

The

# National Coalition News

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## HAPPY NEW YEAR!

As we begin a new year and prepare to celebrate our first year of operation, we want to thank all of you who, through your financial support, have made our work possible. We hope you will continue that vital support by renewing your membership for 1982. To keep you informed about legislation and events which affect scenic beauty, we offer the following update.

### CONTAINER DEPOSIT LEGISLATION

"The National Bottle Bill (Senator Mark Hatfield's S. 709) is an idea whose time has come," says National Coalition Vice President Yale Maxon. The bill which had hearings in December, would reduce litter, save energy and raw materials, reduce the cost of trash clean-up and disposal, and provide a net increase in jobs at the lower end of the economic scale, where they are desperately needed.

S. 709 represents an improvement over earlier bills by providing that two cents of each five-cent mandatory deposit go to the retailer who takes back the bottles to compensate him for his role in handling empties. Hopefully this provision will lessen the opposition of retailers which has impeded the passage of past bills.

The National Coalition to Preserve Scenic Beauty has members in 26 states. If each member were to make certain that essential facts of the bottle bill controversy reach newspapers in his or her state, we could help strengthen the advocacy for deposit container legislation and get S.709 passed. For more information on container deposit legislation and its impact, we suggest you write for the following publications (which are FREE in single copies):

Potential Effects of a National Mandatory Deposit on Beverage Containers  
(GAO - Government Accounting Office - 1977)

States Experience with Beverage Container Deposit Laws Shows positive Benefits  
(GAO - Government Accounting Office - 1980)

Send your request to: U.S. GAO, Document Handling and Information Services  
P.O.B. 6015, Gaitherburg, MD 20760

MASSACHUSETTS BECAME THE EIGHTH STATE TO PASS A RETURNABLE BOTTLE LAW when the state legislature overrode Governor King's veto. The bill passed by a 108-49 vote in the House and a 29-10 margin in the Senate in November of 1981. The law goes into effect January 1983.

COLUMBIA MISSOURI VOTERS CHOSE TO RETAIN THEIR CITY'S DEPOSIT CONTAINER LAW when they voted to retain a container deposit ordinance which was first approved in 1977, making Columbia the first city to require a refundable deposit on all beverage containers sold there. Voters reaffirmed their support for the legislation in November 1981. The Columbia City Council will decide when the ordinance becomes effective. In the interim beverage sellers are trying to think of a way to mark Columbia's beverage containers so that they can be distinguished from those of other places.

As more states and municipalities enact container deposit legislation, the pressure on Congress to enact a national deposit law grows, but we must not be lulled into thinking that getting such legislation enacted will be easy. Opponents of container deposit legislation can OUTSPEND us--as they did in Montana. There glass and can industry forces plowed \$450,000 into their successful fight to block a modified bottle bill. By contrast Montanans for Litter Control and Recycling and others pushing the bill spent only \$11,000. The measure called for an industry-financed recycling program that would require return of at least 85 percent of all beverage containers; but if recycling fell short of the mark, the bill would have imposed a ban on all no-deposit bottles and cans. The bill lost by a 3-1 vote.

And they can OUTLOBBY us as they did in California two years ago when bottle bill boosters managed to get their proposal out of legislative committee only to have it beaten on the State Senate floor. BUT they CAN'T OUTNUMBER us, and when enough people raise their voices in support of deposit container legislation, legislatures or Congress will respond. The time to ACT is NOW. WRITE or CALL your Congressman today. The two bills already introduced in Congress are S709 in the Senate and HR 2498 in the House.

## OUTDOOR ADVERTISING CONTROL AND MOTORIST INFORMATION

SB 1548 REMAINS IN LIMBO. Sponsored by Sen. Robert Stafford (Vt.) S. 1548 was not attached to the 1981 Federal Aid Highway Act as many had anticipated. Stafford, like many advocates of beautification, believes that the 1965 Highway Beautification Act in its present amended form protects rather than regulates outdoor advertising. To correct some of the changes in the Act which now favor the industry, Stafford last year introduced S. 344, which would have made acceptance of Federal standards and Federal funds to control outdoor advertising voluntary. S. 1548 would have repealed the '65 Beautification Act and left the Bonus program (in which 23 states participate) intact.

What happened to S. 1548 was not too different from what happened to Stafford's 1980 bill. The outdoor advertising industry and roadside business interests worked steadily throughout the fall and round-the-clock in the days just prior to the Public Works Committee session to get committee members to support keeping the '65 law in its present form. Environmentalists who might have supported the bill were divided in their feeling about it. Professional groups (landscape architects and nurserymen) and public groups (cities and county governments) did little or were late in expressing support for S. 1548. As a result, Stafford, who chairs the Senate Committee on Public Works, found himself without the votes needed to approve the bill in committee or in the full Senate.

Belief among some beautification advocates that no matter how much the present law favors outdoor advertising, return to state control would be worse, greatly weakened S. 1548's natural base of support. Although the National Affairs and Legislation Committee of the Garden Club of America recommended that GCA support S. 1548, GCA's Executive Committee decided not to support it. Even National Coalition members were divided in their support although a majority of the Coalition's Board voted for support and worked independently for it.

