

1996

## Describing the elephant: Multiple perspectives in New York City's watershed protection conflict

Krystyna Anne Stave

*University of Nevada, Las Vegas*, [krystyna.stave@unlv.edu](mailto:krystyna.stave@unlv.edu)

Follow this and additional works at: [https://digitalscholarship.unlv.edu/sea\\_fac\\_articles](https://digitalscholarship.unlv.edu/sea_fac_articles)



Part of the [Environmental Policy Commons](#), [Recreation, Parks and Tourism Administration Commons](#), and the [Water Resource Management Commons](#)

---

### Repository Citation

Stave, K. A. (1996). Describing the elephant: Multiple perspectives in New York City's watershed protection conflict.

[https://digitalscholarship.unlv.edu/sea\\_fac\\_articles/211](https://digitalscholarship.unlv.edu/sea_fac_articles/211)

This Conference Proceeding is protected by copyright and/or related rights. It has been brought to you by Digital Scholarship@UNLV with permission from the rights-holder(s). You are free to use this Conference Proceeding in any way that is permitted by the copyright and related rights legislation that applies to your use. For other uses you need to obtain permission from the rights-holder(s) directly, unless additional rights are indicated by a Creative Commons license in the record and/or on the work itself.

This Conference Proceeding has been accepted for inclusion in Public Policy and Leadership Faculty Publications by an authorized administrator of Digital Scholarship@UNLV. For more information, please contact [digitalscholarship@unlv.edu](mailto:digitalscholarship@unlv.edu).



Note: This information is provided for reference purposes only. Although the information provided here was accurate and current when first created, it is now outdated.

Papers included in Watershed 96 proceedings reflect the opinions of the authors and do not necessarily represent official positions of the Environmental Protection Agency.

# **Describing the Elephant: Multiple Perspectives in New York City's Watershed Protection Conflict**

**Krystyna A. Stave**

Yale School of Forestry and Environmental Studies, New Haven, CT

---

## **Introduction**

New York City's efforts to avoid filtration mandated by the 1986 Safe Drinking Water Act Amendments and the 1989 Surface Water Treatment Rule have generated considerable controversy. Since the conflict began in 1990, a spectrum of stakeholder groups has emerged, representing land owners, sport fishermen, businesses, environmental groups, developers, and watershed communities. What was originally defined by New York City water supply managers as a scientific problem--identifying sources of water quality degradation and preventing contaminants from entering the water supply system--now has broadened to include a diverse set of social and economic issues as well.

The debate itself has been polarized by heated rhetoric, hyperbole, and simplistic characterizations of the issues and actors. Stakeholders have created caricatures of good guys and bad guys, painting each other variously as "greedy developers who just want to retain their right to pollute", "rich and elitist environmentalists telling other people how to live", "obstructionist", "arrogant", "hick farmers", and "city slickers". Downstate proponents of watershed protection portray upstate watershed residents as unconcerned about the health of the millions served by the water system, wantonly destroying the environment to pursue selfish ends. Albert Appleton, former Commissioner of the New York City Department of Environmental Protection (DEP), set the stage early in the debate when he said: "I'm trying to protect water quality for nine million people, and if you're going to build in the Catskills in the future, you'll have to build in an environmentally responsible way." (Shaman, 1991) The rhetoric escalated when then-Mayor David Dinkins added: "It is absolutely asinine to let people pollute the water we're going to drink and we're not going to have it." (Wald, 1993) He was followed by City-based



environmental groups blaming upstate development interests for weakening watershed protection efforts, and raising the specter of watershed wastes ending up at New York City taps from 128,000 septic systems and more than 100 sewage treatment plants that ". . . dump into the reservoirs." (Golway, 1994) Such images effectively agitate water consumers like the one who jumped up at an informational meeting in the City and said: "These people are pooping in our water and we have to stop them!"

