Billboard Ban Once Again Jeopardized in Congress

As we went to press, the ban on new billboard construction on scenic byways was once again in jeopardy.

HR 2274, the House bill to designate the National Highway System, included a provision, Section 325, that would repeal the ban. The bill was introduced by Rep. Tom Petri (R-WI), although blame for Section 325 can also be claimed by Rep. Bud Shuster (R-PA), long-time advocate of billboard blight.

HR 2274 passed the House by a 419-7 vote, despite significant controversy over a variety of safety rollbacks included in the bill, as well as the removal of the billboard ban.

Proponents of the billboard industry were unswayed by the dozens of local and state scenic byways groups or the 36 national environmental, preservation, planning, and government organizations which strongly oppose repealing the ban. The Clinton Administration also weighed in on the issue, strongly opposing the repeal and noting that the section "significantly undermin[es] the delicate balance reached on this issue in the ISTEA."

The Senate's version of the legislation did not include such a rollback and also differed from the House version on some other issues. As a result, representatives of the respective committees from the House and Senate must meet in a "conference committee" to iron out their differences. Scenic America is hopeful that the conference will realize the folly of allowing billboards on scenic byways.

Bringing New Life to the HBA

Senator James Jeffords (R-VT) punctuated the summer by introducing the Roadside Beautification Act, S. 1121, on Friday, August 4, the day before Congress recessed for the month.

S. 1121 is designed to reinvigorate the long-moribund Highway Beautification Act. It accomplishes three primary goals:

1) It closes the unzoned loophole, which has allowed thousands of new billboards to be erected each year in areas that are primarily rural and scenic in character.

2) It prohibits the cutting for billboard visibility of trees on the public right of way. This practice, allowed in 20 states, amounts to nothing more than a giveaway of public property and a senseless destruction of valuable environmental resources.

3) It requires the Federal Highway Administration to track not only illegal and nonconforming billboards on federal-aid highways, as it now does, but also legal billboards - a change that will give a much more accurate picture of the status of the program.

S. 1121 will be referred to the Committee on Environment and Public Works, chaired by billboard control advocate John Chafee (R-RI).

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FDA Regulations on Tobacco Ads a Good First Step

"Drive through Black or Hispanic neighborhoods in many cities and you're likely to see big billboards right next to homes and churches and across the street from schools and parks -- most of them advertising cigarettes or booze," wrote columnist Carol Rowan in 1987.

That's still true. But the picture could get just a bit better, if a new Clinton Administration initiative becomes federal policy.

On August 10, the Food and Drug Administration issued proposed regulations that would put a real crimp in tobacco advertising on billboards. The regs, unveiled by Administrator Dr. David Kessler, would prohibit tobacco ads on billboards within 1000 feet of schools and playgrounds and restrict such ads to the ironically named "tombstone" ads, black print on a white background. The net result: probably the end of legal tobacco advertising on billboards, which historically represents over 20% of all billboard advertising.

The regs would also accomplish a variety of other goals, including prohibiting tobacco ads in publications with high youth readership and requiring the tobacco industry to support financially an annual public relations campaign to deter the young from smoking. Tobacco control advocates have strongly applauded the Clinton Administration's move.

It's important that steps be taken to curb the prevalence of billboards advertising tobacco. Despite the billboard industry's much-ballyhooed claims that tobacco is no longer a major billboard user, the facts betray them. Tobacco manufacturers are the leading users of billboards, outpacing every other advertising category. In 1993, the last full year for which figures are available, eight of the top 10 billboard users were either tobacco or alcohol manufacturers. More troubling, in the first quarter of this year, tobacco manufacturers spent over 33% more on billboard advertising than in the same quarter last year.

