



TAKING THE LONG VIEW

A Proposal for Realizing America the Beautiful

2ND EDITION • JUNE 2017

*Scenic*America

The Beauty of America

“For over three centuries the beauty of America has sustained our spirit and has enlarged our vision. We must act now to protect this heritage.

“In a fruitful new partnership with the States and the cities the next decade should be a conservation milestone. We must make a massive effort to save the countryside and to establish — as a green legacy for tomorrow — more large and small parks, more seashores and open spaces than have been created during any other period in our national history.

“A new and substantial effort must be made to landscape highways to provide places of relaxation and recreation wherever our roads run.

“Within our cities imaginative programs are needed to landscape streets and to transform open areas into places of beauty and recreation.

“More ideas for a beautiful America will emerge from a White House Conference on Natural Beauty which I will soon call.”

From President Johnson's
State of the Union message to Congress

January 4, 1965



FROM THE PRESIDENT

Since becoming Scenic America President in April 2017, I have met and spoken with people from all over the country who care deeply about the scenic character of their communities and their country. I have been inspired by their stories of struggle, persistence and victories over the forces of blight which resulted in the beautification of their towns, roadways and common spaces.

I have been a lifelong advocate for America the Beautiful, my parents having instilled in me the importance both of our scenic environment and of public service. As an elected member of the Massachusetts House of Representatives for ten years I advocated for scenic initiatives such as context sensitive signage along the state's Turnpike. It is truly an honor and pleasure to now be at the helm of the nation's leading scenic conservation organization.

The vision for a more beautiful United States as described in *Taking the Long View* is both ambitious and achievable. Together we will grow the scenic conservation movement and realize our long term visions. We will experience opportunities and challenges along the way, to be sure. But with dedication, action and perseverance I have no doubt that we will make great progress towards reaching the goals put forth in this paper.

I would like to hear your thoughts and hopes for our organization and for America the Beautiful. I encourage you to reach out to me personally at 202.463.1295 or mark.falzone@scenic.org. I look forward to hearing from you and working together on our journey towards a more scenic America!



Sincerely yours,

A handwritten signature in black ink that reads "Mark Falzone".

Mark Falzone • President

June 2017



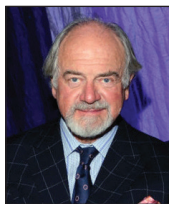
FROM THE CHAIRMAN

This white paper, entitled *Taking the Long View: A Proposal for Realizing America the Beautiful*, is designed to focus policy attention on the visual environment. It comes fifty years after the White House Conference on Natural Beauty, the last time that the federal government seriously addressed issues that affect the look and feel of our country. Although the proposals then were seen as visionary in their time, the recommendations that Scenic America shares today, learning from the experience of fifty years, are often bolder yet with a pragmatism that should sustain them.

Of course, there is some progress to report. There is much more concern about the built environment today; urban renewal is not demolishing whole sections of cities, there is a huge land trust and historic preservation movement, and legislation has been passed to support land acquisition and to regulate outdoor advertising, though the latter goal is consistently undermined by a powerful billboard industry. But if we just look around we can see that not everything is "coming up roses." In fact, the banality of our commercial strips and a massive increase in billboards continues apace. There is even a new menace that US DOT is allowing through a contested administrative ruling: have you noticed some six thousand glaring digital billboards along our taxpayer funded roadways, distracting motorists, causing accidents and disfiguring views? Land use has only been lightly regulated in many state plans, the look and feel of haphazard growth affects our vistas, and even the National Scenic Byway Program, 20 years strong, has been unfunded by Congress. Only a few states have effective land use laws to prevent sprawl or to insure that new development is sited in ways that don't despoil the rural landscape. All these conditions mean that the country is, in many ways, uglier than it has ever been. So more work needs to be done.

