2010

Getting to 'Win' 'Win': the case of the redevelopment of Bellingham, Washington's downtown waterfront

Christopher M. Conway
Western Washington University

Follow this and additional works at: https://cedar.wwu.edu/wwuet

Part of the Political Science Commons

Recommended Citation
Conway, Christopher M., "Getting to 'Win' 'Win': the case of the redevelopment of Bellingham, Washington's downtown waterfront" (2010). WWU Graduate School Collection. 64.
https://cedar.wwu.edu/wwuet/64

This Masters Thesis is brought to you for free and open access by the WWU Graduate and Undergraduate Scholarship at Western CEDAR. It has been accepted for inclusion in WWU Graduate School Collection by an authorized administrator of Western CEDAR. For more information, please contact westerncedar@wwu.edu.
Getting to ‘Win’ ‘Win’: The Case of the Redevelopment of Bellingham, Washington’s Downtown Waterfront

By

Christopher M. Conway
Accepted in Partial Completion
Of the Requirements for the Degree
Masters of Arts

Moheb A Ghali, Dean of the Graduate School

ADVISORY COMMITTEE

Chair, Dr. Sara Weir

Dr. Troy Abel

Dr. Vernon Johnson
MASTER’S THESIS

In presenting this thesis in partial fulfillment of the requirements for a master’s degree at Western Washington University, I grant to Western Washington University the non-exclusive royalty-free right to archive, reproduce, distribute, and display the thesis in any and all forms, including electronic format, via any digital library mechanisms maintained by WWU.

I represent and warrant this is my original work, and does not infringe or violate any rights of others. I warrant that I have obtained written permissions from the owner of any third party copyrighted material included in these files.

I acknowledge that I retain ownership rights to the copyright of this work, including but not limited to the right to use all or part of this work in future works, such as articles or books.

Library users are granted permission for individual, research and non-commercial reproduction of this work for educational purposes only. Any further digital posting of this document requires specific permission from the author.

Any copying or publication of this thesis for commercial purposes, or for financial gain, is not allowed without my written permission.

Christopher Conway

May 20, 2010
Getting to ‘Win’ ‘Win’: The Case of the Redevelopment of Bellingham, Washington’s Downtown Waterfront

Presented to
The Faculty of
Western Washington University

In Partial Fulfillment
Of the Requirements for the Degree
Master of Arts
by
Christopher Conway
May 2010
ABSTRACT

Building on Schattschneider’s (1960) conflict expansion theory, this study sheds light on the changing role of critical citizens power to delay and defeat development projects. Little attention has been focused on the how the rise in critical citizens can potentially block policy adoption within large redevelopment programs. This thesis examines the relationship between the level of consensus among economic stakeholders [Port and City] and level of mobilization in critical citizens to analyze the pace of rebuilding Bellingham, Washington’s downtown waterfront from 2005 to 2009.
ACKNOWLEDGEMENT

It may take a village to raise a child; however it makes much for to write a thesis. Because of this, I feel it is unfair to everyone to single out any one of the many who helped along the way. I would like to thank however, all of my friends and fellow graduate students for your continued support throughout this lengthy process. To every member of my thesis committee—without your continued support and guidance, I would not have ever finished. True bonds have been made throughout this process and I will forever be grateful to the three of you!

Finally, to my family, without your constant support and understanding, this project would not have happen. It may have taken a bit longer but:

WE did it!
# TABLE OF CONTENTS

Abstract iv

Acknowledgments v

List of Figures vii

Introduction 1

Chapter One: Literature Review and Methodology

  Literature Review 4
    Consensus Building 4
    Community Involvement 9
    Conflict Expansion 13
  Methodologies
    Research Methodology 19
    Data Collection 23

Chapter Two: Case Study Background 23

Chapter Three: Development Years 2005-2007: Development Advantage 30

Chapter Four: Development Years 2007-2009: Conservation Advantage 44

Chapter Five: Development Years 2009- Future: Development Advantage 55

Chapter Six: Conclusion 66

Bibliography 69

Appendix: 1 73

Appendix: 2 74
# LIST OF FIGURES

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Figure 1</td>
<td>Basic Typology</td>
<td>18</td>
</tr>
<tr>
<td>Figure 2</td>
<td>Time Line Following Consensus and Mobilization from 2005-2007</td>
<td>29</td>
</tr>
<tr>
<td>Figure 3</td>
<td>Time Line Following Consensus and Mobilization from 2007-2009</td>
<td>43</td>
</tr>
<tr>
<td>Figure 4</td>
<td>Time Line Following Consensus and Mobilization from 2009- Election</td>
<td>54</td>
</tr>
<tr>
<td>Figure 5</td>
<td>Concluding Typology</td>
<td>64</td>
</tr>
</tbody>
</table>
INTRODUCTION

In the post-industrial reality of the 21st century, the stage has been set for one of the most complicated and potentially divisive of partnerships; that of ports and cities who find themselves intimately connected when dealing with the legacy of valuable waterfront property formerly used for industrial purposes. The partnerships which emerge often struggle to reconcile their competing visions for the development of such properties.

In January 2005, the Port of Bellingham in Washington State purchased 137 acres of waterfront property close to downtown. The property—formerly owned by the Georgia Pacific Corporation—was highly polluted with a history of industrial use as a manufacturing facility for paper products. Driven by the Washington State Department of Ecology, the Port spent well over a million dollars in due diligence fees in 2005. The Port hoped to move quickly to build a marina, clean up the site and along with the city of Bellingham, develop it for a mixture of commercial and residential uses. As described by a Port Employee: “So, there were different scenarios that we went over and over and there was only one model that really worked. And the model was: we’ll clean this up, we’ll resell the land back into private sector clean” (Port Employee One, personal communication, October 2, 2009). At this point in the project, the Port of Bellingham and the City appeared to be in agreement.

Efforts to rejuvenate this property, however, soon developed political and social cleavages that led to the property being put under community scrutiny. Robert Kagan (1991) describes the difficulties communities find themselves in during major port development programs. Because of the complex array of regulations and agencies governing dredging in waterways, Oakland, California’s efforts to convert to a deepwater port became mired in—what Kagan describes as “Adversarial Legalism”.
Overview

This project addresses the issue of community conflict by drawing upon the case of Bellingham’s waterfront development project. It explores the relationship between consensus among economic stakeholders and levels of citizen mobilization by examining four possible outcomes. In the first case, where economic stakeholders’ consensus is high and mobilization of citizens is low, it is likely that the project will move forward. In a second scenario, where economic consensus is high and citizen mobilization is also high, the likely outcome is gridlock, producing little or no change. A third possibility, economic consensus among stakeholders is low and citizen mobilization is low, no change will be produced. And, finally, the community has the ability to dictate the terms of development. This allows environmental and preservationist groups to successfully take a conservation stance.

Of course, there will be differences in opinion but when I began researching this thesis I had high expectations that the Port of Bellingham would be able to move forward and develop the land quickly.

The period between (2005-2007) saw a strong local economy. Efforts by the Bellingham Bay Foundation, a well-organized and funded advocacy group, failed to stop the Ports’ plans to develop the marina on the site of a waste containment pond known as “The Aeration Stabilization Basin (referred to herein as ASB). The community opposition did not stop the ability to a mobilized community to cause the Port and City of Bellingham to reshape their development plans, again and again, was completely unexpected. Likewise, the backlash that occurred as the redevelopment process slowed and interest groups became involved was something for which both the Port and City were unprepared.
The following chapters describe the period of conflict: Chapter two provides an overview of literature pertaining to consensus-building, community involvement and conflict expansion. It introduces the methodology used in the analysis chapters that follow along with a timeline to depict change. Chapter three looks at development years 2005-2007, in which a development advantage occurred due to the high level of economic stakeholder consensus and low level of community mobilization. Consensus between the Port and City allowed for development to occur despite the negative attention brought forth by a select few.

Chapter four looks at development years of 2007-2009, in which the economic stakeholders lacked consensus producing a “conservation advantage\(^1\)” As a result of the lack in consensus, policy entrepreneurs\(^2\) mobilized around interests reshaping development. Community mobilization delayed progress as personal interests became community interests. Chapter five examines development year 2009, in which the economic stakeholders regained a level of consensus to reconstruct the “development advantage\(^3\)” It concludes with a discussion of the redevelopment future in terms of consensus and mobilization.

\(^1\) Defined in this thesis as: Port and City presented enough consensus within specific moments in time to drive the redevelopment forward.


\(^3\) Defined in this thesis as: Events during redevelopment in which the mobilization of critical citizens controlled the direction of the conflict scope
CHAPTER ONE

Literature Review

Consensus-Building: Consensus-building at the basic level inevitably starts off with stakeholders at odds with each other. Given any project, stakeholders either agree with the direction, or disagree, putting the entire process on hold. Considered one of the key challenges of our time, consensus-building has the potential to demolish social cohesion within communities, shifting progress away from the project (Healey, 1996). Healey emphasizes the importance of dissecting public problems in her article *Consensus-building across Different Division.* “If we fail, we undermine the capacities we need to reproduce what we have, heading into what environmentalists know as ‘the tragedy of the commons’” (1996, 207). The “tragedy of the commons” occurs when an over-exploitation of a common resource, forced by individual interest, is destroyed. In extrapolating this thought to involve community development, the “tragedy of the commons” can set a project back so far that it fails, leaving the stakeholders at fault. For communities, the use of consensus-building has emerged as a necessity to move large and small projects along, especially when multiple interests are involved. In the article *Planning Through Consensus Building,* Judith Innes (1996) defines consensus-building, “a method of group deliberation that brings together for face-to-face discussion a significant range of individuals chosen because they represent those with differing stakes in a problem” (461). It becomes clear, using Innes’ definition, why consensus-building troubles many bureaucracies, especially in those communities dealing with large-scale redevelopment projects. As the number of stakeholders increase, the likelihood of consensus happening quickly falls down the agenda, blurring the line of progress and change.
When looking at why consensus and consensus-building influence change, a greater understanding as to why bureaucracies change in the first place must be undertaken. This is done by reviewing general bureaucratic change literature. Max Weber (1948) began the study of bureaucracy and promoted the rationality behind such a systemically different way of thinking. Weber identified the advantages of the new social organization based on a division of labor and formality. According to Weber the bureaucracy was brilliant and would revolutionize the way in which work was organized and accomplished: “The fully developed bureaucratic mechanism compares with other organizations, exactly as does the machine with the non-mechanical modes of production” (214). For Weber, the introduction of the modern bureaucracy was the cure-all to the problems associated with organizations. Other scholars, however, have pointed to the issues which might lead to a bureaucracy’s downfall. Their focus hinges on the introduction of change within the bureaucracy and the impact of change. According to Andrew King (2000) in the article Organizational Response to Environmental Regulations, organizations change only in a brief moment when resistant interlocking elements are broken and before new structures crystallize. Within cities, new structures formalize shortly after elections, and potentially after large focusing events. Carroll and Barnett (1995) focus on the internal structures of organizational change and why organizations struggle to change. Additionally, Carroll and Barnett note that organizations and bureaucracies lack change. They become so entrenched in daily routine that change is almost impossible. Carroll and Barnett use the “Structural Inertia Theory” to explain her rational for why organizations and bureaucracies rarely change. “Organizations become

---

4 A focusing event is an event that is sudden; relatively uncommon; can be reasonably defined as harmful or revealing the possibility of potentially greater future harms; has harms that are concentrated in a particular geographical area or community of interest; and that is known to policy makers and the public simultaneously
increasingly inert over time as procedures, roles, and structures become well-established” (221). Bureaucracies, unlike organizations, are not run by a single person or group, which makes them more resistant to change. In organizations, on the other hand, change is brought about though a top down approach. According to Haveman (1992) bureaucracies are subject to excessive rigidity in their application of the rules. Bureaucracies are inherently conservative and resistant to innovation. Haveman points to this as a major problem for both when it comes to an attempt to change, especially on an environmental level. For Haveman the inflexibility and lack of innovation physically stop organizations from changing and, “bureaucracies are subject to excessive rigidity in the application of rules and regulations”. Haveman goes on to say, this (rigidity) severely constrains an (organization’s) ability to change in response to environmental shifts or internal organizational growth” (48). This rigidity breaks the line of trust between local organizations and bureaucracies by reinforcing an ‘us’ and ‘them’ division (Healey, 1996. 214) forcing stakeholders to change the way they interact with organizations and bureaucracies.