Upstate residents portray watershed protection proponents as aggressive conquerors insensitive to local lives. At a public hearing, one Catskills town supervisor likened the DEP to an occupying army. In a more moderate vein, another said: "We worked for this land. We paid for this land. We are the ones who pay taxes on this land, but then New York City comes in and calls it their watershed." At a different public hearing, another resident expressed the fears of some that the City's efforts are part of a larger conspiracy: "We believe that land-use regulations, . . . among numerous other things, are being woven tightly around us by government at all levels. And we believe . . . that at some point, when some bureaucrat somewhere far from these hills decides the time is right, this complicated fabric will be dropped over our heads, drawn tight around our ankles, and we will be toppled in a heap and dragged from our homes."

By emphasizing differences between stakeholder claims to watershed resources, the debate has obscured underlying differences in stakeholder perspectives. It also focused early efforts on trying to resolve conflicting claims rather than on seeking opportunities for mutually satisfactory solutions. Most of the five years of this conflict has been spent at the point of conflict, arguing over whose claim is more legitimate. It has only been in the last year, when the discussions have moved beyond the issues of claims to the views and values on which those claims are based, that there has been real movement toward a solution. Although it is easy to dismiss obviously exaggerated sentiments as mere battle tactics for one side or the other, I suggest that these be viewed instead as indicators of more fundamental and important differences in stakeholder perspectives.

In my observation of this conflict, I have come to see the parable of the blind men and the elephant as a metaphor for stakeholder differences. In this story, several blind men were asked to describe an elephant. One, standing by the elephant's leg, said the animal was as tall and straight as a tree; another, standing at the elephant's side said it was broad, flat and immovable, like a wall; another at its tail said the elephant was thin and flexible, like a rope. Their descriptions were extremely different, although they were describing the same thing. They saw it so differently because they were each looking at a different piece of it. I propose that this is similar to what happens in many environmental management disputes, and that exploring not just how, but why perceptions differ, can lead to a better basis for resolving disagreements about watershed management. This paper sets the context of New York City's watershed protection conflict, then briefly discusses some implications of the underlying differences in stakeholder perspectives.

## **Background**

This discussion is derived from a four-year study of the New York City watershed protection conflict,



focused on the Catskill region watersheds. The study included over 130 interviews with watershed stakeholders, observation of more than 100 stakeholder meetings and public hearings, and a GIS-based study of hydrologically sensitive areas.

### ***New York City's Water Supply System***

The New York City DEP supplies an average of 1.5 billion gallons of water per day to approximately nine million consumers in New York City and neighboring communities. The water is drawn from 1,969 square miles of watershed lands (NYCDEP, n.d.), all located outside the city boundaries. Ten percent of the water comes from the Croton watershed system, approximately 50 miles north of the City. Ninety percent comes from watersheds in the Catskill Mountain region, roughly 100 miles north of Manhattan. The Catskill Mountain region, includes two watershed systems, the Catskill system and the Delaware system, and covers a total of 1,584 square miles (NYCDEP, 1995). Approximately 170,000 people live full-time in the Croton watersheds; 50,000 in the Catskill and Delaware watersheds (NYCDEP, 1993). The City owns just under seven percent of the watershed land, about half of which lies beneath its 18 reservoirs. Most of the City's watershed holdings are located around the reservoirs, protecting a narrow buffer at the water's edge. Approximately 25 percent of the remaining land, mostly in the Catskill and Delaware systems, is owned by New York State; the rest is privately held.

The water generally requires only minimal treatment before distribution. Its high quality has been attributed to its sources in the sparsely populated and largely forested Catskill Mountain watersheds. The DEP has the legal authority based on a 1905 New York State Public Health Law to regulate watershed land use to protect water quality. Before 1990, however, it had only used this authority to issue a very general set of guidelines in 1953.

### ***Incentive for Watershed Protection***

Federal law requires that all municipal surface water supplies be filtered unless the water meets federal drinking water standards and the water supplier shows it can prevent water quality degradation through watershed protection. Filtration of Catskill and Delaware system water would cost an estimated \$5 to \$8 billion, plus another \$300 million per year in operating expenses. Hoping to obtain a filtration waiver, the DEP drafted land use regulations in 1990 as the foundation of a watershed protection plan. The 1990 discussion draft established buffers around reservoirs and along streams restricting activities such as the siting of septic systems. Buffers up to 1000 feet wide were originally proposed around reservoirs and up to 500 feet from stream channels (NYCDEP, 1990). Dairy farmers were required to prevent barnyard runoff from discharging to surface water and were prohibited from spreading manure within 100 feet of a watercourse. The regulations restricted the use of de-icing compounds on roads, limited impervious surfaces such as roofs and parking lots, and upgraded the technology and level of treatment required for wastewater treatment plants.