The problem is especially acute in low-income, minority neighborhoods. In cities such as Baltimore, Atlanta, Detroit, New Orleans, Jersey City, and Chicago, surveys have clearly shown that these neighborhoods are littered with wildly disproportionate numbers of billboards -- for example, a survey found that 75% of the billboards in Baltimore were in black neighborhoods, although blacks make up only 55% of that city's population. What's more, in those neighborhoods, the vast majority of billboards advertise the legal drugs alcohol and tobacco.

The real concern, of course, is for children. Billboards are the primary way that the youngest members of our society see tobacco advertising; even for older kids, billboards are a significant factor in transmitting the message that tobacco is hip, desirable, acceptable.

But real billboard control cannot end with FDA regulations. Stricter regulation of billboard placement and better enforcement of existing laws are the real foundations of billboard control and the elimination of offensive advertising.

The first step is increased enforcement efforts. Several years ago, Scenic America surveyed all the billboards in Baltimore. We found over 1,000 illegal billboards erected without legal permits. A survey in Chicago found 1/3 of the billboards in that city's minority neighborhoods to be illegal. The picture is remarkably similar in many cities. The lesson is simple: the billboard industry either cannot or will not regulate itself, even at the baseline level of obeying the law. Communities can do themselves a real service simply by making sure their sign control laws are obeyed.

Second, communities should restrict or prohibit the construction of new billboards altogether. Residents frequently become irate when billboards advertising tobacco are placed near churches or schools or parks, and rightly so. But the fact is, billboards advertising cars or sneakers blight and degrade our communities just as those advertising tobacco do.

While a focus on billboard content may bear some fruit by eliminating some of the most offensive billboard advertising, it does not tackle the real issue: that our communities can and must be more, much more, than outsized versions of the Yellow Pages.

Marshall McLuhan said, "The medium is the message." The message from the billboard barons is loud and clear: We don't care about your communities, your economy, your values. We care only about our profitability.

We support the Clinton Administration proposal, just as we support those communities, like Baltimore and Cincinnati, that have already taken similar steps to end tobacco advertising on billboards.

But, as we fight to control the tobacco billboard blight on our communities, we will do well to remember Mr. McLuhan's words. Our communities can and should prohibit new billboard construction, because changing the message on the medium doesn't change the real message. Only reducing the prevalence of the medium can do that.
Many Western States Are Seizing the Byway Initiative

ISTEA's creation of a National Scenic Byways Program has proven a valuable spur to scenic conservation efforts around the nation. Over 42 states have either implemented or are in the process of developing a program, and many are lending more support to the protection and enhancement of scenic and other resources. A number of western states have seized this opportunity, and three of these demonstrate the positive benefits of the national program.

Wyoming's state program deserves commendation for the aggressive approach it has taken to raise awareness of scenic byways. This approach involves bringing together the various interests along proposed byways through TRANPLAN meetings. These public meetings are held to procure suggestions and comments and to gauge local opinion. The state byway committee in Wyoming recommended in May that a permanent program be implemented.

Currently, the state has an interim program which encompasses the designated byways of the Bureau of Land Management and the U.S. Forest Service, and also one state-designated scenic byway. The outcome of whether the program receives permanent status will be announced in October, 1995. The existing program requires that once adopted, a byway must have a corridor management plan completed. The progress the state has made within the bounds of their interim program has greatly facilitated the move into a permanent state scenic byways program.

Alaska is moving along in its program as well. Though the scenic byways program was established in 1993, it suffered a two-year delay. The program is currently in the process of implementation. The state has received a grant from ISTEA to develop a program for corridor management planning and is also planning to take advantage of the new National Scenic Byways Program by applying for All-American Road status for the Seward Highway. This route was also noted in Scenic America's 20 Most Important Scenic Byways List for 1995.

In Oregon, the state DOT produced a comprehensive yet simple user guide and pre-application procedure for their state scenic byway program. It provides the goals for the program and the specific steps that a sponsor or byway planning group needs to take if seeking designation. Using examples, definitions and practical information, it illustrates how to answer the questions required for consideration. This includes suggestions on how to prepare a “vision” statement, resource inventory and goals for the scenic byway project. Resources and contacts are also provided. The request for pre-application is to determine significance of the byway before a corridor management plan is undertaken, particularly since most requests for designation are local initiatives. Corridor Management Plans are required for scenic byway designation in Oregon.