The U.S. Department of Transportation took no position on S. 1548 although both the Secretary of Transportation and the Federal Highway Administrator had been quoted as saying that they would like to have the Federal government ease out of the beautification program. This inaction caused a certain amount of confusion on Capitol Hill. DOT's excuse has been that it will take no action or make no recommendation on outdoor advertising control until it receives and studies the report of the National Advisory Committee on Outdoor Advertising Control and Motorist Information. However, the Committee's report was submitted and printed in September--prior to the time the Senate Public Works Committee met. And the Advisory Committee's recommendation that the '65 Act be repealed was well-known. DOT's willingness to have the law on the books without either the money or the staff to enforce it seems to indicate that the Department has already made its decision--to ease out of its role in protecting highway scenic beauty by simply doing nothing!

COPIES OF THE FINAL REPORT OF THE NATIONAL ADVISORY COMMITTEE on Outdoor Advertising and Motorist Information are available. The report which was submitted to the Federal Highway Administrator on September 25, 1981 can be obtained by requesting it from:

Chief, Junkyard & Outdoor Advertising Branch HRW-14  
Office of Right-of-way  
Federal Highway Administration  
Washington, D.C. 20590

MICHIGAN'S BILLBOARD PROBLEMS. In the September 1981 issue of Michigan Out-of-Doors, Wayne Schmidt, a staff ecologist for Michigan United, a coalition of Michigan environmental groups, discusses the growing number of billboards in Michigan. In fact, nearly two new billboards go up every day. This trend is a reversal of the accomplishments of the early 1970's when more than 30,000 signs were taken down at a cost of \$23 million to taxpayers. The major problem, of course, is payment of "just compensation" to the outdoor advertising industry with Central Advertising receiving more than \$2 million dollars of public money.

Schmidt goes on to point out that the Carter and Reagan administrations have not provided funding for the Highway Beautification Act. In Michigan alone \$13 million dollars is needed to remove 3500 non-conforming signs. Moreover, the billboards of today are superstructures costing up to \$40,000 each, which makes purchasing these next to impossible.

Continued page 3

## MICHIGAN'S BILLBOARD PROBLEMS Continued

For the most part little has been done by Michigan lawmakers to attack the problem. One state legislator, H. Lynn Jondah of East Lansing, has introduced legislation to prevent the erection of most new billboards, but unless effective legislation is enacted and more public concern exhibited, Schmidt concludes that Michigan is destined to be swamped with billboards. (Ed. note: and this could occur with the 1965 law in effect in other states unless states are vigilant.)

HATFIELD INTRODUCES BILL TO LEGALIZE OREGON'S DIRECTIONAL SIGNS. On November 19, 1981, Senator Mark Hatfield (Ore.) introduced a bill amending the '65 Highway Beautification Act to legalize two types of directional signs developed and used by Oregon to give business identification and directional information for activities or features not visible from the highway. At present, signs of these types are not authorized by the National Standards for Directional and Official Signs or by Federal law. Oregon has been warned by the Federal Highway Administration that use of these signs could subject the State to a penalty--loss of 10% of its Federal Highway funds. Hatfield's statement and a copy of his correspondence with the Secretary of Transportation on this proposal, as well as the text of his bill, S. 1876, are published in the November 19, 1981 issue of the Congressional Record, P. S-13784.

MOTORIST INFORMATION SIGN PROBLEM TO BE DISCUSSED. The problems of providing motorists with information about services and travel attractions will be discussed at one of the sessions of the Transportation Research Board when it holds its annual meeting this month. Speakers will include Woodrow Rankin of the Highway Users Federation, Dr. Ross Netherton of FHWA, Dr. Charles Floyd of the University of Georgia and Edward Kussy, FHWA legal counsel. Papers will be presented on the problems of providing motorist information without relying on billboards, the results of recent FHWA studies of options for developing new motorist information systems, the results of the meetings of the National Advisory Committee on Outdoor Advertising and Motorist Information, and the implications of recent court decisions dealing with outdoor advertising under the constitutional protection of the first amendment.

FHWA REPORT ON VENDING MACHINES AT SAFETY REST AREAS indicates that vending machines may be of public benefit. Based on the experience of five states--California, Connecticut, Georgia, Kentucky and Massachusetts--that participated in the trial vending machine demonstration program for one year, the report says that States found that motorists were generally in favor of the vending machines. In addition to evaluating public acceptance, states were required by FHWA to evaluate economic benefits, litter and vandalism impact. In Kentucky 63% of the motorists polled favored vending machines at all Interstate safety rest areas. Four of the states (excluding California) showed significant financial benefit from vending machine receipts. In Connecticut, however, expenses, of which trash removal was a large part, cut into commissions received from the machines. LITTER and VANDALISM were NOT judged to be significant, although California noted some increase in litter and Georgia had three machines vandalized at three welcome centers. The latter was attributed to poor siting for the vending machines at the welcome centers as opposed to the safety rest areas.