The critical line of trust and rebuilding trust continues to be a challenge for consensus building and consensus among organizations. As institutional capacity falls, the ability of those organizations to rebuild institutional capacity has to increase as way to regain consensus. If capacity fails and organizational trust falls, the impact on the project as a whole then needs to be explored. Healey engages this impact in the article *Consensus-building across Different Divisions*, “The lack of trust in government means that we tend not to look to politicians and officials, city councils and national parliaments, as people to consult or places to go with our concerns about matters in the public realm” (211). Instead, people tend to reformulate their opinions of projects based on the information they receive at
the public level, and not from those intimately involved in developing consensus. This swing in institutional capacity shifts the focus from building consensus among the major stakeholders to regaining the trust of the public in order to produce stakeholder consensus. In rebuilding trust, institutional capacity has to deal with the way the public receives and understands the messages driven by the stakeholders involved. As consensus between stakeholders struggles, the public becomes overly important in influencing the most powerful individuals involved. Focusing on both positive and negative attributes of a project, the lack of consensus forces those stakeholders with the power to bring back the public interest and re-introduce the importance of the project. How then with all of the outside influence does consensus building happen? Innes (2004) describes both a set of guidelines communities should follow in order to successfully develop consensus and also describes the outcome of when communities potentially have consensus.

Innes (2004) along with the Society of Professionals in Dispute Resolution et al formulated a set of eight community guidelines which must hold true, or failure is likely to follow. These are:

1) Inclusion of a full range of stakeholders;
2) A task that is meaningful to the participants and that has promise of having a timely impact;
3) Participants who set their own ground rules for behavior, agenda setting, making decisions and many other topics;
4) A process that beings with mutual understanding of interests and avoids positional bargaining;
5) A dialogue where all are heard and respected and equally able to participate;
6) A self-organizing process unconstrained by conveners in its time or content and which permits the status quo and all assumptions to be questioned;
7) Information that is assessable and fully shared among participants;
8) An understanding that ‘consensus’ is only reached when all interests have been explored and every effort has been made to satisfy these concerns.
According to Innes, in order to produce the eight conditions, groups of any significant size need to introduce a skilled facilitator. However, this brings up several overlapping problems in building consensus such as, “some groups, especially at the community level, may not be comfortable with outside facilitation” (8). The introduction of an outside facilitator pits one group of stakeholders against the other in order to represent the community as a whole. The other great obstacle centers on the cost. Community facilitation to build consensus takes time, and time costs money. Along with cost, facilitation hinges on two key aspects; the ability for neutrality and for accountability. Michael L. Poirier Elliott points to the importance of neutrality in the article, *The Role of Facilitators, Mediators and Others* (1999). Poirier writes, “Participants who feel empowered to contribute ideas and influence the outcome of a process, and who perceive a facilitator to be even-handed and neutral, generally become more committed to the collaborative process” (1999, 208). During this stage, developing trustworthy relationships between those involved drives the direction of the process in a positive direction. Conversely, when neutrality is questioned, those stakeholders involved in developing consensus begin questioning the reasoning behind the facilitator’s involvement, altering the relationship negatively (218). Verifying neutrality of the facilitator is often too difficult. Elliott points to the legitimization of the process, rather than the neutrality of the facilitator as a way foster the necessary relationships.

In addition to neutrality, having a high level of accountability also impacts the outcome of bringing in a community facilitator. For Elliott, accountability implies “standards of professional practice, standards that the parties accept and to which the practitioner is willing to commit” (218). While most facilitators lack-decision making capabilities, presenting themselves in a professional manner helps in the development of a
greater degree of accountability. Community facilitation attempts to drive projects forward, with an ultimate goal of developing a positive relationship between the stakeholders involved. “The better the relationship among participants, the more they can focus their attention on substantive questions” (Carpenter, 1999, 85). Focusing their attention on the project as a whole, stakeholders’ positions falter pulling attention away from the aspects dividing the consensus and to a greater sense of community.

**Community Involvement:** Community involvement can be seen as a double-edged sword. On one side, community involvement can be envisioned as a fulfillment of the democratic process, “direct democracy keeps community life vital and public institutions accountable” (Roberts, 2004, 315). On the other side, community involvement is seen as inhabiting change. As more and more citizens enter the political arena, the ability to foster change alters with each new individual’s idea. Stephen Cupps (1977) emphasizes the growth of local groups’ power to influence policy and how this influences local politics. “Citizen groups’ have been remarkably effective in creating public problems out of problems which otherwise might have never reached a level of serious public debate or controversy” (479). Cupps brings to light the ability of “cloaked” ideas being brought to the political forefront, focusing on buzz words such as *consumer, public interest,* etc. to influence policy in a way that might ultimately force a change that delays the process (481). Then a problem arises in the increased impact that local groups have in delaying or defeating local development programs.

Local governments today must walk the socialization of conflict line more than ever in order to get enough consensuses to fulfill major change. As Schattschneider stated “…all politics begin with billions of conflicts. There are billions of potential conflicts in any modern society, but only a few become significant” (1957, 935). Schattschneider points to
governmental procedures as forces which socialize conflict, ultimately altering the direction in which change occurs. “Governmental procedures which lend themselves to delay and structural complexities which postpone decisions tend to socialize conflict by providing occasions for the kind of agitation that is likely to increase the scope of conflict” (1957, 941). At the same time, localities must produce enough political viability to override local negative pressure. With advancements in today’s technology, local community groups hold more political power than ever before. Internet blogs, Wi-Fi chats, text messages, and search engines have expanded the scope of every local conflict, and it is up to the local government to deal with the added community influences. With this expansion of technology, it has become much easier for groups and even individual citizens to be involved in community politics. Barry Wellman (et al. 2001) expands the literature on technological improvements to include the power the internet has in influencing politics both online and offline. “The plethora of information available on the Web and the ease of using search engines and hyperlinks to find groups fitting one’s interest should enable newcomers to find, join and get involved in kindred organizations” (Wellman, Haase, Witte, Hampton, 2001. 438). It is not uncommon for an individual with a personal interest in a community to mount a sophisticated media campaign, expanding the conflict scope indefinitely, with limited cost. With the introduction of blog sites, media campaigns cost less than ever. As conflict expands and interest mobilization increases, community participation becomes a much larger actor within the development project. Local agenda setting proposes a difficult decision; who should the process be introduced to. This dilemma arises because, “an essential characteristic of any polity is the way that different groups participate in the process of policy formulation” (Cobb, Ross, Ross, 126, 1976). The question causes stress between the local groups and the experts
within each level of government (Roberts, 2004). Local agenda setting stresses the importance and struggle of how policy elites define what public interest is. Cobb, Ross and Ross define what constitutes the public agenda as all issues which: (1) are the subject of widespread attention or at least awareness; (2) require action, in the view of a sizeable proportion of the public; and (3) are the appropriate concern of some governmental unit, in the perception of community members (1976, 127). In setting distinctions between what is considered public interest and what is not, a debate opens between direct democracy, under which citizen participation falls, and indirect citizen participation. In doing so, elected officials and administrations straddle the divide between crafting polices that land them on either side of the debate (Roberts, 2004). Despite the importance of understanding policy-makers’ position in bridging the policy gap between opposition groups, the primary focus of this project will look at the role of critical citizenry in relation to failed policy implementation.

Bringing democracy back to the people can only strengthen the attitudes and policies being adopted, or attempting to be adopted. However, the rise of the critical citizen has the potential to systematically change the way local communities attempt major redevelopment projects. Local groups can hold policy adoption hostage threatening a potential lawsuit. More typically, acting agents and polities run out of money causing major policy failure (Irvin and Stansbury, 2004). One of the ways around the policy hostage is through the introduction of information. Passing along information from the elite level to the citizen level poses a significant problem. The lack of adequate or “insider” information about policy-making can puzzle public action or further shape their own agendas. In dealing with the fostering of interest, John Kingdon anecdotally describes the power interest has in referring
to promotions within his agency. In *Agendas, Alternatives, and Public Policies* “Generally speaking, the louder the squawk, the higher it gets. Then when I asked him why other groups weren’t paid much attention, he replied, ‘They don’t come in very often; they just don’t come in’” (Kingdon, 49. 2003). For Kingdon, the formulation of interests by the population does not turn into policy or generate the needed support to promote change. It does, however, give others who might have been excluded from the debate the opportunity to join the group. Thomas Birkland reaffirms this trait about human behavior with regards to the political system, “After all, the power of individuals in any political system is greatly magnified when they form groups” (Birkland, 81. 1998). An educated citizenship expands the issue and changes the make-up of policy alternatives, becoming one of the many ways citizens actively block policy adoption.

Recently, scholars have emphasized many of the unintended consequences of greater citizen participation (Gordon 1997; Cupps, 1977; Irvin and Stansbury; et al. 2004.). In doing so, much of the literature on issue expansion and stakeholder involvement has been introduced into the literature involving citizen participation and consensus-building. Increasing the issue from the potential perils of citizen participation to include ways in which local community policy elites deal with increased participation. Little attention is focused on the how the rise in critical citizens can potentially block policy adoption within large redevelopment programs. The increased influence in stakeholder involvement has altered the way in which policy implementation takes place. Formulating new ideas about “plans that

---

5 Birkland defines these groups within the political system as interest groups, “A collection of people or organizations that unite to advance their desired political and policy outcomes in politics and society (Birkland, 81 1998).
matter,” Burby (2003) takes on the development process of stakeholder involvement to citizen involvement. Burry points out that those proposals with limited “public” often jumpstart the potential of latent public support. For communities struggling to implement comprehensive plans, the rise of an underlying public might cause leaders to alter their planning strategy. Redevelopment stalls when both sides present their ideal master plan and only offer limited compromise. When a freeze occurs, community members’ understanding of why this has happened widens and specific issues fog the overarching concept of waterfront redevelopment. “This increased attention can further tilt the balance of debate in favor of pro-change (or pro-stasis) groups” (Birkland, 1998, 55). Highly involved communities will forever struggle with developmental and implementation polices when negative attention drives a wedge between implementation and failure.

**Conflict Expansion** E. E Schattschneider’s (1957) conflict expansion literature has transcended the conflict expansion literature. “Political strategy deals therefore with the inclusion and exclusion of contestants because it is never true that the balance remains the same if the number is changed” (Schattschneider, 941). Since the work of E.E. Schattschneider’s (1960) conflict expansion literature, groups have used the advent of technological advancements to secure power in order to shape policy. Schattschneider introduced his conflict expansion theory during a time when information and information-sharing came at a premium, ultimately excluding a large segment of the population. Following Paul Lazarsfeld’s (1944) socio-economic expansion of interest, Schattschneider emphasizes the upper-class bias. “There is overwhelming evidence that participation in voluntary organizations is related to upper social and economic status; the rate of participation is much higher in the upper strata than it is elsewhere” (32). Following this
theory through today, it is much easier for middle and lower income citizens to be involved in participation due to low-cost technological advancements. Improvements such as the cellphone, low cost computers, and community computer programs, have opened the door for the previously disenfranchised.

