they denounced News Tribune editorials, were printed. But editorials not only favored LRI and its plans for an in-county dump; they seemed to skew their reading of federal, state, or county actions and documents (EIS, etc.) as LRI-vindicating even when others saw them more negatively or as neutral.
  13. His cost analysis was done as part of the county's checks on LRI's final EIS.
  14. In a letter to the Tacoma newspaper (Westhoff 1995), an Eatonville resident wrote, "We are in favor of long-hauling because it is an economically viable alternative which answers all our concerns about aquifer contamination, traffic congestion, property value reduction and wetlands preservation." And he added that whereas he paid \$11.55 per month to have his garbage taken to Hidden Valley, "Lewis, Snohomish, Grays Harbor and Mason counties long-haul all their non-recycled solid waste to Eastern Washington, and their monthly cost-to-customer charges for one can per week, curbside pickup, vary from \$14.99 to \$10.69 in Snohomish County; Lewis County charges \$12.10; Mason County charges are \$11.55; and Grays Harbor County charges are approximately \$11." His letter was written as a rebuttal of an editorial writer's assertion that opponents of this dump were "riding a tidal wave of emotion."
  15. See Alhnan and Low (1992). State Senator Marilyn Rasmussen, representing the district in which the dump site was located, had introduced several measures that would have set strict new statewide standards for landfill siting and operation. She said in her July 1997 Newsletter to constituents, "The bills failed this time, but I want to thank all the local folks who have given me their strong support in this effort. . . . There should be at least one thing we can all agree on now: No garbage should be deposited on top of a sole-source aquifer!" For many opponents, an important non-financial "place attachment" consisted in the fact that the dump site was beside the highway that conveys many travelers from Seattle and Tacoma to Mount Rainier National Park. As reflected in testimony at some of the hearings, to people mindful of that fact with an attitude of near-reverence at least for "The Mountain" and perhaps for its status as a national park it seemed almost a sacrilege to subject people on their way to visit a destination so venerated to the sights, sounds, smells, and traffic hazards associated with a huge garbage dump. Similarly, David Hellyer (1985), retired pediatrician, naturalist, and founder of Northwest Trek, a local wildlife park three miles south of the proposed dump site, testified that building a landfill so close to that park was "the worst idea ever proposed in the 60 years he has lived in Pierce County." His opposition was echoed, at Northwest

Treks request, by unanimous vote of Tacoma's five-member Metropolitan Park District board (Castro 1996).

16. When LRI sought to make "disgruntled property owners" feel better by extending up to a full mile from the planned dump their previously promised buyout option for owners of property located within one-half mile of it, a leading spokesperson for the dump's opponents insisted LRI had missed the point. Local real estate values were not the issue, she said. Resistance to the dump was "not a little NIMBY issue being opposed by residents living within a mile" of the site. It was "a grass-roots effort to protect Pierce County's drinking water, wetlands, streams and lakes" which could only be done by denying the permits (Steiner 1995; Tucker 1995e).
17. See endnote 11, above

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