Two other areas of concern were noted by the states: 1) findings showed that the presence of vending machines caused an increase in length of stay at the rest areas, which might make their presence undesirable at high volume rest areas. 2) California noted that by allowing vending machines at safety rest areas, a precedent would be set that would make banning other commercial activities more difficult. The final recommendation of the FHWA report was that the program be continued for another two years and expanded to include more states before a final determination on the effectiveness of the vending machines at safety rest areas is made.

## STRIP MINING

WEAK ENFORCEMENT OF STRIP MINING LAW THREATENS SCENIC BEAUTY. The Surface Mining and Reclamation Act was signed into law in 1977 by President Carter. Its purpose was to halt the nationwide abuse of the land caused by strip mining. The Reagan Administration through its Department of the Interior under the direction of its Secretary James Watt, has undermined the purpose of the Act through poor administrative appointments and inaction. People have been appointed to direct the Federal program who previously had worked to overturn the Act. Field enforcement of the program by the Office of Surface Mining has been stopped and regulations have been undercut by suspending existing regulations and reissuing them in weaker form. For the first time the Surface Mining Act provides a legal requirement that national standards be complied with. It is now up to the citizens of this country and the members of the National Coalition to do every thing possible to prevent further legislative and administrative weakening of the strip mining law. Let your Senators and Congressmen know how you feel about a poorly enforced or weakened strip mining law that threatens to further desecrate national scenic beauty!

W\*A\*T\*E\*R

THERE IS A GROWING CONCERN NATIONALLY OVER WATER. The major areas of concern are water development projects, water policy and reauthorization of the Clean Water Act. Water development projects that are "pork-barrel" projects have been facing strong opposition in Congress and in the Courts--and rightly so. However, there are still a number of wasteful projects pending, of which the Tennessee-Tombigbee Waterway and the Garrison Diversion Unit are prime examples. Both are economically and environmentally unjustified. Cost sharing and cost recovery will be major issues concerning water policy in 1982. Presently taxpayers pay the entire bill for most water projects. If Federal subsidies were cut and beneficiaries of "pork barrel" projects were required to pay a share of the cost, fewer projects would be undertaken.

In 1982 the Clean Water Act must be reauthorized. The current administration and some industries are seeking delays in implementing the toxics program as well as a reduced Federal role in protecting water quality and relaxed treatment standards. The present program requires all industrial polluters to clean up their toxic wastes by 1984 by using the best available equipment they can afford, but the administration has delayed the program by calling for a review of its requirements. They have also delayed implementation of standards for toxics, which were scheduled for this year, for at least another year.

The wetlands are also under attack. Section 404 of the Clean Water Act is the main tool used for wetland protection, because it prohibits dredge-and-fill activities in navigable waters without a U.S. Army Corps of Engineers permit. Although it has not been difficult to obtain such a permit, most have been grants with conditions to minimize the impact on the wetlands. Many developers and others seeking permits for dredge-and-fill operations have objected to the permit process. Moreover, the Vice president's regulatory review team has targeted Section 404 for review and possible action.

Congressional action on reform of water development projects is likely to begin in the spring of 1982. Action on the Clean Water Act reauthorization and Wetlands projection is likely to begin in early 1982 and continue throughout most of the year. READ your newspapers. CALL your Congressman and Senator and ask his staff members what is happening. Be prepared to act if necessary and make your voice heard. The call for action will be swift so stay alert!

(Our thanks to the National Audubon Society for providing the update on strip mining and water and to Ross Netherton for the information on S.1548).

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NATIONAL COALITION TO PRESERVE SCENIC BEAUTY - PROGRESS REPORT

During its first year of operation the National Coalition published three newsletters, one brochure, conducted three workshops on the '65 Beautification Act, testified before Congressional committees on beautification and container deposit legislation and is now preparing for its annual meeting. Membership now includes 57 individuals and 24 state and national organizations, representing 26 states. We have acted as a clearing house for information from beautification advocates all over the country and enabled groups who, prior to the formation of the Coalition, had never worked together to communicate and exchange ideas. ON MARCH 27 we will hold our second ANNUAL MEETING at the COSMOS CLUB in WASHINGTON, D.C. We will discuss a future course of action for the Coalition, outline our program for the coming fiscal year, elect officers and new members of the Board of Directors. ALL MEMBERS ARE INVITED TO ATTEND. More information will be sent at the end of February, but MARK YOUR CALENDARS NOW.

IF YOU HAVEN'T RENEWED YOUR MEMBERSHIP, SEND YOUR CHECK WITH THE FORM BELOW. IF YOU'RE A PAID-UP MEMBER, GET SOMEONE ELSE TO JOIN. IF YOU'RE NOT YET A MEMBER, JOIN! WE NEED YOUR HELP!

DON'T FORGET  
NATIONAL COALITION ANNUAL MEETING MARCH 27, WASHINGTON

To: National Coalition, 44 E. Front St., Media, PA 19063

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Enclosed is my contribution for: (please check one)

Individual Dues: (\$25) \_\_\_\_\_ Local or State Group: (\$100) \_\_\_\_\_  
National Group: (\$250) \_\_\_\_\_ Additional Contribution: \$ \_\_\_\_\_

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