In addition to the program guide, 21 regional meetings were given by the DOT to educate and inform Oregonians about the State and National Scenic Byways Programs and to assist individual corridor management plan efforts. Oregon has strict statewide billboard control, which it supplements by requiring local communities to prohibit new billboard construction as a condition of designation.

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FDA Makes Bold Moves to Restrict Tobacco Billboards

On August 10, the Food and Drug Administration unveiled proposed regulations to combat tobacco use by minors. Among many objectives, the proposed regulations would prohibit outdoor advertising of tobacco products within 1000 feet of schools and playgrounds and limit tobacco ads on outdoor boards to so-called "tombstone" advertising, which is black and white text with no pictures.

The practical result of such regulations would likely be the end of tobacco ads on billboards, since the ability of billboards to transmit a message - as opposed to an image - is very limited. Moreover, billboards depend on flashy colors and aggressive images to grab the attention of passersby; both of these components would be forbidden under the new regulations.

Billboards are a significant advertising medium for the tobacco industry simply because billboards are virtually the only advertising medium with no content restrictions. While other media either control themselves or are controlled by law, the billboard industry routinely advertises tobacco and alcohol in areas frequented by children. The industry even routinely violates its own Code of Industry Practices, which calls on member companies not to allow tobacco or alcohol ads within 500 feet of schools, playgrounds, and places of worship.

The public may comment on the proposed regulations until November 9, 1995. In situations like these, the public's commentary can play a significant role in the issue's ultimate resolution. Write to Dockets Management Branch (HFA-305), Docket Number 95N-0253J, Food and Drug Administration, Room 1-23, 12420 Parklawn Drive, Rockville, MD 20857.

For more information on any of these issues, please contact us.
Local Activists Score Critical Victories

Rhode Island

Ministerial Road will Maintain Scenic Qualities

It looks like Ministerial Road will get a facelift instead of the reconstructive surgery initially proposed by the Rhode Island Department of Transportation, thanks to the efforts of local residents.

The Ministerial Road Preservation Association, formed by local residents, has sought improvements to the Road that will protect its scenic character.

About six years ago, the DOT set out plans to widen and straighten this winding road, a state scenic byway lined with rhododendron and mountain laurel. Upset residents argued that while the road needed repaving, it already had a good safety record; widening and straightening it would serve only to drastically change the character of the community.

MRPA retained HOK, a design firm, to develop an alternative plan. This plan would both enhance safety and preserve the scenic byway’s rural character, which has charmed travelers since the 18th century. It seems the DOT will generally follow this rather than proceed with its initial plan based on AASHTO design standards, which failed to consider the road’s unique setting.

Because of the threat to the byway and the citizen initiative to preserve it, Scenic America named Ministerial Road as one of 1995’s Most Endangered Byways.

Although the South Kingstown, RI, Town Council initially went along with the DOT plan, MRPA convinced the council that it was harmful. MRPA also persuaded Senator John Chafee; he tied up federal funds for the project so the state DOT could not move forward with it until the town council approved a plan.

The DOT’s decision to use the alternative plan sets an important precedent for other scenic roads which are threatened by rigid design standards. In addition to promoting preservation of scenic byways, Ministerial Road demonstrates the importance using sensitive and site-specific design standards.

Michigan

Grand Rapids Limits Construction of New Billboards

A moratorium on new billboards in Grand Rapids has led to a ban on construction of new billboards in the city’s commercial zoning districts. New billboards can still be constructed in the city’s industrial zones, but must be spaced 1000 feet apart. The ban does not affect Grand Rapids’ 400-plus existing billboards.