In the age of information, previously powerful stakeholder’s grip on information has loosened, opening up the entire process to the interested and uninterested alike with both positive and negative outcomes respectively. These outcomes can be seen in any city in every state. The clash between citizen contribution and powerful stakeholders becomes exemplified within communities dealing with Brownfield\(^6\) developments; specifically on the waterfront. Waterfront development often involves multiple economically-driven stakeholders, including ports and cities. Within every community dealing with waterfront development specifically, tactical negotiations between the port and the city drive policy. Both sides formulate development plans to maximize the economic gain for their respective organizations. As active economic stakeholders struggle to promote an economically feasible and politically viable master plan, community involvement and interest mobilization generate adversarial attitudes towards the port and the city at the cost of the development strategy as a whole.

Camilla Stivers (1990) asks a broader question; to what extent can a representative government handle an active citizenry. “A key question in the history of the U.S.

\(^6\) EPA defined Brownfields as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment
administrative state has been the extent to which the administration of a representative
government can accommodate citizens actively involved in public decision-making” (et al.,
E. Schattschneider (1960) who finds importance in expanding the conflict. Schattschneider
directly relates the expansion of the conflict with his analogy of the fight between Cole, Able
and Bart. “The number of people involved in any conflict determines what happens; every
change in the number of participants, every increase or reduction in the number of
participants affects the results” (1960, 2). Using Able and Bart as an example, Able and Bart
begin to fight; Cole could change the outcome of the fight for either combatant. For
Schattschneider, the expansion of conflict comes with many unintended consequences.
Schattschneider points to the balance of power within the policy community as issue (conflict)
expansion increases, “If one tenth of one percent of the public is involved in conflict the
latent force of the audience is 999 times as great as the active force, and the outcome of the
conflict depends overwhelmingly on what the 99.9 percent do” (1960, 5). Expanding the
scope of conflict for Schattschneider is essential in the debate over the democratic process.
Baumgartner and Jones (1993) elaborate on the process of conflict expansion to include those
groups attempting to introduce or keep something from entering the agenda.

Local agenda setting proposes a difficult decision; who should the process be introduced
to. This dilemma arises because, “an essential characteristic of any polity is the way that
different groups participate in the process of policy formulation” (Cobb, Ross, Ross, 1976.
126). The question causes stress between the local groups and the experts within each level
of government (Roberts, 2004). Local agenda setting stresses the importance and struggle
of how policy elites define what public interest is. Cobb, Ross and Ross define what
constitutes the public agenda as all issues which: (1) are the subject of widespread attention or at least awareness; (2) require action, in the view of a sizeable proportion of the public; and (3) are the appropriate concern of some governmental unit, in the perception of community members (1976, 127). In setting distinctions between what is considered public interest and what is not, a debate opens between direct democracy, under which citizen participation falls, and indirect citizen participation. In doing so, elected officials and administrations straddle the divide between crafting polices that land them on either side of the debate (Roberts, 2004). Despite the importance of understanding policy-makers’ position in bridging the policy gap between opposition groups, the primary focus of this project will look at the role of critical citizenry in relation to failed policy implementation. Drawing upon Schattschneider’s (1961) conflict literature, along with a small bit of Kingdon’s (2003) policy stream literature four hypotheses were developed.

H1:
If the economic stakeholder’s consensus is low and critical citizen mobilization is low; then low conflict and limited change is expected.

During this hypothesis it is expected to find that neither the level of mobilization nor consensus posses enough political power to get anything done. Because of this both sides potentially could lose with the site forever being diagnosed with Brownfield Syndrome. In this situation the site would sit like it does now with neither side benefiting from the redevelopment. In developing a sense of conflict, during this hypothesis, a low level of conflict is expected due to the low levels of consensus and mobilization.

H2:
If the economic stakeholder’s consensus is low and critical citizen mobilization is high; then medium conflict and a conservation advantage is expected.

I expected to find that with the lack of consensus between the economic stakeholders, mobilization of citizens expands the scope to block development preventing the
stakeholders from moving quickly. In developing a sense of conflict, during this hypothesis, a medium level of conflict is expected due to the low level of consensus and high level of mobilization; resulting in the potential advantage towards the mobilized citizens.

H3:

If the economic stakeholder’s consensus is high and critical citizen mobilization is low; then medium conflict and a development advantage is expected.

I expected to find that the lack of mobilization in critical citizens allows for a greater advantage for the economic stakeholders promoting a development advantage. In developing a sense of conflict, during this hypothesis, a medium level of conflict is expected due to the high level of consensus and low level of mobilization resulting in the potential advantage towards the development.

H4:

If the economic stakeholder’s consensus is high and critical citizen mobilization is high; then high conflict and incremental symbolic change is expected.

I expected to find that due to both high levels of mobilization and consensus neither side reaches their goals and only symbolic changes occur. In developing a sense of conflict, during this hypothesis, a high level of conflict is expected due to the high level of consensus and high level of mobilization.
Degree of Consensus among Economic Stakeholders

Figure 1: Basic Typology

<table>
<thead>
<tr>
<th></th>
<th>Low</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>High</strong></td>
<td>Conservation Advantage</td>
<td>Gridlock</td>
</tr>
<tr>
<td><strong>Low</strong></td>
<td>Limited Change</td>
<td>Development Advantage</td>
</tr>
</tbody>
</table>

**Level of Mobilization in Critical Citizens**

**High:** Is operationalized as communities with active citizens and a high amount of organization for instant recoding and distribution of information.

**Low:** Is operationalized as communities with potentially both a lack of active citizens and disorganized allowing for instant recording and distribution of information.

**Degree of consensus among economic stakeholders:**

**High:** is operationalized as major economic stakeholders produce a level of consensus that allows for redevelopment to occur. High consensus allows for movement that can overcome community criticism throughout the process.
Low: is operationalized as major economic stakeholders cannot produce a level of consensus that overpowers the potential community criticism, allowing for possible delay and defeat of the process.

**Methodology**

**Research Methodology and Data Collection** To account for how the rise in numerical minorities blocked policy adoption, a case study is an appropriate method. According to Yin et. al. (1994), the use of case study research is the preferred method when attempting to explain “how” or “why” contemporary events occur. In this study, the goal is to find out why the creation of a comprehensive waterfront development plan has not been developed in Bellingham; while expanding the role citizen mobilization plays in delaying or defeating downtown waterfront redevelopment. The Bellingham, Washington waterfront development provides an excellent example of how strong policy entrepreneurs within the policy community alter and block implementation. While less reliable than quantitative methods, the case study approach provides high levels of validity.

Explanation in the variation of consensus is drawn from the community focusing on key policy entrepreneurs focused. The study combines public records and semi-formal interviews, developing a qualitative historical narrative. The interviews will be structured around the influence citizen groups and individuals have in shaping a comprehensive waterfront redevelopment plan. By using the public documents and meeting minutes, the formation of influential groups and individual stakeholders were identified. Members of both the Port of Bellingham and the City of Bellingham will be included. Through public records and conducting semi-formal interviews, a multi-layer set of evidence allows for grounding within historical understanding and contemporary reasons that a stalled comprehensive waterfront plan is occurring in Bellingham.
Interviewing Elites Interviews drive qualitative research, however, a major question arises when discussing the importance of interviewing as a form of information gathering: When is interviewing an appropriate method? Peabody, Hammond, Torcom et al. (1990, 452) simply answer that question with “almost always”. For the purpose of this thesis, a set of local interviews took place during October, 2009. The interviews fell during an election year which brought up an issue of controlling for the upcoming election. Controlling for the upcoming local elections in Bellingham, the interviews took place before the election. Future research could be done in looking at the importance of the local election on the process and how the outcomes changed the process as a whole.

For the purpose of this thesis, seven local elites where selected on their expertise regarding the redevelopment of the Georgia Pacific Site. Focusing on local elites allows for a direct relationship between those involved in the development of the site and those who can influence the direction of the redevelopment. Cochrane emphasizes the importance of interviewing local elites in the article Illusions of Power: interviewing local elites. “A focus on local elites offers (or appears to offer) the possibility of seeing how power relationships work – more interestingly, it allows us to explore the mundane, taken-for-granted, and unchallenged aspects of power (the low rather than the high politics of power)” (1997). From this, Cochrane points to the importance of choosing the correct elites, “Questions have to be asked about the ways in which elites are defined and by whom” (1997). In regards to the interviewees chosen, a wide range of influencing power and opinions helped with the selection process, keeping in mind as (Cochrane et al.) suggest involving those in the business community and not just focusing on those with elite titles and elite organizations. The division of those interviewed breaks down as follows: three City of Bellingham
employees, two Port of Bellingham employees, and two local business leaders. The interview consisted of 15 open-ended questions focusing on consensus and public mobilization. Ranging from 30 to 90 minutes respectively, each respondent answered the questions as they saw fit. Each interviewee consented to the use of a recording device. Upon completion of the interviews, each interview was transcribed. For the purpose of this thesis, those interviewed refrained from using their names and positions. Giving respondents anonymity throughout the thesis allowed those interviewed a level of security in their reflection of the process. Allowing for an anonymous pallet for those interviewed served three reasons. First, some of those interviewed held positions that may have skewed their answers and might not have been comfortable answering questions in respect to their employer or position in the community. Second, allowing for an anonymous option controls for bias based of face-to-face interaction. Finally, after the interviews were completed, the questions introduced may have influenced responses after the interview. The respondents are being identified by their position within the community, for example: City Respondent A, Port Respondent B, etc.

A timeline and two typologies graphically depict the relations and levels of conflict among key actors. The basic typology takes the four possible interactions found between the economic stakeholders and the community and presents them. It also defines the various outcomes which were developed from the four possible interactions. The thesis returns to the typology in Chapter Five as a way to summarize the findings regarding conflict and mobilization. To keep the three analysis chapters grounded within each other, a timeline outlining the shift of consensus and mobilization over the study time precedes each chapter.
CHAPTER TWO

Case Study: Bellingham Washington’s Downtown Waterfront Development

Background  Beginning in the early nineteenth century, Bellingham, Washington was much like other coastal towns. Built upon the extraction of resources, Bellingham quickly became a large natural resource based community. The thriving timber and salmon industry brought a workforce of thousands into the town eventually making the salmon industry the largest in the world. “Legend has it that farmers and gardeners could catch the Chinook salmon they used as fertilizer simply by sticking a pitchfork into a stream and flipping forkfuls of fish onto their fields” (Lieb, 2006). By the middle of the century, steam-powered lumber mills spotted the landscape, bringing the railroads into Bellingham as a way to transport local natural resources. With the introduction of railroads to Bellingham, a new market could be reached. Due to its location 30 miles from the Canadian border, Bellingham, became the hub for Canadian-based paper mill shipping. Paper giant J.J. Herb of New Westminster, BC, who shipped his paper products through Bellingham, bought waterfront land with paper in mind. His company built a processing plant in Bellingham to cut his large rolls of paper into smaller more manageable rolls for consumer use (Gallagher, 2007). This plant eventually outgrew paper-cutting, graduating into a paper mill, then into a chemical factory by the 1950’s. By the 1960’s, the J.J. Herb San Juan Pulp Company had merged into the Puget Sound Pulp and Timber Company, finally merging into Georgia Pacific (GP) in 1963. Georgia Pacific had transformed their operations and developed the world’s fastest paper-producing equipment and employed hundreds of Bellingham workers at a family wage. “When Georgia Pacific was at its heyday it paid 750,000 dollars in taxes” (Port Employee
One, personal communication, 2 October 2009) to the City of Bellingham. The rapid development of Georgia Pacific and the paper-producing industry transformed the waterfront of Bellingham forever.