In writing this paper we have collaborated with a number of organizations that have the capability to advance parts of this agenda. Planners, preservationists, architects, landscape architects, park advocates, engineers, and garden clubs have all been involved in struggles to protect the visual environment. Scenic Hudson has recently helped negotiate an agreement so that a new corporate headquarters built behind the Palisades doesn't loom above the trees and puncture an otherwise unbroken natural vista. The National Trust is fighting to protect the view across the James River at Jamestown from the march of power utility stanchions proposed right in the river bed, and the Society for the Protection of New Hampshire Forests is battling against utility wires in the White Mountains, with a partial victory already achieved, the utility having agreed to put at least 90 miles out of 250 underground. Many cities and towns are using design review legislation to reduce garish corporate signs and banners.

So let's begin by sitting down together, and working through these issues and proposals. Then let us advance the ways that we can work together to achieve a long lasting America the Beautiful, which should be a source of orientation for our spiritual well-being in every neighborhood, rich and poor, and for our very identity as a nation and as a people.



Sincerely yours,

A handwritten signature in dark ink, appearing to read "Ron Lee Fleming". The signature is fluid and cursive, written over a light background.

Ronald Lee Fleming, FAICP • Chairman
April 2016

Executive Summary

The modern movement to preserve and enhance the visual character of this country was set in motion in 1965 by President and Lady Bird Johnson, Laurance S. Rockefeller and other visionaries who saw and sought to remedy a number of serious and mounting threats to America the Beautiful. That year's White House Conference on Natural Beauty and signing of the Highway Beautification Act should have marked the beginning of a new era in scenic conservation.

But fifty years later the threats to America's visual environment have never been greater, and we as citizens stand at a critical juncture in determining how our country looks. Do we want America, fifty years from now, to be full of homogenized landscapes, tarnished roadsides and unattractive communities? Or do we want to live in a country that values and honors its natural and built environments?

Scenic America believes that all Americans deserve to live, travel through, and visit places that are beautiful and unique. To that end we have assembled this document as a guide to realizing the goals of our visionary predecessors like the Johnsons and Rockefellers. The paper is divided into five topics with overarching challenges to scenic beauty in America, accompanied by bold but achievable solutions to those problems.

Placemaking: Preserving and Enhancing Community Character

The distinctive character and individual sense of place of many American communities is threatened by a variety of pressures, including poorly planned urban and suburban growth, misguided community leadership and powerful business forces, and the proliferation of massive chain businesses and their concomitant corporate franchise design.

Our proposed solutions include:

- Enacting legislation to expand the creation of local historic districts, local design review boards, scenic byway programs, and the acquisition of open space;
- Creating a Gateway Enhancement block grant program to encourage enhancement of the roadways that lead into our communities;
- Expanding the scope of historic districts to include viewshed lands and bordering areas.

Honoring Parks and Open Spaces

An increasing amount of evidence suggests that our country's parks, open spaces, forests, wilderness areas and greenways contribute greatly to the health and prosperity of the American public. But a lack of adequate and sustained public funding, disparate advocacy groups and increasing development pressures threaten existing parks and open spaces and imperil future additions to current assets.



Prospect Terrace Park overlooking
Providence, Rhode Island

Our proposed solutions include:

- Increasing funding for the Land and Water Conservation Fund, the creation of parks and the acquisition of open space;
- Establishing a national inventory of parks and open spaces to determine funding priorities for acquisitions and investment;
- Requiring that context-sensitive design be used for publicly funded projects in parks and open spaces.



[Scenic Byway 12 leading to Bryce Canyon National Park](#)

Celebrating Byways and Gateways

The “open road” is synonymous with modern America, and the most treasured of these roads have received state or federal recognition as Scenic Byways for their scenic, cultural, historic, recreational or archaeological value. Studies have proved that Scenic Byways are sources of pride and economic engines for the communities they traverse, yet funding for the federal program has been eliminated and the doorway for any new byway designations has been slammed

shut. Similarly, gateway roads leading to many of America’s iconic parks, monuments and communities are under increasing threat from visual blight which diminishes the overall traveler experience.

Our proposed solutions include:

- Reopening the doorway for new National Scenic Byway designations;
- Encouraging the formation of a national association of gateway communities to work collectively towards solutions to common gateway problems and issues;
- Creating “Gateway Impact Zones” in visually cluttered gateways approaching and adjacent to National Parks that would be eligible for grants to improve their scenic character.

