

## Times-Picayune, The (New Orleans, LA)

May 4, 2004

### Marathon, Cargill plants offer to buy out homes

*Lolly Bowean*

*River Parishes bureau*

Two St. John the Baptist Parish industrial plants are offering to buy out homes and land in the tiny Reserve community of Lions, following a loose trend of industrial plants trying to reduce fence-line conflicts by moving homeowners.

The joint purchase and relocation plan by Marathon Ashland Petroleum LLC and Cargill Inc. is open to residents on West 23rd, West 24th and West 25th streets, which are sandwiched between the plants. The companies have offered to buy 38 pieces of property on those three blocks.

Marathon and Cargill also have offered to buy 13 properties on Peter and Tregre lanes, which are on Marathon's eastern fence line, officials said. So far, 39 property owners have enrolled in the program and 14 offers have been made. Four property owners already have agreed to sell.

Plant officials would not say what sparked the buyout. Residents must agree to drop any past or future claims against the plant as part of the program.

Unlike residents in the Diamond community of St. Charles Parish, which after a decades-long fight had a solid community-based coalition pushing for a buyout plan from the nearby Shell Chemical plant, calls for relocation in Lions have not been strongly organized or unified.

But several community members did request a buyout, said **Joel Waltzer**, a New Orleans attorney who said he represents some residents.

"We decided the best way to solve the problems was to relocate," he said. "We knew about the work of Shell. I took the approach that rather than fight this out in an ugly, adversary way, we could make up an agreement."

I want to get out

In recent years, more and more industrial plants have offered to buy out residential property along their fence lines to avoid future headaches, officials say. And like the Diamond community buyout, **Waltzer** said he hopes the Lions community resolution will become a model for other Louisiana communities nestled alongside plants.

Plant officials said they don't have any plans to build on the land they acquire but would use it as green space.

"We want to increase the buffer zone around our fence lines," said Linda Casey, a spokeswoman for Marathon's corporate office in Findlay, Ohio. "Normally, when property adjacent to the refinery becomes available, the company looks into purchasing it. We think it's a very, very attractive offer for the land owners."

But Lions resident Gaynell Davis Scott, who isn't one of **Waltzer's** clients, said the offer isn't as attractive as it sounds. She's lived in her home on West 24th Street for 48 years, longer than the plants have been there.

Scott said she wants to leave, but she believes the residents are settling for less. Some are giving up homes their families have owned for generations and won't have enough money to buy the same type of home in the area, she said.

"I want to get out. I want to go too," she said. "But I'm looking at the long run. I'm looking at all the facts."

Promoting plan as a model

The companies launched the buyout program in December, and residents had until Feb. 15 to enroll.

Although almost all neighborhood residents have requested appraisals, it doesn't mean they are obligated to sell their property.

"We're glad that we are able to work with the community," Casey said. "We have always been a good neighbor, and for those who want to stay in their homes, we will continue to be a good neighbor to them. For those who want to relocate, this is a good program to help them."

**Waltzer** said some residents called him in 2002 complaining of health problems they attributed to air pollution. His firm thought the best approach was to negotiate with the plants to buy out the community, rather than sue.

"We're bringing this as a model," he said. "The whole process can be easily replicated in other areas. There are many other areas that need this type of solution, and for these communities, a relocation package is a better solution than having a lawsuit filed and at the end of the day you are still living next to the plant."

The companies began distributing materials to residents in December. The buyout became public last week when the Louisiana Bucket Brigade, an environmental group that tracks plant emissions, announced that activists from the Diamond community would be working with Lions residents to make sure they are treated fairly.

Bucket Brigade officials said the industrial plants have discouraged communication between the two communities and are pressuring residents to sell their homes immediately. Once the plants make property owners an offer for their property, they have 60 days to accept it, said.

"The dynamic is to hush people," said Anne Rolfes, director of the Bucket Brigade, based in New Orleans. "They want to make sure no one knows the buyout is going down. They shame people and then give them nothing."

Casey would not comment on those allegations but stressed that the buyout is voluntary.

Very attractive offer

By communicating with people who have been through the process, Rolfes said residents can learn if they want to agree to the terms of the buyout.

The Lions community buyout is structured much like the Shell buyout, Rolfes said.

According to the purchase agreement distributed to residents, once the appraisal is complete, property owners are offered 30 percent more than the appraised price. That means the plants will pay about \$93,600 for a home valued at \$72,000, an increase of \$21,600. The minimum appraisal is \$50,000. There is no maximum.

The plants also have agreed to pay an expense allowance of \$5,000 for owner-occupied homes and \$1,000 per rental unit for rental-property owners. The companies will pay \$1,500 to help residents pay closing costs on a new home and \$500 for professional advice regarding the relocation. Property owners who agreed to sign up for the program early on are promised a \$1,000 bonus at closing.

"The residents for the most part have responded positively to the program because it is very generous," Casey said. "It's a very attractive offer."

But Scott, who said she has suffered multiple health problems that she attributes to living so close to the plants, said she feels rushed to sign.

"I've lived there and I've watched people suffer," she said. "It's getting worse. We are always sick and tired. And now there is a hurried buyout."

It ain't worth fighting

Not all residents agree with Scott.

Rickey Jackson, who rents a home on West 24th Street and has lived on the block most of his life, said if his landlord decides to sell the property, he won't put up a fuss.

"It ain't worth fighting," he said. "You get tired of it. We're not going to get what we deserve, but I'm going to take it and run."

Scott listened carefully Wednesday to former Diamond residents Rosemary Brown and Ethel Jones as they discussed their buyout experiences.

When Brown sold her home to Shell in 2002 and moved to LaPlace, she and her daughter Ethel Jones thought they made the right decision, Brown said. After years of living beside Shell and suffering from respiratory and breathing problems, they wanted the benefit of living in a community that wasn't near industry.

But leaving behind their close-knit community wasn't easy.

"It's not just a physical relocation," Jones said. "It's the body, mind and spirit. You have to look at the whole man. These people, when you move them, they give up hope. They are away from their extended family."

.....

Lolly Bowean can be reached at [lbowean@timespicayune.com](mailto:lbowean@timespicayune.com) or (985) 652-0952.

---

Copyright, 2005. All Rights Reserved.