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# THE CASE FOR BUILDING CIVIC CAPACITY AGAINST THE AWV TUNNEL OPTION

"For I am involved in mankind.
Therefore, send not to know
For whom the bell tolls,
It tolls for thee." John Donne

## I. INTRODUCTION – COMMUNITY BUILDING VERSUS SURVIVAL

And therein lays the answer to the challenge of solving wicked problems and building civic capacity. It is not just imagination, vision, hope and action which lead to solutions to civic problems. A good part of the answer is that civic opponents need to understand, they are you and you are them, in terms of interests, values, beliefs, and goals even if they are disparate in each others' lives. Discover their dreams and they yours, discover their human successes or failings, and they yours, and an understanding can be arrived at. Both are part of the mix of life and society together, and that in cooperation and understanding with one another more can be realized than in oppositional moves and long simmering conflict.

Easier said than done however; that's the thread that runs through this paper. The resolution to the wicked problem, replacing the Viaduct, and the increasing conflict over the tunnel project at this point does not lie with discovery, in practicing community building techniques, those will come later. The tunnel project at this point is the legacy of hardball politics, and so it will exist for a time in a state of turmoil.

For the time being "resolution" lies in both blunting the escalating attacks against the anti-tunnel positions, and in escalating the salvos against the project. Maintaining strategic assaults upon the institutions, interests, and individuals that are intent upon proceeding with the project in the face of obvious and increasing public opposition to the project is the best course of action at this time.

This approach may seem counterintuitive; such a strategy could lead to the further entrenchment and polarization of the opposing sides. However, given the very uneven positions between the two sides, some form of equalization needs to take place in order to induce some kind of incentive, particularly on the pro-tunnel side, for settlement of differences.

The pro-tunnel side is seasoned and has not just the full faith, credit and resources of the State and City governments behind it, but also substantial business, civic, and political interests supporting it.

The anti-tunnel side on the other hand is relatively new in terms of organization, has relatively few governmental connections of note, and lacks broad organizational and business support.

Until the sides are on more equal footing in terms of critical mass and in terms of ultimately experiencing equal levels of pain and discomfort due to the positions they hold, neither side is at a point where it is likely to be interested in exploring compromise.

Fir the pro-tunnel side, there is a long way to go before it is likely to capitulate for reasons we shall see below. Before it can come to a realization that the best course may be to engage with the opposition and come to a solution that serves all sides, in particular the people of the city of Seattle well, it must suffer greater pain and even material defeats along the way.

That is why the recommended first step towards building the civic capacity for a resolution to this matter is to increase the level of resistance to the pro-tunnel side in order disavow it of its notions that it can dominate and even eliminate the opposition. Recognition is given to the possibility that strength against strength will only goad each side into becoming more entrenched with and attached to their positions. The hoped for outcome from this strategy however is the opposite. That each side, and particularly the pro-tunnel side, will come to see that "brute force" cannot carry the day. That the anti-tunnel side is equal in its determination, the pro-tunnel side must see that their bulwark around the tunnel is not impregnable.

If this is true, and if enough "damage" to the project is putting its viability in serious question, reason or the survival instinct should take hold. At that point some effort to salvage pride or place, even at the expense of the tunnel project might lead to the next steps, to a true reconciliatory effort.

In summary then, discovery and understanding are more often sought and found in the leisure and lulls that come with the fatigue that is born out of strife. At this point the pro-tunnel alliance is far from experiencing fatigue. It gives every indication that it is hungry for the repast of conflict. It is particularly intent at this time upon serving up healthy portions of scorn and legal destruction against its opponents. Therefore, for the time being, the factions that are opposed to the tunnel project should exploit this weakness of intractability, stand firm, and joyfully serve up in return the plates of wrath that the pro-tunnel faction so desires. That is a survival strategy.