Mitigating Visual Impacts of Overhead Wires

Overhead utility wires have a tremendous impact on the visual quality of our built environments due to their proximity to the streetscape and their sheer ubiquity. However, overhead wires, unlike billboards, provide the public with tangible benefits: we cannot do without the electricity and other vital services that these wires transmit. So the challenge is how to best limit the impacts of these necessary wires on our visual environments.

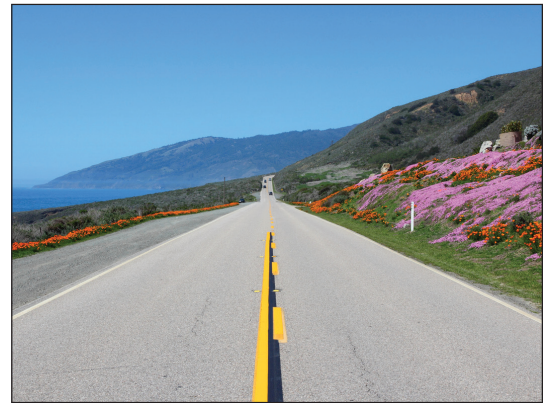
Our proposed solutions include:

- Making decisions about mitigating visual impacts of overhead wires on a case-by-case basis. In areas where undergrounding is not feasible efforts should be made to camouflage or otherwise minimize visual impacts of overhead wires;
- Requiring the undergrounding of utility wires in new development or when replacing aging roads, sidewalks and infrastructure;

- Identify opportunities for co-locating existing overhead wires with other utility improvements in existing rights-of-way.

Promoting Beautiful Highways

A substantial portion of the White House Conference on Natural Beauty was dedicated to determining how to protect the visual character of the roadsides of America's burgeoning highway system. It produced an early draft of the Highway Beautification Act with a stated purpose to protect the public investment in highways and to preserve the natural beauty of the landscapes they traverse. However commercial and private interests, particularly those of the outdoor advertising industry, continue to threaten our roadsides and undermine the goals of "Lady Bird's Law."



California's Pacific Coast Highway,
one of the nation's longest scenic highways

Our proposed solutions include:

- Enacting federal and state legislation to prohibit the destruction of public trees to increase billboard visibility;
- Compelling the Federal Highway Administration to adhere to the Congressional mandate of "customary use" for lighting, size and spacing of billboards;
- Restoring amortization as a legal option available to local and state governments for the purchase of billboards erected along HBA-regulated highways.

Within each section we have highlighted the economic and public health benefits of promoting scenic beauty. Achieving a long lasting America the Beautiful will improve the well-being and prosperity of our citizens, and Scenic America believes that within this white paper we have created a roadmap for reaching that goal.

About Scenic America

Scenic America, founded in 1982 as the Coalition to Preserve Scenic Beauty and renamed in 1989, is the only national nonprofit whose sole purpose is to safeguard the scenic qualities of America's roadways, countryside and communities. Based in Washington, D.C., the organization currently has forty-eight state and local affiliates and more than 40,000 members and supporters around the country.

Scenic America works to foster citizen engagement in scenic conservation issues by advocating for policies that encourage scenic beauty at the local, state and national levels by providing research and educational and technical assistance, and by assisting in the formation of affiliate organizations.

Scenic America's proud accomplishments include supporting the establishment of the National Scenic Byway Program, ensuring that the federal government and the states uphold the few effective provisions

of the Highway Beautification Act and helping to stop new billboard construction in more than 1,000 communities nationwide. It also conducts research supporting the protection of the country's scenic environment and works to educate tomorrow's leaders about the importance of scenic values.

Introduction

In his "Message on the Natural Beauty of Our Country" on February 8, 1965, President Lyndon B. Johnson proclaimed:

"We must not only protect the countryside and save it from destruction, we must restore what has been destroyed and salvage the beauty and charm of our cities. Our concern is not with nature alone, but with the total relation between man and the world around him. Its object is not just man's welfare, but the dignity of man's spirit."

