A History and Case Study of Government Relations concerning

Cascade Park

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A History and Analysis of Cascade Park: Clean up and Use issues

Timeline of Events

1823- Tallahassee chosen as location for State Capitol, “the Cascades” established as primary campground and meeting place.

1855- Pensacola/ Georgia Railroad develops a line to the coast, following the St. Augustine creekbed, eliminating the waterfall forever.

1895- Rural Gasification Program sponsored by the federal government, City of Tallahassee builds a Manufactured Gas Plant. At this time, toxification is not a concern.

1924- Centennial Field built, fill dirt from contaminated land used.

1928-1936- Contaminated material disposed of in City owned landfill on south side of Cascades.

1963- State of Florida acquires MGP and Centennial Field. Richard Stone, Sec. Of State was champion of the project.

1971- Governor and Cabinet pass a resolution declaring the land “Cascades Park” due to historical significance. Centennial Field closed.

1974- Demolition of MGP facility, general improvements made.

1976- Richard Stone elected to Congress. No further development.

Late 1970’s- EPA begins investigation nationwide of Rural Gasification sites.

Late 1980’s- FDER, (Florida Department of Environmental Regulation, currently DEP) finds contaminants in soil and groundwater. Wishes to hold City of Tallahassee accountable. Land is owned by the state and leased to a State agency, FDGS, (Florida Dept. of General Services, currently DMS).

1990- all parties agree to a consent order for corrective actions.

1993- Phase-one contamination assessment conducted.

1994- FDER and FDNR merge to form DEP. Cascade Park activity ceases due to conflict of interest. FDER was responsible for enforcing clean up by FDNR).

1996-EPA orders expanded site inspection due to lack of activity. Holds current and former owners responsible.


2000- EE/CA completed by Levine-Fricke Consulting.

2001- EPA expected to conduct Public Hearing concerning Cascade Park clean up and land use issues.
**Conflict Analysis Summary**

The following summaries are intended to reflect the general sentiment and administrative perspective of project managers associated with the Cascade Park revitalization project.

COT/ Koren Taylor P.G. Water Quality Division. Koren was very helpful and receptive to being interviewed. From her perspective she sees the force of law behind the EPA Order of Consent as the binding faculty between other parties. As a City of Tallahassee representative she repeatedly expressed the value the city placed on community perspective and support for final use plans. She believes the project is impeded by a lack of clear authority among the stakeholders as a whole. The EPA is holding everyone accountable for the clean-up, but the use of the land is a matter of great debate. The City is currently aligned with the “Blueprint 2000” plan generated by the Economic Environmental Consensus Committee. This plan would develop the site as a park, paid for largely by revenue generated by the penny sales tax. She stated the City, DMS, and DEP have entered into a 1/3 cost agreement with a provision for Alternative Dispute Resolution to navigate any conflicts.

EPA/ Mindy Gardner- Mindy agreed to be interviewed by phone from regional EPA headquarters in Atlanta. Her perspective is one of beauracratic enforcement. The EPA does not want to coerce or intimidate the responsible parties, but the potential threat of placing the site on the superfund list is the “silent whip” the EPA holds. If this were to happen, EPA would assume full control of the clean up, and bill the parties for the cost. Mindy explained the delay in progress to “normal government functioning and a lot of turnover in contacts within agencies. She has been in the position of losing a contact at
DMS and then having to start fresh building a new working relationship. Although frustrated, she considers this site a minor problem, and has confidence in the parties’ collective ability to resolve it without EPA enforcement.