## II. With A Change the Authorizing Climate Opportunity Exists

For the better part of two and half years, for the institutions, individuals and interest groups that are in favor of the Alaskan Way tunnel project, their reality has been about taking for granted the

progress that was being made towards constructing the tunnel. For these pro-tunnel interests the decision has been made, time to move on. The opposition to the tunnel project for them did not rise to the level of being a wicked problem - i.e., a situation that involves many stakeholders, who will tend to have competing ideas about what the problem really is, what its causes are, what the solution to the problem is, all resulting in major political conflict and gridlock.[i]

Now for both sides the Viaduct replacement situation has become a wicked problem, how to move towards resolving it? With the former settled sense of the project by the pro-tunnel interests dramatically changed there appears to be greater opportunity to build public support for opposition to "the tunnel".

In order to take advantage of that opportunity however a careful analysis of the situation must be undertaken so that where the opportunities lie can be discovered; who is associated with the opportunities can be identified; and then, what activities, actions, or interventions are most likely to have the greatest likelihood of creating some kind of civic capacity that will support the anti-tunnel insurgency?

Two successful political campaigns to put the tunnel project up for a public vote have recently been completed. One is for an initiative and one is for a referendum. Both will allow the public to vote up or down on the tunnel project. Conservatively, between the two campaigns, 50,000 individuals on the streets in Seattle signed a petition for one or the other campaign, requesting that the tunnel project be put up for a vote. In order to obtain those signatures the campaigns raised a total of $131,000 and hired dozens of petition circulators to canvass for signatures. These numbers are mentioned and significant because they help to establish a framework for the proposition that there is potential civic capacity that the no-tunnel interests can tap into and build upon.

Between the purely public insurgency against the tunnel project, and the offensive and now more often defensive actions that the pro-tunnel interests are engaging in, there is sufficient evidence to conclude that the tunnel project is not the "done deal", the fait accompli that both the City Council and WSDOT have been laboring over for the last two and half years to convince the public that it is.

The suggested strategy here is to 1) Identify the key stakeholders, who stands to gain or lose as a result of the tunnel project? 2) raise the consciousness of the community about the issues that are critical to their social, economic, and environmental well-being in relation to the tunnel project; 3) For too long the tunnel project has been framed by expert and governmental sources. Reframing it from the public's viewpoint – how does it affect their mobility, what will it cost them, is it a sustainable,

environmentally friendly solution – can lead to the public's engagement with the issue; identify the core values and beliefs that the public holds. Aligning the framing with that can build favorable, anti-tunnel civic capacity.

And finally, gather strength from the knowledge that the position of the once seemingly invulnerable tunnel project is not quite so secure as it may appear. In fact it may be more vulnerable than previously thought. Putting this propitious knowledge to good use and gaining renewed strength from this knowledge is part of the strategy.

## III. HOW WE GOT HERE AND WHAT HAS HAPPENED SINCE INFORM FUTURE ACTIONS

What opportunities there are for building civic capacity and ultimately a solution to this wicked problem will not initially be based in the traditional models of resolution, by applying mediation techniques and having a facilitator. The capacity building opportunities at this point can only be discovered by further deconstructing the how we got here which includes first who got us here and then why.

Knowing with relative certainty who is driving the tunnel project, how, and why helps to identify necessary targets or frameworks.

### A. THE HOW AND WHO – THE CHANGING "PUBLIC" FACE

While the Viaduct replacement project in the truest sense is a public works project that does not mean that it is under the public's dominion; or as an extension of the public, under the government's dominion. It has evolved and become more "private" project, driven by special interests, business and political interests, and by civic action interests, all that are adept at using their connections and assets individually and particularly collectively to achieve their goals, despite the public.[ii] That does not mean that a public face hasn't been put on the project. There have been a series of public faces established by the proponents of the tunnel for the project.

The first public face was created in 2007-2008 when WSDOT and the City convened what they called the Stakeholders Advisory Committee ("SAC"). They brought together "interested stakeholders and the legislative bodies – to forge a [Viaduct replacement] solution capable of being broadly supported and implemented".