The President concluded his message with a call for a White House Conference on Natural Beauty.^a Chaired by philanthropist and conservationist Laurance S. Rockefeller, the Conference was held in Washington on May 24 and 25, 1965. The resulting recommendations provided stimulation and support for a multitude of activities designed to improve the visual environment. The Governors of 35 states subsequently convened statewide natural beauty conferences. A wave of citizen action followed, dedicated to neighborhood improvement, protection of the countryside and expanded preservation of historic sites and areas, which, over time, has led to revitalized communities, increased economic activity and a fundamental appreciation of the value of our built and natural environments.

On October 22, 1965, Congress passed the Highway Beautification Act, a law championed by President and Lady Bird Johnson, who sought to protect the country's fast growing network of highways from roadside blight. "I want to make sure that the America we see from these major highways is a beautiful America," said President Johnson.

And yet fifty years later, America the Beautiful remains imperiled. A population that has nearly doubled since 1965 has put pressure on our country's natural resources, open spaces, communities and highways. The resulting sprawl and the infrastructure needed to support this growth has left indelible and unsightly marks on the American landscape.

Intrusive utility infrastructure such as telephone poles, overhead wires, and transmission lines are so omnipresent that many people no longer even notice them. Commercial roadside advertising, strip malls, and corporate logos have eroded the local character in many communities across America. Our great system of parks and open spaces is threatened by diminished funding and encroaching commercialism. The lobbyists for the \$7 billion billboard industry have convinced our elected public officials to gut the Highway Beautification Act; it now exists largely to protect their interests.

And so what are those of us who care about the future of America the Beautiful to do?

a Watch a 2015 interview with Henry L. Diamond, director of the 1965 White House Conference on Natural Beauty: https://www.youtube.com/watch?v=t4M95g_39qw

Our Vision for America the Beautiful

In recognition of these problems, Scenic America is recommending an actionable framework for the next half century of policy-making. This paper does not take on all of the topics that concerned the 850 participants in the conference fifty years ago, it focuses on a narrower range of topics with more specificity: Placemaking: Preserving and Enhancing Community Character, Honoring Parks and Open Spaces, Celebrating Byways and Gateways, Mitigating Visual Impacts of Overhead Wires and Promoting Beautiful Highways.

The protection of our country's scenic values should be seen, as it was 50 years ago, as a patriotic act. Successful implementation of these recommendations will impact the quality of the visual environment and improve both the economic vitality of our communities and the health of our citizens for years to come. This white paper also recognizes that tourism is a key component of our economy and critically dependent on preserving our country's scenic beauty and sense of place. For example, a recent survey by the Maine Tourism Association found scenic beauty to be the number one reason overnight visitors selected Maine as their destination¹.

Scenic values don't just affect where we choose to visit, but also where we choose to live. A recent study by the Knight Foundation called "Soul of the Community" found aesthetics to be one of the top three concerns of citizens in every city they surveyed². In a society with an increasingly mobile workforce, the way our communities look is more important than ever. If we fail to protect the beauty of our country, we put essential parts of our economy in jeopardy.

In many ways our visual environment can be seen as a metaphor for the health of the country. As the old saying goes: "What you see is what you get." When the built and natural environments are pleasing to the eye, they are usually functioning in ways that are sustainable, resilient and conducive to public health and safety and economic prosperity.

While Scenic America is the only national organization focused on the visual environment, we are grateful for the support and good work of allied organizations that share key aspects of our mission: better planning, quality architecture, sympathetic landscape design, historic preservation, contextual and compatible infrastructure and the protection of parks, open space and farm lands.

Scenic America is seeking to protect the value of the country's transportation infrastructure and the character of our communities that we, as a nation, have created with taxpayer dollars. We should not enable blight to deplete these public assets. Amending the current Highway Beautification Act, including reinstating a national amortization program, is essential to protect the scenic value of our country and its economic vitality. Taking dramatic charge of the visual environment can be a job creator and a property values sustainer. Studies have shown that higher visual standards result in higher assessed values³.