By the 1950’s, consumers wanted whiter tissue paper, and a new bleaching process dramatically changed how tissue paper was produced. The purchase and implementation of a chlorine plant-- however good for post-war consumerism-- facilitated one of the largest problems with the entire Georgia Pacific Redevelopment Site: pollution. How then did Georgia Pacific’s chemical plants the redevelopment site? Simply put, during manufacturing. There are two ways to develop chlorine, and both of them pollute. According to the Chlorine Institute, chlorine is extracted in the diaphragm cell process by:

In the diaphragm cell process, sodium chloride brine is electrolyzed to produce chlorine at the positive electrode (anode) while sodium hydroxide (caustic soda) and hydrogen are produced at the negative electrode (cathode). In order to prevent the reaction of sodium hydroxide and hydrogen with the chlorine, the anode and cathode chambers are separated by a porous diaphragm.

During the mercury cell process, chlorine is extracted by:

In the mercury cell process recirculation mercury serves as the cathode. Chlorine is removed from the gas space above the anodes and elemental sodium is formed at the cathode. The sodium amalgamates with the mercury. The sodium-mercury amalgam then flows to a decomposer where it is reacted with purified water to produce sodium hydroxide and hydrogen with the mercury being re-circulated.

As a way to get rid of the byproducts created in the development of chlorine, Georgia Pacific began dumping used mercury sludge out into Bellingham Bay. According to the Department of Ecology, “Mercury was used at the chlor-alkali plant from 1965-1979 as part of a process to bleach and pulp wood fiber” (2009). Of those years in which Georgia Pacific used mercury to develop chlorine, seven resulted in a direct discharge of the wastewater used in the process. By 1965 Georgia Pacific had leaked 3.5 tons of mercury into Bellingham Bay
more specifically into the Whatcom Waterway before federal official’s implemented more stringent laws (Gallagher). With the passage of the Clean Water Act in 1972, Georgia Pacific, could no longer directly dump wastewater prior to treatment. This act forced Georgia Pacific to build a wastewater treatment facility in Bellingham Bay. Known as the Aerated Stabilization Basin (ASB), the 33-acre water treatment plot diverted fresh water from Lake Whatcom to Bellingham Bay as a way to reduce the chemical footprint required of the mills. Currently, the ASB has been slated to be developed into a much needed third downtown marina by the Port of Bellingham. Even with the development of a wastewater treatment plant, Georgia Pacific however continued to pollute with accidental spills, explosions, and faulty equipment for the next 36 years. By 1995, local, state, and federal agencies worried about mass pollution sampled dozens of sites throughout the Georgia Pacific site and within Bellingham Bay. Findings pointed to the Whatcom Creek Waterways links to mercury and other Georgia Pacific produced chemicals as the most polluted site within Whatcom County (Gallagher).

The combination of potential mass clean-up costs and a downturn in market, forced Georgia Pacific to begin closing their Bellingham paper mill, staging it over ten years. In 1999, faced with massive energy costs, Georgia Pacific along with other Bellingham industries began halting production during peak power price times, laying off hundreds in the workforce. In 2000, Georgia Pacific closed the plant for two months due to the rising cost of power, laying-off 600 employees (Gallagher). Georgia Pacific had to find power at a cheaper rate as economic times and power prices continued to be at the forefront. By 2001, Georgia Pacific had 16 diesel generators supplementing the surging power costs.
Bellingham has been powering its tissue mill with 16 diesel generators. Unless an alert is issued, Georgia-Pacific will only be able to run the generators for 90 days before needing to get a permit, according to the state Department of Ecology. The company expects to have total of 38 generators running by the middle of February, said Orman Darby, spokesman for Georgia Pacific (Ernst).

The introduction of the generators ultimately was the final straw in the demise of Georgia-Pacific’s Bellingham plant. Using this issue the City of Bellingham sued Georgia Pacific to have the generators removed from the site.

With the removal of the generators, Georgia Pacific closed their pulp mill and chemical plant in 2001, permanently releasing an upwards of 420 family-wage employees. According to Lee M. Thomas, executive vice president of consumer products, “This decision was driven primarily by the high cost of the pulp operations at Bellingham compared with the lower-cost pulp available within the Georgia Pacific system, including additional pulp supplies now available from mills acquired in the Fort James deal” (Georgia Pacific to Permanently Close Pulp Mill at Bellingham. 2009). According to City Council Minutes, “There is only one reason the City filed the lawsuit and that was because of the negative effects of the generators” ("Records of Proceeding of City Council: City of Bellingham, Washington Monday, March 05, 2001"). Forced or not, this closure altered the direction ultimately taken by Georgia Pacific. Georgia Pacific began looking at situations involving the complete closure of the Bellingham Plant, and by 2004 placing the entire 137 acre plot on the open market for $35 million. The Port of Bellingham saw an opportunity to develop 33 acres of Georgia Pacific’s property into a much needed third marina. As Georgia Pacific’s tenure was in question, the Department of Ecology began determining several sites that would require remedial action. The Department of Ecology found, “Georgia Pacific and/or
the Port have been designated ‘potentially-labile parties’… for the Whatcom Waterway Site, which includes the ASB” (Purchase and Sale Agreement among Georgia Pacific West Inc; Georgia-Pacific Corporation a Georgia Corporation and The Port of Bellingham, 4. 2005).

As Georgia Pacific continued to look outwards from Bellingham, they had to clean up the Ecology sites where they were the potentially liable party; in this case the Whatcom Waterway. For Georgia Pacific, cost decided the direction cleanup would take; with the cheapest alternative the removal of sediments from Whatcom Waterway via hydraulic dredge. Georgia Pacific determined that the polluted sediments would be placed into the old Aerated Stabilization Basin (ASB), filling in the polluted water treatment lagoon and then placing an environmental cap on top of the sediments to seal in the pollution.

The Port of Bellingham looking for a new marina saw this move as unacceptable citing that structures such as the in-water breakwater surrounding the ASB would never be permitted again. “We always looked at that wastewater lagoon as a potential third marina, because it is the kind of structure that cannot be permitted or built in Puget Sound probably ever again… You will probably never get a core floor permit to do it” (Port Employee 1, personal communication, 2 October 2009). On June 7th 2004, the Port of Bellingham sued Georgia Pacific over their decision to fill in the ASB, citing their legal right of eminent domain. “That’s when the Port pulled the pin and said we are going to condemn the lagoon, ‘We are going to condemn the residual rights’ meaning that you can’t do anything else, you can’t fill it, and you can’t do that. It doesn’t mean we are going to take it; it has to be done at fair market value” (Port Employee 1, personal communication, 2 October 2009). Shortly after the condemnation of the site, Georgia Pacific and the Port of Bellingham began discussing the sale of the entire site and not just the ASB. The Port of Bellingham would
take on the clean-up liability from Georgia Pacific in return for the sale of the entire 137-acre site. Ceremoniously sold for $10 in January 2005, the Port of Bellingham purchased all of Georgia Pacific’s Bellingham waterfront land. As a way to avoid liability for all of the potential cleanup costs, both the Port of Bellingham and Georgia Pacific took out an Environmental Insurance Policy (Purchase and Sale Agreement among Georgia Pacific West Inc, Georgia Pacific Corporation a Georgia Corporation and The Port of Bellingham). Each member bought a $25 million American Insurance Group insurance coverage plan to cover unforeseen cleanup overages. For the first time in 100 years Bellingham had public access to waterfront land on the Whatcom Waterway. The Port of Bellingham now publically owned one of the biggest underdeveloped waterfronts on the West Coast. This sale, however positive at heart, opened the door to the political instability this discussed in thesis.

At purchase point of the project, both the City and Port walked, or appeared to walk, hand-in-hand in the redevelopment of the project. Washington State law requires that any publicly funded project go through a public comment period before anything physically can be done on the site under development consideration. Schattschneider wrote that, this aspect of Washington Law changes the way localities can ultimately focus redevelopment of the Georgia Pacific Site. “Everything changes once a conflict gets into the political arena – who is involved, what the conflict is about, the resources available, etc.” (Schattschneider, 1960). Schattschneider attests that it is extremely difficult to determine the outcome of any conflict based on the beginning of the conflict, “because we do not even know who else is going to get into the conflict” (1960, 37).

Within six years of the first major closure on the Georgia Pacific site, Georgia Pacific no longer had a working paper mill in Bellingham. As of 2007, Georgia Pacific closed their
tissue mill, permanently releasing the remaining 211 employees. By 2008, almost four years after the Port and the City agreed to partner up and redevelop the Georgia Pacific Site, with the exception of some demolition and environmental mitigation little has been done physically on the site. The following chapters explore the last five years of redevelopment from 2005 to 2009, and the rise and fall of downtown waterfront redevelopment in Bellingham, Washington.
The following chapter examines the changes that took place in the development years of 2005-2007, in which consensus between the Port and City of Bellingham started off high and began to erode as citizen mobilization increased. The formation of a development advantage refers to times in the redevelopment project when the economic stakeholders controlled the direction of the conflict scope. In doing so, the Port and City presented enough consensus
within specific moments in time to drive the redevelopment forward, despite the minimal pushback by community groups. This situation happened infrequently; however, when consensus was present, positive strives happened quickly. Unfortunately, during the times in which a development advantage occurred, it was quickly challenged by past problems and a community mobilization on the rise. To organize this chapter and the chapters to follow, each chapter is set up chronologically and begins with a timeline laying out the shifts. Progress happens within a multitude of layers as the Port and City’s rolls differ, from political to environmental to social. Depicted graphically, consensus with the Port and City started high but as mobilization increased, consensus fell. The high level of consensus allowed for the Port and City to push through negative attention brought forth by a select few. With the rise in non-elite mobilization along with major shifts in political scope, consensus fell into gridlock shifting the advantage towards a conservation advantage delaying the process. The short gridlock faltered the community mobilization and economic stakeholder’s ability to shift conflict scope.

2005

**High Consensus** Initially seen as a community reclaiming their waterfront, the Georgia Pacific redevelopment divided the community and stakeholders indefinitely. Both the Port and City understood the importance of reclaiming the site during infancy, yet over two years consensus fell and community input rose striking an “Us vs. Them” attitude between the Port and the City.

Prior to the agreement to purchase the entire Georgia Pacific Site, the Port and City came together to develop a visioning group to discuss the potential reuse *if* Georgia Pacific
pulled out of Bellingham. Within this agreement, both the Port and City understood that the newly acquired property gave Bellingham a chance to reclaim their waterfront for the first time in over 80 years. Giving the Waterfront Futures Group an 18-month mission, the group of non-experts focused on the redevelopment future of the entire site. Upon their request, the Port purchased the entire 220 acre Site in 2005. Prior to the finalization of sale, the Port and City of Bellingham dissected the impact of a purchase in terms of finance, environmental clean-up, along with other social and development issues. From these meetings the Port decided that it was far more important to take the chance on the site, rather than sit back and watch a private owner take control of the waterfront again. The Port of Bellingham focusing on developing waterfront jobs and industry hesitantly took control of the Georgia Pacific site. “The City showed no interest in stepping up and buying any of this. In fact, the only thing they were interested in is being involved, but not in a leadership position. All the risk was going to go to the Port” (Port Employee One, personal communication, October 2, 2009). As a way to counter much of the initial clean-up cost, the Port of Bellingham agreed with the State of Washington to fund half of the clean-up cost with the State Model Toxins Control Act (MTCA) funds. These funds are used solely by the State in their clean-up policies and are generated off the taxation of crude oil.

With the majority of the community backing the decision, the Port of Bellingham purchased the Georgia Pacific site in 2005 for a ceremonial ten dollars. The Port and City began the lengthy process of developing a direction for redevelopment. At this point, the small developers were most vocal against the redevelopment project were. “They were against it because they said, ‘I hope the Port is not going to go sell big blocks of land to big national developers who will come in and do a big project because it cuts off the small
In an attempt to bring up personal interests, local policy entrepreneurs sought to expand the development scope, presenting their personal-issue-centered ideas. Unfortunately, for the local developers, large developers were the only ones who would have the capital to develop the site once deemed safe to develop. Today, with the fall in the economy, large developers are having a harder time, giving smaller local developers an opportunity.