The SAC met approximately 12 times over a period of a year. Its members were hand picked by both the City and WSDOT; 56% of its members were the political, social, and economic elites of Seattle that supported a tunnel. The balance included the opposition to the tunnel, 28% of which were for a

surface plus transit option, and 10% of which were for an elevated option. At the conclusion of the SAC's meeting cycle the majority of the committee members' support was not for a tunnel, mainly because it was too expensive. The findings issued by the SAC were for a hybrid elevated replacement option, or a hybrid surface plus transit replacement option.

After the SAC effort was concluded, the next critical "public" face for the tunnel project; three, what WSDOT calls "working groups" were established. The stated purpose of these groups is to review WSDOT's presentations to them about the tunnel, to review the information that WSDOT disseminates to the groups' members, and then in turn the group members provide feedback to WSDOT about the tunnel information WSDOT has provided to them. Each of the working groups has between 23 and 25 members each, for a total of 71 hand selected members that are subject to WSDOT's beck and call.

The City of Seattle followed in the footsteps of WSDOT, the public face it created is what it calls the Central Waterfront Partnerships Committee, a 41 member committee made up mostly of the social and economic elites of Seattle. It meets and functions in tandem with WSDOT and within the context of the assorted activities that WSDOT and the City's are engaged in as they implement the tunnel project

The final public face established by WSDOT is based on the 300 plus "public" meetings convened and held by WSDOT during the post-January 13, 2009 period to even date.

The following list shows the outcome of an analysis[iii] of all of WSDOT's Viaduct replacement project/tunnel project related meetings between 2001 and 2011, according to the established categories they were convened for, and then the percentage of all meetings for each of the eight types categories:

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|---|---|
| Governmental Purpose | 32% |
| Business/Freight Interests | 20% |
| Neighborhood Interests | 30% |
| Professional Associations | 09% |
| Social Civic Organizations | 04% |
| Education Interests | 03% |
| Political Interests | 01% |
| Labor Interests | 01% |

The percentages of the categories do not necessarily reflect the ranking of the constituency or the purpose; but taken in conjunction with both the membership rosters of the committees that WSDOT and the City have convened, and then the identities of the hosts for the assorted WSDOT briefings and

community presentation meetings, it all provides a general sense of the interests of WSDOT and the City in terms of who they need to communicate with, who they want to provide information to, who they seek to influence, who they solicit feedback and input from. The chart shows which constituencies and individuals the pro-tunnel forces need to maintain to sustain their implementation of the tunnel project. This underscores the fact that to WSDOT and other pro-tunnel leaders, these are the people and constituencies that are important to the governmental effort to maintain the critical political, social, and economic mass necessary to pull off the tunnel project.[iv]

In addition to the State's and the City's organizing efforts, three major "public" alliances have been formed to support the tunnel project, the *Tunnel + Transit Coalition*, the *SR 99 Corridor Coalition*, and the most recent of the three, the *Let's Move Forward* political action committee.

The membership of the *Tunnel + Transit Coalition* is comprised of 25 organizations, all well connected, mostly traditional elite, wealthy business entities, and then well-known, well connected civic organizations from Seattle. It also includes 19 individuals as members, all either former elected officials or prominent business people from Seattle.

There are 27 members in the *SR 99 Corridor Coalition*. Its members are for the most part the same people that are in the Tunnel + Transit group, and particularly includes the most stalwart business, organizations, and individuals that support the tunnel. The coalition was created by the Discovery Institute, whose director was one of the principal promoters of a tunnel, who collaborated with tunneling industry representatives in convincing WSDOT to move forward with the tunnel.

The most recent group, Let's Move Forward, counts as its members, 168 individuals, 18 present or past elected officials, and 51 business firms or business interest organizations. Again, as with all the previous associations with the tunnel project, most if not all of the membership is prominent and well connected in social, business, and/or political circles.