Investment in scenic preservation and enhancement should be seen as an integral part of our national and local policymaking. In the end, taking pride in our places will affirm our best instincts by integrating beauty into the lives of all Americans.

ISSUE ONE

Placemaking: Preserving and Enhancing Community Character

Introduction

Arguably one of the most positive and profound areas of change since the 1965 White House Conference on Natural Beauty has been in the appreciation and revitalization of our communities. In 1965, the Bronx was burning; urban renewal projects were removing whole historic areas of cities from the west end of Boston to Bunker Hill in Los Angeles; and federal highway projects were slashing through cities destroying neighborhoods, depressing central business districts, and cutting communities off from historic patterns and natural resources. The scale of destruction of centuries of civic investment and community character was horrendous.

As a result of growing awareness, new tools developed following the 1965 conference created profound change. The National Historic Preservation Act of 1966 (the Act) was the most far-reaching preservation legislation ever enacted in the United States, expanding the National Register of Historic Places to include, for the first time, historic properties and areas of local and statewide significance. The Act also authorized matching funds for surveys, preservation plans and acquisitions and established a watchdog federal agency, the Advisory Council on Historic Preservation. The National Register of Historic Places now lists nearly 2 million contributing historic resources⁴ and provided the basis for protections, funding and incentives.

In contrast to the large direct expenditures of public funds for demolition, the rebuilding of community character and revitalization of downtowns had to rely instead on private action and investment. Since 1976 the Federal Investment Tax Credit for Rehabilitation (the “Tax Act”) has stimulated nearly \$75 billion of private investment in historic buildings used for commercial purposes. State-level rehabilitation tax credit and property tax relief programs are now in place in over 35 states and innovative planning and zoning incentives such as Business Improvement Districts, Adaptive Reuse Ordinances, and form-based zoning are emerging community preservation tools⁵.

Protections, incentives, compatible new design and new downtown investment projects are all part of the equation for cities as diverse as Chicago, Nashville, New Bedford and Newburyport, Mass., and Seattle. Contemporary preservation and urban revitalization has taken shape by civic activists stopping and redi-



Unique shops and businesses in a century-old downtown district give Hudson, Ohio's Main Street a charming and inviting appeal.



The Presidio, San Francisco. Federal Legislation mandates that all Federal Agencies must inventory and nominate historic properties which has led to the creative reuse of a wide range of properties for public and private purposes. The Federal Government wanted to set an example in order to get industry and states and cities to act.

recting destructive projects; developers successfully completing Tax Act adaptive reuse projects; and city leaders working with residents and professionals to revitalize Main Street using the practices of “smart growth, new urbanism and townscape design⁶.” Additionally, every state and many communities have developed preservation plans that establish priorities for surveys and nominations⁷.

State legislation for planning can also play a major role in promoting community character. A number of

states provide tools to manage growth and development to localities, including Oregon, Washington and Florida. Others like Vermont, Maryland and Hawaii go further in setting guidelines for a host of issues including environmental management, growth and infrastructure allocation and plan review. With support from private foundations and the Department of Housing and Urban Development, the American Planning Association undertook a comprehensive review of state statutes and made comprehensive recommendations for model planning statutes. The body of work, *Growing Smart*, is available to guide state and local statutes to support community character. In 2000 a bill, The Community Character Act, was proposed in Congress to support the implementation of the ideas in *Growing Smart* through grants to update planning statutes and focused on community character, environmental sustainability and local economic development.

Americans should view their communities as man-made eco-systems where citizen participation is essential in working with public agencies, developers and corporations to protect the natural, cultural and historic resources of their respective communities.

Challenge

Unplanned urban and suburban growth has been allowed to undermine the distinctive character and individual sense of place of communities, resulting in what has become known as the phenomenon “Anyplace, USA.” Relying largely on voluntary systems of design guidelines, review and compliance has left large gaps in our ability to protect and improve community character.

Discussion

Ineffective or misguided community leadership and powerful business forces have too often allowed the destruction of community resources. Corporate franchise design, weak sign regulation and failures of civic design have degraded the gateways to, as well as the hearts of, our cities and towns. In and around most American communities we find the same ubiquitous fast food franchises, gas stations, motels, used car lots, blinking signs and vinyl banners.