### ***Stakeholder Groups***



Stakeholder groups, (where a stakeholder is broadly defined as anyone who is either directly affected by or has expressed an interest in the watershed issues), started to form or take positions following the release of the 1990 draft regulations. Initially, the controversy seemed a straightforward clash of interests between the watershed and the City, but it quickly became more complicated. Neither watershed nor City interests are homogenous, and the DEP's watershed protection program expanded over time to include issues beyond land use regulation, including land acquisition, watershed planning, and a farm planning program. Stakeholder groups formed throughout the last five years as new issues emerged or were articulated. Stakeholders include: City water consumers; the DEP; government and public agency officials at village, town, county, City, state and federal levels; environmental organizations in the City and in the watersheds; City-based public health and low-income housing advocates; builder's associations; business associations; educational organizations; long-term watershed residents; farmers; tourism service providers; second-home owners; and recreational users of watershed land and streams. These diverse stakeholders are allied on some issues and at odds on others. The situation is further complicated because individuals may be part of more than one stakeholder group.

Over the last five years, stakeholder groups have disrupted watershed protection efforts through legal challenges and by mobilizing public opinion, and helped bring diverse issues to the discussion. In March 1995, when discussions between the DEP and the Coalition of Watershed Towns, a quasi-governmental organization representing the 35 towns in the Catskill/Delaware watersheds, seemed to have reached an impasse, New York State's Governor George Pataki convened a closed-door negotiation process to bring stakeholders together. The talks lasted seven months and concluded in early November with an "Agreement in Principle". While the Agreement is being praised for addressing the range of stakeholder concerns, all parties agree that its true test will be in designing and implementing its details.

## Discussion

Looking at underlying differences in perspective rather than rhetorical statements contributes to conflict resolution in several ways. First, fostering cooperation in watershed protection efforts requires understanding stakeholder interests and values, and DEP's incentive to encourage cooperation is high. Its ability to police the innumerable individual actions that aggregate to large-scale water quality problems at the end of the pipe is limited. As one resident put it at a public hearing: "We all know, as does NYC, that it will be impossible to enforce these regulations without the help and consent of local officials, government agencies and village centers. We can't all be watched all the time. If the regulations pass as is, the battle will have been lost, but the war will have just begun." Second, the way watershed stakeholders view and value different characteristics of the watershed determines their uses of the watershed. Understanding the basis for different views and values helps anticipate the effect of human activity on watershed resources, and develop strategies to promote or prevent different activities. Third, the way different groups perceive a problem determines the way the validity they assign to tools, or inputs, for developing solutions to the problem (Dietz et al., 1989). The designation of scientific expertise, money, or public opinion as legitimate inputs then determines who participates in the development of solutions to a problem and, ultimately, whether those solutions are accepted. For example, if a conflict is defined as "political", public support may be considered a crucial resource, while



scientific expertise, data, and simulation models are more acceptable in a conflict defined as "scientific".

The New York City DEP began by defining the problem as a scientific one and addressed it with scientifically based land use regulations. Some watershed farmers and planners rejected the DEP's scientific definition, claiming the DEP did not have enough scientific justification for its regulations or land acquisition program. One county planner noted that until parties in the conflict trust each other, science is used more as a courtroom weapon by "duelling scientific experts" rather than a tool used cooperatively to find a good solution. Some local government officials see the conflict as a political challenge to local autonomy; others as an economic problem of unequally distributed costs and benefits. Some City-based stakeholders see land acquisition and regulation as an economic issue that can be resolved with adequate payment to landowners. Some landowners, however, have no interest in selling. Stories of the communities displaced as recently as 1965 to build New York City reservoirs in the Catskills support their fear that their land will be taken by condemnation. They see the issue as political, in which financial compensation is irrelevant. Farmers and other Catskill residents resent the implication that they care only about money and are not good stewards of the land. As one farmer explained simply to DEP officials on a watershed farm tour: "This farm is all I've got. Those of us who chose agriculture as a career, we're just as good stewards as the Greens; we take care of the land. I'm sure I could be selling cars or refrigerators and making more money--I'd be good at it, I like people--but I don't know as it would be so rewarding. I'd rather be producing meat and milk. The land owns us. Those of us foolish enough to work so many hours for so little money, the land owns us."