The Planning Commission proposed the new construction ban, which had the support of the Neighborhood Business Alliance, the organization that requested the moratorium in October, 1994. Representing 17 neighborhood business districts in Grand Rapids, the NBA believed the city had enough billboards and that more would be harmful to local businesses.

Gannett Outdoor which owns 80 percent of Grand Rapids’ billboards, opposed the measure and used various tactics to convince citizens that the new billboard construction ban was a bad idea. In a letter to the city Planning Director, a Gannett executive claimed that “any changes made to the regulations carry potential affects (sic) on the employers and charities that depend on outdoor advertising.”

But the industry was heavily out-weighed. Other supporters of the new billboard construction ban included 27 of 30 neighborhood groups, the Michigan Street Business Association, the Grand Valley Chapter of the American Institute of Architects, local churches and schools, and conservation and environmental groups.
What is a heritage area?

Heritage areas are regions with a distinctive sense of place unified by large-scale resources: rivers, lakes or streams, canal systems, historic roads or trails, or railroads. They may include both rural and urban settlements. They are cohesive, dynamic environments where private ownership predominates, and will continue to predominate, but where change can be creatively guided to benefit both people and place.

Similar to scenic byways, heritage areas encourage both the protection of environmental, scenic, and cultural resources and sustainable development for tourism and other economic opportunities. They educate residents and visitors about community history, traditions, and the environment, and provide for outdoor recreation.

Heritage areas most often comprise more than one jurisdiction, with regional management that combines public and private sector leadership and engages grassroots enthusiasm for celebrating community assets.

Benefits of Heritage Areas

Benefits of heritage areas include:
- Preservation of historic and cultural resources, and reinforcement of the culture of the people who shaped the area's history;
- Conservation of natural and scenic resources;
- Economic development through tourism, promotion, rehabilitation of historic buildings and compatible new development;
- Education using the natural and cultural landscape and its people to tell an important story about the development of the nation, state and community;
- Outdoor recreation opportunities, particularly types that enhance the experience of the area or that link important resources;
- Partnerships characterized by governments, non-profit groups and the private sector, accomplishing together a local, grassroots agenda which could not be done separately.

Funding for Heritage Areas

Heritage areas are funded through a variety of sources. Federally designated heritage areas receive planning and technical assistance funds from Congress through individual appropriations. State heritage area programs in Pennsylvania, New York and other states provide grants for projects and planning. Other heritage areas receive funding from public grants and loans as well as private investment. Other sources of funding may include in-kind donations of goods and services and volunteer services.

How are heritage areas started?

Heritage areas are started by residents of a community or region who want to preserve their unique cultural landscape, traditions, and natural and historic resources. Heritage areas are planned and managed at the local level through public-private partnerships. Even if a heritage area becomes nationally designated, it is managed at the local level.

Designation of Heritage Areas

To date there is no national program established to designate heritage areas. The six national heritage areas recognized by Congress were designated on an individual basis. Other areas receive designation through state heritage programs or are designated regionally or locally.
Fact Sheet: Heritage Areas

Is there a national heritage areas program?

Not yet. In the 103rd Congress, H.R. 5044, The American Heritage Areas Partnerships Act, passed the House but died in the Senate. In the 104th Congress, H.R. 1280, The Technical Assistance Act of 1995, and H.R. 1301, The American Heritage Areas Partnerships Act, have been introduced in the House, and S.1110, The National Heritage Act of 1995, has been introduced in the Senate. A subcommittee of the House Resources Committee approved a revised version of H.R. 1280 in mid-September. The bill awaits action by the full Resources Committee. No schedule is set for Senate action as yet. Each of these bills would create a national designation program for heritage areas, authorizing annual funding for technical assistance. The purpose of the program would be “to recognize natural, historic, scenic, cultural and recreational resources and opportunities, which are geographically assembled and thematically related...” and to encourage both conservation of resources and economic opportunities to enhance the quality of life for residents.