The conclusions to be derived from this section are that the support situation for the tunnel project is now clearer in terms of what type of individuals and entities WSDOT in particular relies upon to both authorize and sustain the tunnel project. By knowing this information and discerning WSDOT's modus operandi in this regard, appropriate strategies for nullifying or circumventing the influence and power of WSDOT and the associated organizations and individuals can be devised. Almost anyone who isn't them or who is not within their sphere of influence is fair game and an appropriate object for cultivating support from for the anti-tunnel faction.

### B. THE WHY

In the tradition of most successful resolutions to a wicked problem, the challenge is to see beyond the history of polarization and attempt to gain an understanding of where the warring sides are coming from. What is really driving them? Why are they fighting?

It isn't always readily apparent who or what is behind the outbursts of conflict. To figure out the dynamics in the tunnel case the agreement to proceed to build a deep bored tunnel should be understood from the perspective that it largely comports with the decision-makers' and their enablers' and their supporters', with their civic, economic, and social expediencies, their incentives, beliefs, and socio-economic or political status. Those are the drivers of the project, and those are the drivers of the conflict with the anti-tunnel supporters.

The decision to replace the Alaskan Way Viaduct with a tunnel at a fundamental level is a snapshot of the pro-tunnel entities, the business and political ones, the individuals singly and then wholly, in their interest groups. The tunnel is a reflection of them.

The tunnel decision embodies their vision for Seattle, their vision for the Seattle Waterfront, their beliefs about what constitutes an appropriate style of transportation structure, what the appropriate amount of vehicle capacity for the roadway that replaces the Viaduct is, where the alignment of that roadway should be, whether the project is economically and environmentally sustainable in their minds.

Lastly, but maybe of greatest importance, is whether their viewpoints about the tunnel itself, what it represents, is shared by others in their group - particularly others that they believe are people that hold common status, interests, values, social associations and political affiliations they have or want to have.

This latter theory is emphasized here because it is the perhaps the center point that holds the greatest explanatory power for the pro-tunnel side and the greatest chance to craft a community engagement plan that counters their collective strength.

The question that could reasonably be asked about the pro-tunnel group's dynamics is all things being equal, can the type of roadway structure and the mechanical details of where it is located and how it operates generate the kind of loyalty that leads institutions, business entities, individuals, and social and civic groups to join in lock step solidarity with one another, or are there other driving forces?

Instead, are the underlying values that are held by everyone in the pro-tunnel association what really gives rise to the tunnel solution, what really drives the pro-tunnel union - that it doesn't matter

whether it had been a bridge, a wide boulevard, or nothing at all to replace the Viaduct, that one of their peer group proposed a particular option that was reasonably desirable, the tunnel, and then that they used the sort of negotiation that is considered acceptable and appropriate within this particular economic/social/political circle, the option that came the fore it is accepted, and then supported by the group, "even unto death", due to a form of noblesse oblige; that with wealth, power and prestige come responsibilities to one's own kind?

Lost in the global history of this project, which amounts to a superficial view of the history of how the tunnel came to be chosen, is the belief that the public had some enduring role to play in considering and then in choosing what Viaduct replacement option to proceed with. That is a confounding factor that obscures the decisive role that the pro-tunnel alliance played in the selection of the option to replace the Viaduct. This project was never wrought in the public arena; the public did not make the decision to pursue the tunnel project. A discrete group of individuals and organizations used their power and influence for selfish personal and institutional desires, and only for the good of their special interests.

This is the history that must be gotten out. A history that exposes the pro-tunnel side for the self-interested, money and glory seeking enterprise that it is.

**IV. Conclusion**

At some future time a strategy may exist that includes considering the apparent underlying reasons why the pro-tunnel side is for its position, and the assorted, just as legitimate, reasons for the opposition to oppose the tunnel. Somewhere between the two there is some common ground to build upon, even if it is just a sliver. It will be necessary to step back and to set aside for the moment historical injuries and past grievances, and recognize not just the personal side that is fueling the tunnel controversy, but to consider also the common vulnerability that the future may portend for both sides, and for Seattle in general, should the wrong choice for replacing the Viaduct be carried out.