In recent years a growing number of citizens, business leaders and public policy makers have recognized that the visual quality of our communities is critical to future investment, economic development, human health, livability and sustainability. Experience has shown that quality development cannot be achieved without some method of local government commitment, planning, and oversight or control to balance individual interests against the overall goals and welfare of the community. Unfortunately most communities do not have the resources to effectively support professional training for historic district commissions and design review boards. It is also difficult for communities to find qualified individuals to serve on these boards, often because of conflicts of interest.

Beyond increased and comprehensive regulation, a larger answer is in the rezoning of our towns and cities to allow more people to live on Main Street and in commercial centers in buildings of greater density and above existing retail. This phenomenon is taking place across the country. Millennials want to live in places with character, vibrancy and amenities including sidewalks, parks and hike and bike trails as well as artisanal food and farmer's markets. This is a potent trend that gives support to those caring about community character.



Civic boosters in Newport, Rhode Island are advocating for trees to line this key gateway road from the Pell Bridge to the town center.

Proposed solutions

1. Strengthen the National Main Street Center and create a national program to promote gateways that celebrate the story of the community: its history, natural setting, cultural identity, or local community spirit. This could be a block grant program through the Department of Commerce, the Department of Transportation, the Department of Housing or Urban Development.
2. Increase funding from the Land and Water Conservation Fund for both historic preservation and open space conservation. Priorities shall be given to projects which integrate both preservation of buildings and lands.
3. Expand enabling legislation to establish State Registers of Historic Places and to create local and regional historic districts, design review boards, scenic byway programs, and the acquisition of open space.
4. Encourage the planting of trees along key gateway roads into town centers. Support the greening of cities and towns as envisioned by the Arbor Day Foundation's Tree City USA program: <https://www.arborday.org/programs/treecityusa>.

5. Create state or local programs that reward municipalities for incorporating scenic beauty and the preservation of community character into their planning and regulatory processes. For example, see the Scenic City Certification program developed by Scenic Texas at <http://www.sceniccitycertification.org>.
6. At a bi-annual conference gather national civic leaders to promote and develop incentives to incorporate scenic and aesthetic standards in planning and zoning ordinances, applicable to architectural designs (including infill), signage, landscaping, streetscapes and maintenance of the public realm to ensure the protection and enhancement of community character.
7. Educate citizens on the visual environment, including middle school-age students using the ViewFinders program developed by the Dunn Foundation and Scenic America: <http://www.view-finders.org>.

Challenge

To harmonize corporate franchise design with the character of a community.

Discussion

Standardized corporate franchise design has become a leading factor in destroying community character by creating a homogeneous expression of America's roadsides, gateways and streetscapes. The use of corporate franchise branding threatens America the Beautiful, even where the tools of design review and historic district designation struggle to preserve unique places.

A few major brands like Starbucks have seen a marketing advantage in fostering an environment where people are attracted to facilities that have an individual character. Some places with a remarkable regional style have encouraged corporate change through design review legislation that encompasses gateway areas as well as the central core, such as Santa Fe, N.M., Santa Barbara, Calif., Waterford, Va., and Cooperstown, N.Y. — but there are precious few.

Design review has worked most effectively in towns with planning staffs and design review regulations that have been incrementally improved over time⁸. But many towns are intimidated by the threat of litigation and don't have the expertise or the resources to put up a fight even if they resent being "standardized."

Proposed solutions

These specific solutions are based on the economic rationale of protecting public investments in infrastructure. Such solutions can insure that surrounding areas retain their economic value and protect the public interest in highway safety. For example, granting a franchise preferential access to public rest stops must require a higher standard of visual design.