Opportunities for Scenic Conservation

Heritage areas focus on preserving quality of life and community character. While recognizing the dynamism inherent in a community, heritage areas also seek to identify those special resources - scenic, historic, natural, cultural - that should be preserved. Tree planting, landscaping, on-premise sign policies, billboard control, open space planning - all of these issues affect community appearance and quality of life. Clearly heritage areas and scenic byways are two sides of the same coin. Both foster in communities an awareness of what makes them unique, and through both residents can turn that awareness into action which preserves that uniqueness. Scenic resource advocates should get involved in these efforts wherever possible because heritage areas present an exciting new opportunity to foster scenic conservation in our communities.

What can you do to learn more about heritage areas and where they are located?

Contact the National Coalition for Heritage Areas at 202 673-4204 or write to NCHA at P.O. Box 33011, Washington, D.C. 20033-0011. Also, encourage your Congressional members to support legislation to designate heritage areas and fund technical assistance (HR. 1280 and S. 1110)

- Write to your Congressional members:
  - The Honorable (name of Senator)
    United States Senate
    Washington, DC 20510
  - The Honorable (name of Representative)
    U.S. House of Representatives
    Washington, DC 20515

Thank you to the National Coalition for Heritage Areas for granting us permission to use its written materials in our production of this article.

Federally Designated Heritage Areas

The following six heritage areas have been recognized by Congress as National Heritage Corridors or Areas:

- Illinois & Michigan Canal National Heritage Corridor (NHC): The I&M Canal NHC is a 120-mile corridor from Chicago to La Salle, Illinois.
- Blackstone River Valley NHC: This 46-mile corridor along the Blackstone River from Worcester, Massachusetts to Providence, Rhode Island focuses on the area's importance as the birthplace of the American Industrial Revolution.
- Delaware and Lehigh Navigation Canal NHC: Running 150 miles through 5 counties in eastern Pennsylvania, this corridor focuses on its contribution to the nation's industrial growth.
- Southwestern Pennsylvania Heritage Preservation Commission: Also known as America's Industrial Heritage Project, the area encompasses a nine-county region and focuses on its contribution to the nation's industrial growth.
- Quinebaug and Shetuket Rivers Valley National Heritage Area: This is an area in eastern Connecticut of traditional upland farming and mill village communities and other sites associated with Native American, colonial and industrial history. The Scenic Norwich and Woodstock Turnpike (Route 169), named in 1993 as one of Scenic America's Ten Most Outstanding Scenic Byways, traverses this corridor.
- Cane River Creole National Heritage Area: This area of Louisiana assists in the preservation, interpretation and education of the Creole culture and diverse history of the Natchitoches region.
New Technical Bulletins Look at Byway Issues

Two new technical bulletins from Scenic America will give local scenic resource advocates and decision makers critical information on scenic byways.

The first focuses on the economic impacts of designating and protecting scenic roads. It includes sections on how scenic byways foster tourism, boost local economies, and improve quality of life. With a number of case examples, the bulletin demonstrates clearly the real-world benefits of protecting our scenic roads.

The second bulletin discusses "visual assessment techniques" for scenic byways, which are quite simply methods of identifying key views and vistas both of and from the road. These techniques are critical to efforts to protect scenic byways, since the foundation of preservation efforts is knowing what needs to be preserved. This bulletin was prepared for us by the landscape architecture firm of Jones and Jones.

Both these technical bulletins will be available soon and should sell quickly for just $5. Reserve your copies today.

Technical Bulletins: These eight page bulletins document the economic benefits of preserving community character and scenic and environmental resources. Technical bulletins are $5.00 each, any 3 for $10.00, or any 6 for $18.00. Please send me...

New Travel Guides Focus on Scenic Byways...

National Geographic's Guide to Scenic Highways and Byways

Published by The National Geographic Society, Book Division, Washington, D.C.