If both sides would recognize that ultimately the desire to satisfy real interests, to meet real needs and diminish suffering, this can lead to a solution. The alternative is to continue suffering, to continue to cause suffering. This leads to the questions, is that a worthy use of your time? Is a more worthy use of your time to cease the suffering?

Maybe for the present time the objective of coming to a negotiated solution is out of reach. But the strategy proposed here is to infuse the situation with humanity, to go back to the sentiments that were set out in the beginning of this treatise, to understand that our humanity gives us more in common

than in disagreement. It is not a perfect strategy but it is one that is bound to make us better people for considering it and then attempting to apply it.

ATTACHMENT

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[i] Since January of 2009, some two and a half years have passed, and the question of what to replace the Alaskan Way Viaduct ("the Viaduct") within the governmental realm and in a portion of the public realm generally seemed to be settled. There were pockets of resistance to that choice to be sure, certain factions in Seattle that had advocated for other types of roadway alternatives prior to the tunnel decision and that opposed the tunnel on that basis. However, the attention and credence given to their preferences and objections tended to be treated in the media, in government circles, and by pro-tunnel supporters as more entertainment, mild distraction, than substantive, potentially tunnel project derailing activity.

That the pro-tunnel interests now see the anti-tunnel efforts as an immediate and credible threat is evidenced by the fact that in the last four months the two authorizing governments for the tunnel project, the City and the State, have filed lawsuits against both of the campaigns to keep the tunnel project off the ballot, arraying the full legal resources at their disposal against the tunnel vote campaigns. Then, the public-based pro-tunnel forces that have been allied with the City and State in support of the tunnel project, a combination of business, tunnel industry, and traditional insider/elite individuals, they have activated themselves and been funding a counter campaign against the referendum and the initiative efforts.

[ii] In the early years of this project, 2001 through 2006, it was relatively true that the public was playing a substantive role in the Viaduct replacement selection process. That is the time period when the project could still be considered a public works project; during this time the first draft versions of the environmental review of the project were being prepared and issued. By mid-2006 that was no longer true. At that point the strong-arm mayor of Seattle, Greg Nickels and his administration, had decided that a tunnel of some kind must be the choice for replacing the Viaduct.

While that eventuality took another couple of years to accomplish, without going into the historical details of how that came about, an analysis of what happened after the choice of the tunnel provides the complete picture of "who" is behind the tunnel, "how" they seized control of the decision-making authority, and then moved to ensure that a tunnel is built. In short it is their critical economic and political mass that created the authorizing environment for the State, through the governor, to proceed with the tunnel project. It is this group of individuals and organizations that gave the assurances of their support for the tunnel to WSDOT officials, that in turn conveyed this support to the governor in order to persuade her to be a lead decision-maker and choose the tunnel to replace the Viaduct.

[iii] The analysis of those meetings was undertaken so that why the meetings were possibly convened, based on who hosted and who attended them reveals much about WSDOT's the pro-tunnel interests' strategic plans for maintaining, if not public acceptance of the tunnel project, at least preventing public opposition to the project.

While all of the meetings of these WSDOT and City sponsored, tunnel-centric committees are “open to the public”, because they involve a government entity or agency engaged in the public’s business, most of the meetings can be categorized by the type of constituency they intended to gain support from.

All 388 meetings held under WSDOT’s purview were analyzed by this author and typed according to eight separate categories - according to the constituency interest or the purpose that appeared to dominate the meeting.

The meeting categories established for the analysis includes meetings for 1) a Government Purpose (garnering support or providing an outlet for tunnel related information, testing messaging, testing responses to information), for 2) Business/Freight/Industry related interests, Neighborhood interests, 3) Social/Civic

Organizations interests, 5) Professional or Industry associations, 6) Education Interests, 7) Political interests, and 8) Labor interests.

iv The WSDOT and City committees and meeting data are part of Exhibit A attached to this Memo.