Within a year of the purchasing agreement, the Port and City had agreed and signed the first of many interlocal agreements. Defined by the State of Washington in RCW 39.34, Interlocal Agreements permit a local government to enter into agreements with other public agencies in the interest of cooperatively sharing resources for their mutual benefit. In the first major development between the Port and City, the First Interlocal Agreement laid out the City’s financial agreements with the Port. The City agreed that: As part of the New Whatcom Development Plan (NWDP), the City will provide landside infrastructure, parks, and public access development in the New Whatcom Subzone; this includes streets, curbs, gutters, sidewalks, lighting and traffic controls, water, sewer, storm draining facilities, area-wide parking, public parks, open space, public access. The importance of this agreement is seen throughout the entire redevelopment process. With the Port liable for the cleanup costs and the City responsible for the infrastructure, the First Interlocal Agreement separated out the cost responsibilities. Building on the high level of consensus between the City and Port, both organizations within the first redevelopment year entered into three total interlocal agreements. Each agreement recommitted each organization’s support for the redevelopment of the former Georgia Pacific site. However, as the development plans continued to be
worked out separately, it was only a matter of time before the highly coherent partnership began to break down.

Based on contrasting outcome definitions, differences between the Port and City broke the relatively high level of consensus seen in the first year of the redevelopment. For the Port it was important to see a large-per-square foot return because they had spent millions prior to clean-up. The City’s goals focused more on developing a community-centered, visually-pleasing extension of the downtown. “The City and the Port have different roles to play and so as a result of that we have different visions certainly how to do some of the process and some of the steps to get where we need to go” (City Employee One, personal communication, October 6, 2009). Driven by complete polar missions, the Port and City’s plans showed differing goals and outcomes. “You know if they can take property as valued at $4.00 a square foot to entitlement process that leaves it wide open to any kind of development, drive it to a value of $50.00 a square foot, that’s good, from their perspective and I understand why they would think that’s good” (City Employee One, personal communication, October 6, 2009). Presenting the view of only a developer, all of the City interviewees overlooked the Port’s community vision, while presenting their stance as giving the people back their open spaces and waterfront access. “You should be putting the value on, on what value that community derives from having more open space, from having better esthetics from having, you know, certain mixes of uses versus other mixes of uses” (City Employee One, personal communication, October 6, 2009). The difference in organizational culture continues to be a major stumbling point in regards to both developing the Site and crafting consensus between those two parties. “I mean, there will always be a difference in what the Port needs to get as some bottom line issues and what the City needs to get (City
Employee One, personal communication, October 6, 2009). The inability of the Port and City to come together at the start and develop a common vision and stick with it throughout the redevelopment plagued the development partnership.

**Waterfront Advisory Group** Seen as one of the major stumbling points, the Waterfront Advisory Group (WAG) from their initial creation brought negative feelings between the Port and City. “Yeah, and you know I think another thing that the Port did, or the Port and the City together, this isn’t actually pointing fingers at the Port, that sort of set up that sort of a confrontational dynamic, is the Waterfront Advisory Group” (Citizen One, personal communication, October 6, 2009). By creating this group, the Port and City thought that it would be an advisory agent, looking at each change to the plan, evaluating the changes, and presenting their findings to the City Council and Port Commissioners. This group however failed to have any real power within the process and four years after the creation of the WAG it is seen as a point of contention. “So, they set up this group of advisors, didn’t give them real clarity and the other major error I think that they made, that contributed to a confrontational process is that they had five appointees from the Port and five from the City” (Citizen One, personal communication, October 6, 2009).

The Waterfront Advisory Group (WAG) consists of ten community members, five appointed by the mayor and five appointed by the Port’s executive director. Unfortunately for both the community at large and the economic stakeholders, the creation of the WAG has not been without conflict. The WAG has been unable to break out of the symbolic nature in which it was created. A WAG member in their interview stated, “So, they (The Port and City) set up a group of advisors, [and] they gave that group of advisors no role clarity. So, they let that group swim around for years. Years into it that group still doesn’t know whether or not
it could vote on a recommendation” (Citizen One, personal communication, October 6, 2009). Outwardly, the creation of the WAG allowed for a greater sense of community involvement by opening a direct link between the economic stakeholders and citizens. However, as the Port and City continued to drive the project forward, recommendations from the WAG were seen just as that: only recommendations. How can consensus be built and used in a positive method, if the group set out to give advice to the Port and City cannot develop consensus?

2006

People for the Healthy Bay As both economic stakeholders struggled to bring the community a plan, groups within the community began voicing their frustrations with the progress. One of the most outspoken groups to develop a community voice was The People for a Healthy Bay. Laying out the different potential plans and cleanup costs before the release of the PEIS, the People for a Healthy Bay attempted to influence the clean-up of the Whatcom Waterway. With the goal to bring forth an initiative to the Bellingham voters, the People for a Healthy Bay wanted to make sure that during the clean-up of the Whatcom Waterway, all of the mercury pollutant was removed. Each of the potential action plans within the PEIS presented a cost-benefit analysis, but for the People for a Healthy Bay, this was not enough. Citing anything less than complete removal of the pollutants, the Healthy Bay Initiative used the power of a few to bring a personal interest into a community problem.

Responding to the claims of the Healthy Bay Initiative, the Port of Bellingham presented their argument against the Healthy Bay Initiative in an attempt to minimize the scope of the growing conflict. Prior to the development of the Port’s arguments, the City of Bellingham along with the support of the City Council formally brought legal charges against
the People for a Healthy Bay and the Healthy Bay Initiative. The City and Port sued within the Whatcom Superior Court to force the initiative off the general election ballot. The City of Bellingham cited three reasons as evidence against the inclusion of the Healthy Bay Initiative:

1) Falls outside the legislative power of the city, the City has no legislative authority over the selection of the appropriate environmental remedy in the Whatcom Waterway and the former Georgia-Pacific mill site.
2) The proposed measure seeks to infringe on the exclusive grant of legislative power to the City Council as the body responsible for adopting comprehensive plan policies, shoreline management policies, development regulations, and other land-use controls.
3) Under the Charter, an initiative may only propose an ordinance. An Initiative may not propose a resolution. The proposed measure does not constitute an ordinance because it does not contain the requisite enacting language under the City Charter.

If passed, the initiative would have required the City of Bellingham to not support any remedial actions done with regards to the cleanup of the Whatcom Waterway, unless that action removed all of the pollutant. If the initiative succeeded in 2006, many of the previous agreements between the Port and the City would be considered null and void of their dealings, including, all of the Interlocal Agreements put in place before the purchase of the site in 2005.

In September 2006, Superior Judge Ira Uhrig ruled in Whatcom Superior Court that the initiative did in fact overstep the legal abilities of an initiative and would not be allowed on the General Election Ballot; formally killing the Healthy Bay Initiative. It is the belief of the author that the passing of the Healthy Bay Initiative and forcing the hand of the City of Bellingham to mandate a 100% cleanup of the underwater mercury would have been unfeasible for the Port and City to fund. By this time in the process, the passing of the Healthy Bay Initiative would have set back the project a minimum of 10 years, forcing the Port and City of Bellingham to dismiss every potential action plan that did not remove the pollutant completely.
The involvement of People for a Healthy Bay was the first time an organized community voice influenced, or attempted to influence the outcome of the Georgia Pacific redevelopment project. It would, however, not be the last. The impacts seen by the failure of the Initiative brought up questions between the Port and City of how clean is clean enough. People for a Healthy Bay expanded the scope of cleanup by attempting to bring the clean-up process to the voting public. It is important to note that while this initiative attempted to require full clean-up, the Department of Ecology ultimately determines how clean is clean enough -- not the City or Port. The Department of Ecology would however monitor the City’s zoning regulations meaning as the redevelopment continued the City had the right to rezone the site industrial, commercial or residential. Environmental clean-up standards vary for different zoning regulations with residential being the strictest. Each time critical citizens mobilized, change was the outcome, delaying the redevelopment project.

The year 2006 brought a list of events that affected the major economic stakeholders’ ability to control the scope of the conflict causing consensus to fall. One significant event was that Mayor Mark Asmundson stepped down to take a position in Skagit County. “I think he’d been Mayor two years when he quit, got a good government job down in Skagit County so he doesn’t have to put up with the public and still gets his pension” (Port Employee One, personal communication, October 2, 2009). Personal feelings aside, the departure of the current mayor changed the dynamics between the Port and City. The City had to scramble to bring in a new mayor to fill the two years left in the current term. Hoping to be selected as the temporary mayor, council members attempted to gain the votes to be interim mayor. “So he left and so everybody was jockeying to who the Mayor was going to be and there was a bunch of City Council members who wanted to be appointed” (Port Employee One, personal
communication, October 2, 2009). As the focus shifted away from development to selecting a new mayor, the City Council chose to bring back the previous mayor Tim Douglas. As the search for the new mayor continued, citizens within the community began to realize that, while Mayor Tim Douglas pushed the project forward, the remainder of his term would not bring the change they desired. “We made quite a bit of progress on that, all in about nine months. Once you’re a lame duck--and Tim was when the election started for the new Mayor, people quit listening to him because they were going to start focusing on the new Mayor” (Port Employee One, personal communication, October 2, 2009). Each time a new member enters the political arena, their presence alone shifts the consensus-building. As Schattschneider (1961) affirms, an increase in participation ultimately changes the outcome. With the departure of Tim Douglas in November 2007, the process of consensus-building ultimately stalled.

By 2006 one of the most influential groups began gathering steam. As of 2010 the historical preservation contingency continues to produce a delay tactic. In 2006 the Port Commissioners backed a staff recommendation to keep only six industrial artifacts. Only one of the six industrial artifacts was a building structure. For a select community group this recommendation was unacceptable. Building from the artifact selection, the historical preservationist within the community mobilized a force to save more than just six artifacts.

By 2006 two different types of citizens became involved in the process, both producing different outcomes. One type of citizen saw a sense of duty/civic responsibility and responds rationally by sitting down to explain ideas. The second type also has a sense of duty/civic responsibility but chooses or is unable to be rational or consider the consequences of impulse actions.
One is an example of an activist going up in front of the City Council in public screaming about something and they will cause the City Council to say, well wait a minute, we gotta figure out what that’s all about, you know hold the presses, lets go reanalyze…So individuals I think have a, in this town, and I think a lot of cities, have the ability to destabilize public process right in front of the City Council

(Port Employee Two, personal communication, 8, October 2009)

While the outspoken non-elite citizen attempts to influence policy this way, one must be reminded about our human nature. James March (1978) et. al. remarks, “Human beings have unstable, inconsistent, incompletely evoked, and imprecise goals at least in part because human abilities limit preference orderliness” (581). In this case, those who have been outspoken in this matter became outcasts to the process, negatively influencing the process. Unfortunately for Bellingham, this type of involvement plays itself out over again at the cost of community consensus. “I feel like Bellingham’s political life is kind of entrenched and there are a lot of the same players who have lived here for a long and so-and-so is still pissed off at so-and-so for something they said 20-years ago and now it is playing out in this particular process today” (Citizen One, personal communication, October 6, 2009). It becomes increasingly difficult for the community of Bellingham to come together with a single voice, as the number of outspoken individuals continues to rise.