[This Starbucks blends into the historic facades of Charles Street in Boston.](#)

1. Provide federal and state DOTs increased design review jurisdiction for corporate facilities located on taxpayer supported road systems.
2. Create a national awards system for corporate franchise design that protects community character and public investment in highways. These could include awards from DOTs, National Trust for Historic Preservation, Scenic America, The American Institute of Architects and The American Society of Landscape Architects, among others.
3. Incentivize corporations to work with design professionals (APA, AIA, National Trust, for example) to perform “environmental reviews,” particularly when locating near historic and scenic areas.
4. Form a coalition of like-minded groups to request the U.S. Department of Transportation develop minimum guidelines for landscaping and signage in a locally designated overlay zone relating to federally subsidized highway systems. These guidelines may be upgraded by state or local standards.
5. Establish federal definitions, standards and criteria for Scenic Areas and Sites and provide protections and incentives for enhancement.

ISSUE TWO

Honoring Parks and Open Spaces

Challenge

Public funding to assure the protection of our country’s parks and open spaces is neither adequate nor sustained and public-private partnerships are too few to fill the gap.

Our country’s open spaces include parks and scenic areas, rural and urban forests, wilderness areas, and, increasingly, parks are being created from unexpected places: reclaimed brown fields, redeveloped industrial zones, and as integral elements of infrastructure projects. These open spaces provide active and passive recreation, scenic enjoyment, ecological protection, a sense of well-being, and local and national pride. The vital role of open spaces cannot be taken for granted.

As society urbanizes, pressure to develop drives up costs for acquiring land for open space, greenways and parks. Government funds for acquiring and maintaining federal, state and local land lag behind the opportunities while the public demand for parks and open space conservation is increasing. Federal funding for parks and open space acquisition through the Land and Water Conservation Fund (LWCF) was eliminated by congressional inaction in 2015, despite a history of effectiveness and successful leverage of private funding. Although leaders in the conservation community were able to secure a three-year extension of the fund in budget compromise legislation, the program has become a political football. Establishing adequate, sustained public funding and public-private partnerships can achieve the goals of open space and park creation, conservation, and the promotion of scenic beauty across the nation.

Discussion

Congress created the Land and Water Conservation Fund (“LWCF” or “Fund”) in 1965 in order to fund federal and state acquisition and conservation of large land areas for watersheds, scenic landscapes and public parks. The Fund is financed by special taxes, earmarked receipts, and royalties from offshore oil and gas revenues, capped at just under \$900 million annually.

The Fund maintains a large capital balance, but interest on the Fund reverts to the US Treasury instead of growing the Fund. It is administered by the United States Department of the Interior pursuant to project authorizations given by Congress. So even when there is money available in the Fund, projects only move when they are authorized by Congress. As a result of this, a backlog has developed of unmet needs nationally. A group of local and national conservation organizations, the Land and Water Conservation Fund Coalition, has assembled to inform the Congress about the unmet needs and about the success the Fund has achieved during the past 50 years.

While more than 4.5 million acres have been acquired and preserved as federal open space using the Fund, from the Golden Gate National Recreation Area in California to the Cape Cod National Seashore in Massachusetts, the LWCF Coalition estimates the future need for federal open space acquisition at \$30 billion. For the LCWF State Assistance Program (which supports state and local efforts) the estimated need exceeds \$27 billion and has been funded at only \$40 million per year since 1987⁹.

There continues to be a great need to acquire land for conservation purposes and for parks. Properties that should be acquired for one often are not the same as land for the other. Often, such properties can be designed to serve both purposes simultaneously. From the Crown of the Continent in Montana to the Roanoke River National Wildlife Refuge in North Carolina, the Fund has leveraged state appropriations and private donations to not only preserve scenic beauty, but to protect entire ecosystems.



Montana's Glacier National Park, the "Crown of the Continent".

The economic benefits associated with parks and open space are compelling. Partnerships among private citizens, state and local agencies, land trusts and non-profit organizations such as the Trust for Public Land, The Nature Conservancy, and the Rail to Trails Conservancy are invaluable in leveraging scarce government funding. In addition, there is a growing need for new parks to revitalize communities and to improve public health. Parks provide recreational opportunities that are healthy alternatives to sedentary lifestyles, and a recent study showed that green spaces help make children excel academically¹⁰.