Rather than trying to recognize and resolve multiple points of view, some stakeholders still see the problem as convincing others to see their point of view. One City resident at a meeting to discuss how to increase the participation of City residents in watershed discussions said: "I have many friends upstate who are 'enlightened' but they just don't know [our issues]. The information isn't there and we have to get it there ... it's so obvious! We ought to hit the media. Let's picket them and create some news." He sees the problem then, not as trying to find common ground in the way stakeholders see the world, but to convince other stakeholders to see it his way.

## **Conclusion**

What has become clear in the last five years, as the controversy has evolved and unfolded, is that stakeholders view and value watershed resources differently. Like the blind men asked to describe the elephant based on what they "saw" with their hands, these different views come from the different contexts within which stakeholders interact with the watershed. None of the perspectives is so much wrong as it is incomplete. It emphasizes the part of the issues with which each stakeholder has the most experience and interest. Differences in stakeholder perceptions affect the positions stakeholders take and claims they make regarding watershed resource management. What has also become clear is that any lasting watershed management solution, especially in the case where non-point source pollution prevention cannot be controlled by force, has to account for different perspectives. Expecting, recognizing and seeking to understand the basis for differing views is the first step toward sustainable watershed management.

## Acknowledgements

I thank all those who participated in this study for generously sharing their time and thoughts. The study was funded by the U.S. Man and the Biosphere Program under the Temperate Ecosystems Directorate. This paper draws on background material published in Stave (1995) and Stave (1996, forthcoming).

## References

- Dietz, T., P.C. Stern, and R.W. Rycroft, 1989. Definitions of Conflict and the Legitimation of Resources: The Case of Environmental Risk. *Sociological Forum* 4(1):47-70.
- Golway, T. 1994. "Rudy's Diluted Watershed Plan May Endanger City Water Supply." *The New York Observer*, 26 September 1994, p.1
- New York City Department of Environmental Protection (NYCDEP), n.d. New York City Water Supply System Fact Sheet.
- New York City Department of Environmental Protection (NYCDEP), 1990. Proposed Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources, Discussion Draft.
- New York City Department of Environmental Protection (NYCDEP), 1993. Final Generic Environmental Impact Statement for the Proposed Watershed Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources. Volume I. November 1993.
- New York City Department of Environmental Protection (NYCDEP), 1995. Geographic Information and Modeling System Group. Personal communication, September 20, 1995.
- Shaman, D. 1991. "Upstate Developers Irked at City's Plans." *New York Times*, 20 September 1991.
- Stave, K.A., 1995. Resource Use Conflict in New York City's Catskill Watersheds: A Case for Expanding the Scope of Water Resource Management. p. 61-68 in: Austin, L.H. (editor), 1995. *Water in the 21st Century: Conservation, Demand, and Supply*. Proceedings of the AWRA Annual Spring Symposium. American Water Resources Association, Herndon, Virginia, TPS-95-1, 740 pages.
- Stave, K.A., 1996 (forthcoming). "Turning the Tanker": New York City's Evolving Approach to Water Resource Management. In: Burch, W.R., J. Aley, E. Conover, and D. Field., eds. *Survival of the Organizationally Fit: Ecosystem Management as an Adaptive Strategy for Natural Resource Organizations in the 21st Century*. New York: Taylor and Francis.
- Wald, M. 1993. "A New 10-Year Plan to Prevent Water Pollution." *New York Times*, 12 September 1993. p.56.
-