The second type of citizen driven to influence the redevelopment process during this time arose out of a sense of community. Looking past personal needs and wants, this citizen focused on the impact of each decision on the community at large. While relatively small in number, these citizens introduced ideas in a manner that proved simple for either the Port or the City to introduce into their own plan. One example was the idea of shifting of the road grid. Based on one citizen’s ideas, the Port adopted and integrated a solution to traffic issues.
As one Port employee recalled, “as we were moving down the process in looking at street grid…you know sit down and talk with us and he’s the guy who gave us the idea to rotate the street grid” (Port Employee Two, personal communication, October 8, 2009). Prior to the change in the direction of the streets Port employees reported, local community members offered different directions in which the entire site could be seen. For these groups, the ability to bring change to the process outside of public forum influenced both the Port and the City with less pushback than the citizens who only spoke at public hearings.

**Framework Change, Major Fallout** In October of 2006, in a special joint meeting, the Port Commissioners along with the City Council members met to discuss moving the redevelopment forward as partners. Both Port and City members emphasized the importance of making positive progress. Relying on the advice of the Waterfront Futures Group’s (WFG) 18 month-long visioning process, the Port and the City governments agreed unanimously to adopt the vision called the Framework Plan ("Record of Proceeding of City Council Bellingham, Washington," 1). During the 18 month visioning process, the WFG sought input from every level from the community. They took plans to multiple community discussion groups, and presenting the developing plan to community meetings. Because of this, much of the community rallied around the plan, leaving the Port and City the low mobilization needed to make large development steps.

Unfortunately, this short-lived level of consensus began to erode. Based on a decision to realign the street grid, the Port broke away from the 2006 Framework Plan and introduced a plan that shifted the grid 90 degrees. During the next year, changes to the framework plan by the Port and limited compromise from the City shifted the direction of
minimal consensus to an almost failed relationship. Moving from a “Traditional” grid, (See Appendix 1) to a rotated grid (See Appendix 2), the Port broke away from consensus with the City. The Port claimed by shifting the grid, it allowed for a greater range of solar collection by angling the buildings east to West. “Here’s what it can do, it can generate, and you know new view corridors, really nice connections between the waterfront and downtown. You know you can get solar orientation so it’s just a simple strategies work” (Port Employee Two, personal communication, October 8, 2009). This example of a single individual expanding a non-existent conflict produced the largest conflict fallout. The decision, good or bad, to shift the road grid broke any level of consensus between the Port and City. Unfortunately for the City and many City Council members, this shift away from consensus-building, to an autocratic approach was a failure. “I don’t think that it was appropriate to [shift the road grid] because there were a lot of other fixes. But, I believe that the Port used that intersection as a reason to completely throw out the framework plan that the Commissioners had adopted the year before” (City Employee Two, personal communication, October 5, 2009).

At this stage of the process, both the Port and City lost the value of compromise. Both organizations dug in their heals citing fundamental differences between the plans. Both the Port and City lost the greatest value of redevelopment-- compromise. Vision overtook rational thought for both organizations. Unfortunately, the disputes between the Port and City set in motion a rise in negative attitudes from the community. A lack of trust by community members kindled an “Us vs. Them” attitude.

Community members aligned either with the Port’s vision or with the City’s. Compromise at this point would have forever altered the direction of the plan. Taking a step
back at this early intersection would have slowed the process greatly. It would have however, allowed for a merger of the Port and City’s plans. The needed compromise did not come, and it began to look like the project was too fragmented for both organizations to maintain their partnership. For the first time in the entire process both groups sensed their failure. Building consensus had been traded for single-issue decision-making. Trust between the Port and City was at an all time low, along with trust from the community. “It was really about trust; [that] is really what it was about” (City Employee One, personal communication, October 6, 2009).
This chapter examines the least productive in terms of development. Consensus between the Port and City fell to an all-time low, while community involvement soared. From 2005-2007, the development advantage seen in the previous chapter had shifted to gridlock with the rise of citizen mobilization. Then 2007-2009 saw the redevelopment project shift again, from gridlock to a conservation advantage. The formation of a conservation advantage refers to times in the redevelopment timeline in which the mobilization of critical citizens’ controls the direction of the conflict scope. In doing so critical citizens, expanded or limited the
conflict scope to include previously underrepresented ideas as a method of delaying and potentially defeating the project. This situation happened infrequently, however, when the community rallied together large delays the redevelopment occurred. Taking advantage of the lack of elite consensus, non-elite community members used the policy vacuum to push a “community” interest and further delayed the redevelopment process.

2007

Mayor Pike Going Rogue During the 2007 primary mayoral election, a total of seven candidates ran with the hopes of securing a spot on the ballot. Due to the large number of candidates running, the two headliners Dan Pike and Dan McShane split the vote with McShane winning the primary by less than 200 total votes. In the general election, however, Dan Pike -- a relatively unknown city planner took the election 56% to 43%. With the election of Dan Pike, the community and the Port of Bellingham had a new stakeholder in the redevelopment process. Seen as pro consensus-builder both within the community and for the waterfront redevelopment, Mayor Pike pushed the importance of consensus in one of his pre election speeches: “To achieve greatness, we need elected officials who can build consensus and implement a shared vision” ("Bellingham, WA- Mayoral Candidate Dan Pike"). This sentiment, seemingly true prior to his election as mayor, soon shifted during his introduction to the redevelopment project. Both Mayor Pike and many of the City Council members felt the need to re-think many of the agreements in place with the Port and re-evaluate many of the steps taken prior to Pikes’ election. The shift in power away from consensus halted of the entire process. “So [Mayor Pike] takes over in November and he said all along he was an environmentalist… but immediately he started to…stop the cleanup plans” (Port Employee One, personal communication, October 2, 2009). This shift brought
Mayor Pike much closer to the City Council which still had rumblings about the current differences between the City’s plan and the Port’s plan. In March 2008, the involvement of Mayor Pike in the redevelopment process began to get a little disruptive (Port Employee One, personal communication, October 2, 2009).

**Development of the Environmental Impact Statement** By law, developments funded with federal money must complete an Environmental Impact Statement (EIS) detailing the potential environmental impacts of each development. Developments such as the redevelopment of Bellingham’s downtown waterfront will affect the public. Because of this, the Port and City had to develop a lengthy study. The Port looked at four different alternatives for redevelopment in two time periods, 2016 and 2026. The four alternatives were: no action (property to remain in industrial use), low density, medium density and high density. Each alternative focused on different aspects of the development and the impacts they had on the environment. The Port, in an attempt to study each alternative fully, did not present a preferred alternative during the preliminary impact statement (PEIS) (Public Hears Details on Alternatives Being Studied). They did present a preferred alternative to be studied in the final environmental impact statement (FEIS), set to come out summer 2010. In 2007 however, much of the redevelopment energy was spent on developing the PEIS and

**2008**

In early 2008, development progress had continued to unfold. Environmental Impact Scoping had been completed by the Port. In which community members brought different areas they wanted studied in the EIS, both positive and negative. Preliminary demolition had
taken place, the preliminary Environmental Impact Statement had been supplemented and addendums been added.

In attempting to keep the process moving, staff from both the Port and the City who had been involved in developing the master plan, came together once a week to give updates on the next steps they had taken. Prior to the meetings, Port CEO Jim Darling along with at least one Port commissioner felt the need to bring Mayor Dan Pike up to speed on the importance of consensus.

One cold January day, Dan [Pike] and I and Jim Darling sat here… We said, let’s talk turkey about what we’re going to do here. You know, it’s a great win for the City. And I was very honest, I said to Dan, you know you’ve never been elected to office. I know you ran on all these things and you need to stand up for what you believe in, but let’s figure out what we’re going to do here. It’s a great win for you because you don’t, you’re sort of coming in where a lot of the groundwork has been done, but we need your assistance. We can’t have you running around here telling people that we’re going to start from scratch and negotiating environmental agreements… it’s there’s room for compromise and we need to go ahead and do this. (Port Employee One, personal communication, October 2, 2009).

This meeting was seen by the Port as something they had to do to bring back the City’s consensus but it upset the balance more than expected. A few weeks after this meeting, the staff of the Port and City prepared for their weekly meetings, but only half of the group showed up – namely the staff of the Port. Not understanding why only the Port’s staff showed up, they called the City and to find out what the issue was. A reply came back from the mayor’s office stating that, “From now on, the Mayor’s put out the word: no one will speak to the Port except the Mayor. He’s the spokesman for the City. You will go to no meetings and you will call no one, you will not even call and say you are not coming to the meetings. You will have no communications” (Port Employee Two, personal
communication, October 2, 2009). This statement from the City stopped the entire process, bringing up the biggest issue the Port had feared. What happens if the City cannot bring everything they promised? Engineering plans on bridges, environmental issues all placed on hold because of these breakdowns in consensus.

Prior to the negative developments regarding the City’s staff, in January the Port finalized the Draft Environmental Impact Statement and sent it out for public comment. Due to the relative size of the DEIS, roughly 1300 pages, the formal 30-day comment period was extended and closed in March 2008. During the comment period, according to the Port, the document received from the City systematically broke down the Port’s position and plan of action. According to the City, Mayor Pike took a strong stance against the Port taking initiative to drive the entire waterfront redevelopment. “I thought the Mayor had strong leadership at the time of saying…There were a lot of problems in that EIS draft … on and here are all the things that we think are wrong with it” (City Employee Two, personal communication, October 5, 2009). The Port however took a different view on the comments, “You know, they [The City] might send you a few pages of comments… well-thought-out distilled comments…They sent us back a packet about two inches thick… They passed it out to every department in the City and told everybody just write down things you don’t like about the PEIS” (Port Employee Two, personal communication, October 2, 2009). Taking into consideration both sides of the breakdown, the division between the Port and City became clear; a public that has watched their waterfront redevelopment partners agreements be dragged through political mudslinging.
As spring turned into summer in 2008, the Port and City produced many public forums as ways to bring the community back into the project and also reaffirm both of their previous commitments. Two largely attended town hall meetings put on by the City reintroduced many of the comments and concerns to the public forum. However, as the Port shifted the streets, the Port proposed a new alternative to be studied in a Supplemental Draft Environmental Impact Statement (SDEIS). This proposal broke away from the agreement that was set in place back in 2006, in which the Port and City agreed in principle to use the Framework Plan brought forth by the City. As described in the previous section, this proposal coupled with the recent Draft Environmental Impact Statement comments from the City pushed the Port to a breaking point. By November 2008, the Port and City had eroded again any level of consensus and trust between the two stakeholders. Plans for redevelopment sat idle and the community struggled to understand the next step.

In November, frustrated Port staff members drafted a letter to the City and City Council formally disseminating their thoughts about the current political landscape and disappointment that the City had presented such a nuclear option: the complete breakdown in their partnership. “So the [Port] staff … got all bent-out-of shape and wrote this letter and said … this isn’t going to work out, we’re getting out of this and then the Commissioners were asked to sign it… The City is not going to listen until you hit them in the head with a two-by-four” (Port Employee Two, personal communication, October 5, 2009).

The letter hit the City hard. The City replied with their own letter reaffirming their partnership with the Port. During this time as well, both the Port and City were pushing for federal grant money to help with the redevelopment of the entire site. The November blow-
up pushed back those plans. As the economy continued to slide in 2008, it would have been impossible to get federal dollars with the two major groups pulling out of the project. Fortunately for the two sides, the letters back and forth opened the eyes of the leaders involved. By the end of 2008 and with the hope for federal recovery money, the Port Commissioners and City Council came together to push for seven shovel ready projects, with hope that the funding needed to bridge the funding gap would come. As 2008 ended consensus between the Port and City was at an all time low, with the exception of a few sections of redevelopment, much of the progress seen in earlier times struggled to continue. Conservation had overtaken development, and emotions spoke for the greater community good.