**DEP/ Water Management—Cindy Cosper.** Cindy is also a member of the Myer’s Park Neighborhood Association. Her name appears in many locations concerning this project as a DEP representative. During our interview though, she represented herself enthusiastically as a neighborhood activist. From her perspective, competing plans by varying economic forces are the biggest impediment to progress on the plan. She sees local politics as a much greater issue than the coordination and cost of cleaning the site. She cited plans and projects that no other Stakeholder was aware of. (I interviewed her first). Cindy provided the names of many secondary stakeholders and documents for me to review. Blueprint 2000, The Capital City Planning Commission, Gaines St. Corridor, A flyway connecting Apalachee Parkway and Monroe. She expressed, on behalf of the neighborhood association, a willingness to consider many options as long as a buffer remains between Myer’s park and the Capitol Complex, and at least a part of the land is restored for public use. When asked if she thought that was feasible, she replied, “You really have to be in the right place at the right time, its tough to know when something is happening on this.”

Her personal support is for the Shakespeare Festival to relocate to this area in lieu of the re-developed Kleman Plaza into an IMAX theater site. When asked if she had an official connection to the project through her employment at DEP, she vaguely implied it was not a supervisory role, but one of government process. She seemed reluctant to explore this connection so I left it alone. She expressed an overall optimism that the project would
soon progress and reiterated the neighborhood’s willingness to compromise with any responsible plan.

**DMS/ Trent Price**—Department of Management Services was characterized by other stakeholders as reluctant to cooperate. As the Lessor of the property, they are responsible for 1/3 of the clean up. I spoke with Trent Price on two occasions. He acknowledged the 1/3 agreement and also mentioned the ADR provision as a positive development. When asked what the greatest impediment to progress on the site was, he deferred to the complexity of scientific study and the prolonged expectation for results on the surveys. He characterized communications with his counterparts as strained in the past, characterized by “finger-pointing” and avoidance. Cascade Park has not yet emerged as a top priority for action, however, Mr. Price portrayed himself and the Department of Management Services as prepared to pursue solutions.

**Nature of the Dispute**

The clean up and development of the Cascade Park site is best characterized by a lack ownership in the solution. The last time progress occurred on the site it was due to the personal involvement of former Secretary of State, Richard Stone. All parties I spoke with had some degree of professional responsibility and personal concern, but there was no definitive mandate expressed which would allow for action.
The EPA has stated to all parties that progress must begin on the site or they will intervene by placing Cascade Park on the National Priority List as a Superfund site. This means the EPA would claim jurisdiction over the entire clean up project and bill the proprietary parties for the cost of clean up. This negative encouragement has served to open lines of communication between the conflicting parties. There are competing influences concerning the future use of the site. Citizens’ advocacy groups and professional associations have commissioned potential plans to present at a Public Hearing. Through interviews and review of these plans, it is apparent there are fundamental similarities and sentiments regarding the appropriate role of the land once it has been cleaned. The possibility of successful collaboration and resolution is good. All primary stakeholders (landowners and regulating agencies) expressed a common interest in avoiding EPA sanctions and returning at least a portion of the land to public use. All parties were familiar with Alternative Dispute Resolution and considered some form of organized dialogue to be essential to coordination of their collective efforts. No party expressed a willingness or intent to pursue litigation.

There are still obstacles to an effective intervention effort. In order to pursue a collaborative, consensus-seeking mediation, a clear commitment is needed from the executive officers of the custodial agencies: Florida DEP, Florida DMS, and the City of Tallahassee. The EPA is committed to playing a supportive role as long as the other parties are showing progress towards resolution. The mid-level managers responsible for specific actions have not received the full support and endorsement of their Directors to engage other parties in solution-oriented dialogue. A formal agreement, similar to the FSU/DEP partnership would be a strong goodwill gesture.
The complexity and disbursement of data is another obstacle. There is not an organized exchange of information regarding the technical strategies and costs associated with decontamination of the site. Multiple future use proposals are in circulation, each with endorsement of different civic groups, professional associations, and planning consultants. Although similarities exist, the plans are not being evaluated by a responsible body with the authority to adapt plans and make changes.

Disbelief and burnout create a human obstacle to progress. Cascade Park has been a planning conundrum in this city for over 50 years. An institutionalized dread of the project inhibits stakeholders and the community at large from believing in, and pursuing a lasting solution. A rejuvenated interest in the assets the property has to offer the community is needed to create momentum and commitment to resolution.