This recent publication is a handy paperback guide to over 200 scenic drives in 50 states throughout the nation. In its introduction, the authors reveal that "Happily, most of the old, slow-moving thoroughfares are still out there, weaving in and around the brash new ones." This beautifully illustrated guide suggests that all roads are different - each offering its own character and adventure. Highlighting the scenic diversity of our country, the guide can sit on the dashboard or be carried in a bag or backpack. It sends the traveler off with an itinerary of scenic vistas, sites, off-road escapades and wildlife information.

For planning a trip, this guide, organized by region, gives the traveler an easy and quick glance at some possible route alternatives. Each region depicted at the front of the book is the best way to locate an area of interest. However, the index is less useful if you don't already know the name of a particular drive, route number or place of interest. Each route description focuses on activities along a byway and its special scenic and unique features that make each trip a full experience. Maps, photos, directions and trivia for each scenic route make these narratives a good companion for the voyager.

Road Trip USA, The Road Traveler's Complete Guide to America's Best Scenic Drives

Published by Roundabout Publications, 2767 S. Parker Road, Suite 240, Aurora, Colorado 80014

In comparison, the Road Trip USA guide is a larger publication that covers scenic drives in 36 states. It covers National Forest Scenic Byways, Bureau of Land Management Back Country Roads and State Scenic Drives with an emphasis on outdoor recreation opportunities. Organized by state, the first section of the book has maps of the scenic routes, national parks or state recreation areas plus a recreation and attraction key. Each route is described indicating the travel season and other nearby scenic routes.

**Gala Banquet continued...**

Other gala highlights include presentation of Scenic America's annual Stafford Awards to individuals and organizations for outstanding scenic conservation work. Named in honor of U.S. Senator Robert Stafford of Vermont, this year’s awards will be introduced by Sen. Stafford's successor, Sen. James Jeffords.

To be held at the National Press Club in Washington, DC, the gala will also feature the unveiling of Scenic America’s 1996 list of “Most Important Scenic Byways.” These roads include those whose scenic, historic, cultural or recreational qualities are outstanding as well as those whose character is threatened.

The gala will commence with a reception at 6:00 PM. Dinner and the program will begin at 7:00 PM. Individual tickets are $65. Table sponsorships (8 seats) are $750 and include recognition in the program. For tickets or more information, please call Scenic America at (202) 833-4300, or write to: 21 Dupont Circle, NW, Washington, DC, 20036.

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**Scenic America Comings and Goings**

Scenic America said goodbye to Jenny Ryan in July. Jenny had been our Development Assistant since April, 1994. Jenny returned to graduate school this fall to pursue a Master's degree in Physical Therapy at Colorado State University in Fort Collins, Colorado. We miss her and wish her all the best in her studies.

Page Albrecht is our new Development Assistant, recently joining our staff. She has a Bachelor's degree in Communications from American University. She comes to us from Dance Exchange, a modern dance company here in Washington, DC, where she worked as a Development and Public Relations Assistant.

This summer we were joined by two very capable interns, Lauren Dziuban and Kirin Kalia. Lauren assisted Carol Truppi, Program Manager, and is currently a junior at American University. Kirin Kalia assisted Frank Vespe, Director of Policy, and is a junior at Bryn Mawr College. Both young women showed a great deal of initiative and took on much responsibility.

We are delighted to have Emma Jane Saxe working with us again compiling the 1996 list of Most Important Scenic Byways. Emma Jane has helped us on projects in the past including the 1995 list of Most Important Scenic Byways. The 1996 choices will be announced at our Gala Banquet on October 30, 1995.

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JOIN SCENIC AMERICA... YES, I WANT TO HELP SAVE OUR SCENERY!

Citizen Membership:  □ $20 □ $35 □ $50 □ $100 □ Other $________
Organizational Membership:  □ $50 Local or State Organization □ $100 Regional or National Organization

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Organization _____________________________________________________________
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City __________________________ State __________ Zip ____________