**Soaring Mobilization** Based on a lack of elite consensus, community members used the policy vacuum to push a “community” interest, delaying the redevelopment process. An example seen in every major downtown redevelopment project along with that of Bellingham’s is how much park space will result from the redevelopment. In Bellingham, the issue of parks and how many acres of parks to expect centralized a community voice. With both the Port and City struggling to create a consensus on a master plan between 2007 and 2009, citizens used this time to push for community interests such as the development of more park space. “Um, I think that there is a little more park planned than we started out with” (Bellingham Citizen One, Personal Communication, October 6, 2009). It is important to remember that both the Port and City had areas earmarked for parks in both of their master plans, but they differed in the amount of area among other central ideas. According to a City of Bellingham Employee Two, “The Port had been really rationing that number down to have more footprint of developable property. The parkland was a pushback by the community
big-time to that end” (City Employee Two, Personal Communication, October 5, 2009). The conflict expanded in developing plans for park and greenspace location. Including new questions now including waterfront setbacks such as how close can a building be to the water and how will the redevelopment parks connect to existing parks, bridges, paths, etc. Citizens used the comment period of the 2007 Preliminary Environmental Impact Statement, the scoping meeting and the Waterfront Advisory Group to bring their voices together against the limited amount of parks on site (City Employee Two, Personal Communication, October 5, 2009). Community members mobilized in this conflict to take a very strong stance against the limited amount of parks being developed. For those involved, the issue of parks was highly contestable; however the disagreement of park size would not defeat the redevelopment project.

Unfortunately for the struggling redevelopment partners, the scope could not be controlled enough in dealing with the buildings on the site. Prior to the rise in citizen mobilization to block the demolition of the old industrial buildings, the conflict between the community and the economic stakeholders revolved around the heights and view-shares associated with the full build-out scenarios. During the development of their respective master plan’s both the Port and the City differed in their full build-out height requirements, with the Port’s plan allowing for taller buildings. According to the City’s plan, the site could accommodate a few 12-story buildings, rising to over 120 feet. The Port’s plan accommodated buildings of 20 stories or 200 feet. As full-build out plans became public and preferred alternatives studied, the question kept arising in: what happens to the old industrial buildings? The preferred alternative, which the Port now supported showed the demolition of many of the old industrial buildings on the site. Differing in size and
structural reusability, the Port’s plan, (on the advice of architectural group Collins Warman in 2008) called for the limited reuse of the buildings, more accurately the reuse of objects within the buildings. By 2008, the Port of Bellingham had agreed to save five of the existing buildings to analyze at a later date. By contrast the City’s plan stated that all the buildings would be saved until further analysis. The popularity of industrial building adaptive reusability gave critical citizen’s a hot platform from which to drive this conflict in a direction that allowed them to be extremely mobilized and coherent. “I’m not sure how it is going to turn out, but I think a good example [of citizen mobilization] is the Historic Preservations advocates. That issue was really not on the table and they turned it into an issue” (Citizen One, Personal Communication, October 6, 2009).

Building a community voice, citizens pushed the City and City Council to stop the Port from demolishing some of the historic buildings. For those who wanted the old buildings to stay, their main goal was to use the building to create an authentic waterfront redevelopment. “It would protect and reuse as many of those old buildings as possible…[And] that is what is going to give that area character. That is what is going to tell a generation from now, or two generations from now this is who we were-- we were a gritty place” (City Employee Three, personal communication, October 7, 2009). This sense of authenticity gathered enough political momentum to have Mayor Pike introduce a Historic Preservation Commission (HPC) into the project.

As a reaction to the potential demolition of three buildings, the City filed suit against the Port of Bellingham as a way to forcefully stop the demolition. Having a base in both Schattschneider’s (1961) conflict expansion literature and Kagan’s (1991) adversarial
legalism, the City of Bellingham brought suit against the Port. Citizens in Bellingham mobilized to expand the conflict scope and thus bring the economic stakeholders farther apart. Dividing the City and Port based on an issue that was under-represented forced both the sides to take action. Following Kagan’s adversarial legalism thesis, the City expanded the conflict scope into the legal system, rather than develop a compromise with the Port. For those who wanted the old buildings to stay, their main goal was to use the buildings to create local authenticity holding that once the buildings were demolished authenticity would be gone.

Based on the increasingly fragmented and restricted governmental authority Kagan’s adversarial legalism, describes how groups thrust dispute resolution into the courts rather than working towards consensus and compromise. Defined as: “a method of policy-making and dispute resolution characterized by comparatively high degrees of (1) formal legal contestation, (2) Litigant Activism, and (3) Substantive Legal Uncertainty” (Kagan, 373, 1991), adversarial legalism uses the courts to expand the conflict scope. Building on the ability to sue in court to stop policy formation, adversarial legalism increasingly fragments policy formation and those involved. Policy formation based on legal doctrine undermines policy formation through compromise and consensus-building. Unfortunately for communities in which decisions get based in judicial review and long expensive legal battles as seen in the Port of Oakland case, time and money loss potentially defeat projects. Bringing decision into the courts and dragging it through the legal process stretches the limited resources often to the point that policy-making fails. Expanding the scope into the judicial level opens the door for those who want to push a personal agenda or, in this case, represent a watchdog group attempting to degrade the policy-making ability of the stakeholders. “At the policymaking level, adversarial legalism provides citizen watchdog
organizations access to the rule-making process in government agencies and, through the threat of judicial review, helps guard against administrative arbitrariness or ‘capture’ (Kagan, 377, 1991). As policy shifts past community consensus to single issues, the feeling of “community good” is often introduced by those who take on the “community good” themselves.

Basing the suit in conservation, the City of Bellingham wanted to require the Port finish the Environmental Impact Statement, subsequent addendum and supplemental impact statements before anything more was demolished. Bellingham City Council member Jack Weiss, "To date, we know that residents and knowledgeable consultants have expressed support of the historical dimensions of the site, some even advocating for an historical district amidst the new development” (Webster, 2008). Presented as a community good, the Historic Preservation Commission stopped the continuation of the master plan by focusing their attention on the importance of authenticity and historic value. In doing so, the most impactful non-elite community members forever changed the outcome of the waterfront by expanding the scope of the value of industrial heritage. Introducing the idea of adaptive reuse and the historic value of the buildings, the expansion of conflict scope elevated the Port and the City to study the advantages/disadvantages of reusing the buildings. The Historic Preservation Commissions power within the community cemented their place within the process and continues to change the outcome of the master planning process.
CHAPTER FIVE: 2009-FUTURE

Figure Four: Time Line Following Consensus and Mobilization from 2009- Election

This final analysis chapter is divided into two sections. The first section focuses on the change in direction in the Port and City’s development partnership. Moving from a conservation advantage in 2007-2009 back to a development advantage, this section lays out
the last year of redevelopment in Bellingham, Washington. Second, a return to the typology is reintroduced as a way to integrate the findings.

2009

Consensus Rebuilt In February 2009, a group of local architects took it upon themselves to look at both the City’s plan and the Port’s plan together. The group took elements from both plans in an attempt to bring the economic stakeholders back on track. “In a way … Everybody could wrap themselves around the architects and not really know that these other two entities were butting heads, That was an obvious political way of face-saving for both sides” (City Employee Two, personal communication, October 5, 2009). Whether or not this was true, the group of volunteers developed a compromise plan. By this time of the process, the two political cultures between the Port and the City had hardened. As the year continued, consensus began to erode even within the agencies. As the majority of the economic stakeholders had consensus on the next step, a cleavage had formed within the City and the City Administration. Outwardly, for the first time in almost three years, the Port and City made an agreement together. Inwardly however, the City Staff and the City Council were splitting. The April 20, 2009 meeting reemphasized the differing cultures within the City. Prior to the meetings the Mayor and City Council stood firm about the preservation of the industrial buildings, but after the April council meeting, it was clear Mayor Pike had shifted directions.

The subculture of the City is that there is a part of the City and part of the City Council that believes, as I do, that those things [the buildings] are important. There is another part of the City, I think by the Mayor now. I mean he used to be somebody who was doing many things that I think the rest of the City Council was very
supportive of. He has since changed his mind on the way that he wants to approach all of this. I think he is trying to deal with a consensus with a culture that is on the other, this other end, and so he has now changed his opinions in order to be able to create some sort of consensus (City Employee Two, personal communication, 5, October 2009).

In shifting outcome goals, the Mayor pushed for consensus at all cost. For the last three years, the Mayor along with the community at large had watched the political mood turn negative. Something had to be done in order to show the community that progress was continuing, and this shift did it.

Mayor Pike reiterated that there has been a lot of public process and public involvement over the years to get to this point. He recalled the public forum held at Depot Market Square and reported that those comments were integrated into this plan. He reinforced that this is a compromise plan. Everyone gave up something meaningful and everyone gets something else important to them. (Get citation from city’s website) April meeting

Understanding the importance of moving forward, Mayor Pike moved his position regarding his attitude about compromise. “At some point we are going to need to demonstrate progress or we are going to lose opportunities…it shows we have been doing work here is what the work shows” (Mayor Dan Pike, Bellingham City Council Special Meeting, April 20, 2009”). This shift pushed some of the City Council members to question along which direction Mayor Pike was moving the development of a master plan. “I think the City has been extremely clear about its frustrations, but then the City isn’t all homogenous either. The Mayor is basically the point-person on this whole thing and his attitudes are not any longer the same as mine about it” (City Employee Three, personal communication, October 7, 2009).

This shift was exactly what the project needed. In order to make something this big move forward, a strong leader needed to step up and push projects forward. Prior to 2009, leadership at the highest level brought an inconsistent message from both the Port and the
City. “What we don’t have is the leadership to carry us through right now…this kind of project just takes a superstar I think to be able to carry it forward” (Port Employee Two, personal communication, October 8, 2009). The ability to see through the public discourse and understand the potential community benefits has to be continuously reinforced by the political leadership. For the first time, Mayor Pike did that, altering some of his core beliefs to benefit the community. “… What he has done is basically just sided with them [the Port] and with their point of view…it’s in complete opposition to where the Waterfront Future’s Group visions have been” (City Employee Two, personal communication, October 5, 2009). This shift in direction, while positive in nature, expanded the scope again, reinvigorating the Historical Preservation community.

**Historical Preservationists Reply** In response to the April 20th meeting and receiving the new proposal, the Historic Preservation Commission in receiving the new proposal drafted a letter in which they objected to the proposed adoption of the architect compromise, Framework Planning Assumptions. Citing that, “The Port and the City should state clearly that the April 20 meeting simply approved an alternative for further analysis. Prior to approving or adopting… the public and advisory groups should be consulted and the necessary studies of adaptive reuse of historic buildings should be completed” (Volker, 2. 2009). From April 2009 when the Port and City adopted a framework plan to December 2009 a formal investigation of the eleven historical industrial buildings took place by Johnson Architecture.

Taking into consideration the communities values of creating an authentic neighborhood, Johnson Architecture broke the analysis into three different stages. The first
stage looked to characterize the general conditions and the viability in an adaptive reuse of all the eleven buildings. In this section the firm wanted to address:

- Those structures with little likely potential for economic reuse
- Those structures with unique, iconic or very evident potential
- Those structures that needed detailed investigation to determine their realistic viability

During the second phase, Johnson Architecture expanded the analysis on a structural and architectural assessment. In this section, they formulated the requirements needed to adapt the building for reuse. In the final stage, they took economic aspects into consideration, looking at the physical cost of the reusing the buildings. It is unfortunate for these buildings however, looking at the economic aspect of reuse happens to be extremely hard during an economic downturn currently being felt, and bodes unfavorably for the buildings.

Johnson Architecture came to the following conclusions: First, six of the eleven buildings need to be demolished in the near future based on their dangers to the public and the other buildings; second, five buildings should be temporarily saved based on their future viability. If the buildings are not viable in the future, then they should be torn down; and finally, save two buildings for their iconic durability. Also, Johnson Architecture proposed, save much of the industrial machinery within the structures to be used throughout the redevelopment as industrial art (Waterfront District Adaptive Reuse Assessment 1-38). With this assessment presented to the Historic Preservation Commission in December 2009, the final assessment will be placed as an addendum to the draft environmental impact statement expected the first quarter of 2010. What this assessment means in redevelopment terms is, when the final environmental impact statement is completed, the Port and City will have the
most current adaptive and reusability study. From this study the Port and City can develop their master plan in regards to the preservation of the buildings.

During the adaptive reusability study done by Johnson Architecture, the Port and City made the greatest attempt thus far in developing consensus. The Port and City signed their sixth and most significant to date, Interlocal Agreement in June 2009. Along with continuing to fund the environmental impact statement the agreement put in place the planning assumptions adopted at the April Special Meeting. Consequently, both the City and Port now agree on the Core Street Grid. This grid was the one presented by the ten local architects and voted on by all the Port Commissioners, and four of the seven City Council Members. Since April 2009 a general election has occurred in Bellingham in which two Bellingham City Council members were replaced, and one Port of Bellingham Commissioner. Because of this change in members, 2010 will be a make-or-break year for the redevelopment. Consensus is high between the Port and City and community involvement has dramatically fallen off due to a multitude of differing reasons.

**Citizen Involvement Dropping** During 2009, citizen involvement dropped. Granted during this time the Port and City had not presented much for the public to rally around. The economy had taken a major downturn, putting the redevelopment of the site on many community members’ back-burner. Technology once an ally to both the stakeholders and the community at-large had been turned off. “You’re not seeing articles in the Herald anymore that were generated by the Port and you are not seeing Channel 10 [local broadcast]. You are not seeing the discussion of the Waterfront Advisory Group-- those meetings aren’t being televised anymore” (Citizen Two, personal communication, October 7, 2009). While it is a
small sample and relative attendance by the public has been small, during the public comment period of the Waterfront Advisory Group for the entire year of 2009 only a total of five public comments were taken down in their minutes. The Waterfront Advisory Group is the direct connection between the citizens and the policy makers, with such a small public turn out, it is easy to assume massive burnout by the public at large. After dealing with years of seemingly zero progress, a large majority of the public simply backed out of the process.

Keeping the community active is an extremely important aspect in waterfront redevelopment. With the redevelopment project publically owned and funded, their impact and influence is an important requirement. It becomes hard for communities such as Bellingham during times of low involvement. But, how do communities recharge their citizens without pushing too hard and bringing back many of the latent public whose main goal was personal gain? This question would be a great starting point for further research on this case study. Something has to reinvigorate the public and get them to reengage in the process. Unfortunately, for communities what gets the attention of the public is often negative and not based on sound information or science.

During the entire process, stories have come and gone surrounding the value of clean-up policies and transportation outcomes. Driven by single interests and often by a small vocal group, each time a negative story surfaces, both the Port and City have to do damage control slowing the process redevelopment again. This issue will forever be a damaging reality when citizens feel their voices are not heard as seen in the Healthy Bay Initiative. Both the Port and the City have succeeded in their ability to deflect many of those attempts away from the projects momentum.
Upon reflection the first few months of 2009 proved to be beneficial for the entire redevelopment program. For the first time in recent years, both the port and city governments had agreed on plans allowing for the continuation of the master plan development. They had constricted the conflict scope to a manageable size, allowing them to act as a single unit when presenting plans to the public. This fundamental shift in scope helped shift the direction of progress. Combine that shift with the shift in the mayor’s scope on progress and 2009 came to be the greatest year of progress. It is about making things more manageable and positively moving this progress forward.

**Summary** This study of Bellingham’s waterfront redevelopment project offered a critical review on the impact that non-elite citizen mobilization has on influencing policy. For nearly a decade the City and Port of Bellingham have struggled to redevelop 137 acres of heavy industrial waterfront land. Based in a community active influencing policy decisions, both the Port and City had a difficult time developing the greatest waterfront redevelopment programs on the West coast.

The following typology graphically represents the outcome of mobilization and conflict in Bellingham’s downtown waterfront development program as well as presents a compromised position. The quadrants representing development advantage as well as conservation advantage were discussed in detail in the previous chapters. Shifting conflict scope allowed for the economic stakeholders to have the development advantage in 2005-2007 and again in 2009. Issues faced by the Port and City delayed the project but the level of consensus allowed for the continuation of progress. The years between development advantage saw the rise of the conservation advantage. The Port and City were unable to
control the scope allowing policy entrepreneurs the opportunity to delay the development.

The formation of gridlock—symbolic incremental change—refers to times in the redevelopment project in which consensus was high among economic stakeholders, as was citizen mobilization leaving neither side an opportunity to shift the conflict scope. Relatively short-lived, gridlock did not prove to have the ability to alter development leaving neither side enough political capacity to expand or constrict the conflict scope.

The quadrant not present in the thesis was the quadrant of limited change. Lacking a time in the redevelopment project in which limited change occurred made this outcome difficult to conceptualize. Try to imagine a problem, political or social or environmental where there is low consensus between those most economically involved as well as low citizen mobilization. Now try to conceptualize a list of potential solutions to alleviate the hypothetical problem. Immediately a personal bias towards the problem guides the list, creating the political cleavages seen in every real contest. Unfortunately, for the redevelopment of Bellingham’s downtown waterfront, limited change represents the greatest potential failure to the entire redevelopment project. Having already spent millions of dollars on developing plans and acquiring the permits required to move the project forward, a loss in consensus and mobilization is impossible to comprehend.

What then could potentially cause the economic stakeholders to have a low amount of consensus and a low level of mobilization producing limited change? Hypothetically, a full restart of the project could. As one City employee reflected on the restart idea during their interview “I would say, ‘Sit down, back off, stop what you’re doing, go back and rethink this thing’” (City Employee Three, Personal Communication, October 10, 2009). As previously
mentioned, millions of community tax dollars have been spent to date on developing the site. A fundamental shift by the Port and City would only in theory come as a reaction from an outside force. A full restart would crush the fragmented community voice and divide the economic stakeholders of the Port and City even more, completely defeating the project. The chain link fence around the site would become permanent and the only immediate solution to this would be to sell the entire site back into the private market at a reduced rate; again leaving a community without downtown waterfront access.
Degree of Consensus among Economic Stakeholders (a)

Figure 5: Concluding Typology

<table>
<thead>
<tr>
<th>Low</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Conservation Advantage</strong></td>
<td><strong>Gridlock</strong></td>
</tr>
<tr>
<td>(a), (b)</td>
<td>Incrementalism/Symbolic Change</td>
</tr>
<tr>
<td>Lose, Win</td>
<td>(a), (b)</td>
</tr>
<tr>
<td></td>
<td>Lose, Lose</td>
</tr>
<tr>
<td><strong>Limited Change</strong></td>
<td><strong>Development Advantage</strong></td>
</tr>
<tr>
<td>(a), (b)</td>
<td>(a), (b)</td>
</tr>
<tr>
<td>Lose, Lose</td>
<td>Win, Lose</td>
</tr>
<tr>
<td><strong>Compromised Position</strong></td>
<td><strong>Win, Win</strong></td>
</tr>
<tr>
<td>(a), (b)</td>
<td></td>
</tr>
<tr>
<td>Win, Win</td>
<td></td>
</tr>
</tbody>
</table>

Level of Mobilization in Critical Citizens (b)
CHAPTER SIX: DISCUSSIONS AND CONCLUSIONS

E.E Schattschneider (1960) theorizes that each time an addition to the political conflict occurs, be it either a single person or a group, the outcome of that conflict changes. Schattschneider points to the ability of those involved to control the scope as a way to produce a desired outcome. In the case of the Bellingham waterfront, scope expansion was directly responsible for the majority of the changes to the redevelopment plan.

Members of the local community, conservationists and environmentalists proved to be a greater force to be reckoned with than anyone from the Port or the City of Bellingham expected. The actual ebb and flow of citizen involvement caused many roadblocks in the development of a consensus between the Port and City—roadblocks which (until recently) made progress on the project come to a standstill.

As the waterfront development project in Bellingham proceeded, each time non-elite policy entrepreneurs drove an issue up the political ladder, there would be another delay in moving forward on developing a master plan. While the attention and mobilization of the community increased (through a variety of methods, including blogs and well promoted community events), there began a shift of attention away from development of a master plan to the issue of personal interests. Both the Port and City lost much of the momentum from the project, exemplifying Schattschneider’s conflict expansion literature.

Building consensus between the Port and City proved to be much more challenging than anyone could have expected. Prior to April 2009, the two groups brought differing plans to the public at the cost of their own consensus. Bringing a common voice from the
major stakeholders to the public is, unquestionably, a way to suppress dissenting voices from the community. It is the ability for communities to move past gridlock to develop community consensuses which continues to be one of the largest stumbling points with redevelopment.

It is important to stress the idea of consensus and consensus-building. While every local community is not necessarily developing polluted waterfront land, many communities are dealing with issues that are heavily contested and community involvement comes at a cost. Waterfront communities, specifically, must constantly juggle the realities of a changing environmental world with that of harsh community reality.

It is clear that successful communities find ways to bring compromise to drive redevelopment and it often becomes overly difficult to define what constitutes a “successful” redevelopment program. By comparing the Bellingham case to other cases a future study could both suggest viable policy alternatives and increase the reliability of the study.

What is success? If success is based purely on the ability to develop, then Bellingham’s waterfront redevelopment has, so far, been unsuccessful. If success is based on developing a community and sticking with it, then Bellingham’s waterfront redevelopment has been littered with resounding failures. If, however, success is based on redeveloping with a strong community voice, the multitude of players in the ongoing drama of Bellingham’s waterfront have succeeded. In policy terms, the redevelopment of Georgia Pacific’s Bellingham site has succeeded in forging an incredible amount of social capital within the community’s citizens. There is no ‘win’ ‘win’ in the regulatory layers and politics, as Kagan (1991) observed in “Adversarial Legalism”. Fortunately, as of 2009 positive gains
have occurred, citizen mobilization is low and redevelopment looks to be on the right track (See Figure 5).

**Limitations**

The qualitative historical narrative developed in this thesis illuminated conflict and consensus within one community, illustrating the theories of predominated Political Scientists. However, the results and conclusions are not directly generalizable to other cases. Reliability of this single case study could be enriched through similar case studies in similar communities—when similar outcomes occur. Future research might look at Kagan’s (1991) Adversarial Legalism more systematically. Will the redevelopment conflict in Bellingham, Washington be further slowed by litigation, both in the courts and in regulatory settings?

**Conclusions**

As 2010 progresses so does the redevelopment in Bellingham, Washington. Consensus between the Port and City continue to be strong, optimistic and hopeful. As seen throughout this thesis the stakeholders and this author have observed that it does not take much to delay and potentially defeat programs of this magnitude. Funding will continue to be a point of major contention, not only within Bellingham, but also at the state and federal level. With federal funding drying up or going elsewhere, new and innovative approaches to finding monies will have to make their way up the political ladder.

Seen throughout the redevelopment of the Georgia Pacific site, keeping the public informed and active will forever causes difficulties and yet it is at the heart of the democratic
process. Public relations are a problem for those involved because the latent public has such an unequal ability to delay process and constant scrapping between policy egos creates a policy vacuum ripe for community mobilization. Fortunately, policy officials have created a buzz around the redevelopment not seen in previous years with their newly-formed leadership and community-driven redevelopment and trust those making the decisions.

Reclaiming polluted and underutilized waterfront property gives communities the best gift of all—that of living on the water. As this thesis demonstrates, a development that truly benefits all is hard to achieve.
BIBLIOGRAPHY


GALLAGHER, DAVE A century of development along the Bellingham waterfront. (2007, 12, 17). *Bellingham Herald*,


<http://www.portofbellingham.com/content/NewsItem_1746_v>.
APPENDIX 1: Traditional Street Grid
APPENDIX 2: Rotated Street Grid