According to the Trust for Public Land, one dollar invested in public lands generates four dollars in private investment and community economic activity¹¹. The National Park Service's recent consideration of

Katahdin Woods and Waters property in northern Maine as a national park cited other positive economic impacts of national parks in 16 counties in order to illustrate the scale and range of economic benefits¹².

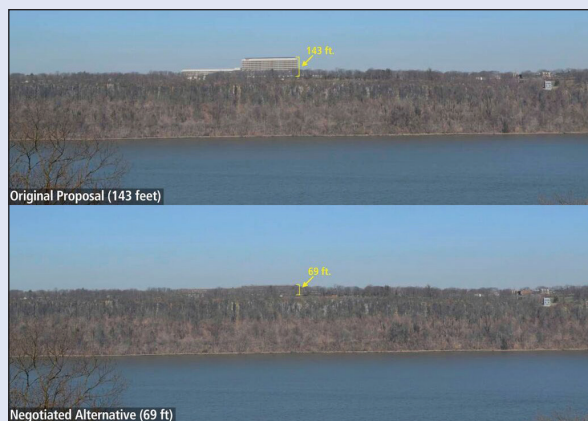
A growing number of States and communities are developing open space inventories to identify protected and unprotected resources in order to inform the conservation and acquisition of parks and open space and to establish funding resources for acquisition and maintenance. These inventories help all owners consider the importance of the property and the degree of protection and to develop funding priorities.

Pressure is mounting to use much of the remaining funds in the LWCF in lieu of appropriations to handle deferred maintenance costs at existing national parks. Citing this excuse, an opponent of federal land programs successfully allowed the law under which the LWCF was created to sunset on September 30, 2015. A bipartisan agreement to permanently authorize the Fund only resulted in a three year extension and with funding of only \$450 million for the next year. But all that this bipartisan coalition was able to achieve was a three year extension of LWCF and only funded at \$450 million for the next year. Action is needed to support the work of partners to protect the Fund and the legacy it protects by permanently reauthorizing the Fund and setting its cap higher with indexing for inflation.

Proposed solutions

1. Permanently reauthorize the Land and Water Conservation Fund, and direct that monies be spent on land acquisition projects for parks and open space.
2. Secure funding for the adequate maintenance of our national parks and significant conservation areas, without depleting funds dedicated to the Land and Water Conservation Fund.

The New Jersey Palisades



In what the New York Times hailed as “a triumph of activism, negotiation and cooperation,” Scenic Hudson, the New Jersey State Federation of Women’s Clubs, Natural Resources Defense Council and New York-New Jersey Trail Conference reached an agreement with LG Electronics to lower the height of the company’s new North American headquarters atop the New Jersey Palisades, protecting the majesty of this towering rock escarpment that stretches 20 miles northward from the George Washington Bridge along the Hudson River’s western shore. As originally proposed, the 143-foot structure would have stood nearly 70 feet above the Palisades’ treeline, spoiling

spectacular views of this National Natural Landmark from many popular parks and historic sites, including Wave Hill and the Cloisters in New York City. The redesign caps the building’s height at 69 feet — below the treeline — significantly minimizing its visual impacts. As the Times also noted, allowing LG to proceed with its initial plan “would have been a terrible precedent, an invitation to other developers to clutter the landscape along the river in the future.” Collaborative efforts continue to press for measures that will ensure permanent protection of the entire Palisades ridgeline.

3. Establish a National Inventory of Parks, Open Space and Scenic Areas, building upon existing inventories, standards and criteria. Involve professionals and volunteers with broad views on the environment and urbanization in the development of the inventory so that less traditional open space resources can be identified. Use the inventory to establish funding priorities for acquisitions and investment.

Challenge

To create a collaborative voice that promotes parks, open space, historic preservation and environmental protection as being integral to the development of great cities, towns and parks. The movement's strengths are in integrating community goals, encouraging public use and assuring sustainability. However, each allied organization has its own set of priorities, and scenic beauty is typically not at the top of the list. With the vision and goals for scenic beauty in America enjoying nearly universal support, the issues needs to be more visible in the educational and advocacy activities of everyone. Parks advocates, historic preservationists, land trusts, garden clubs, parks conservancies, and local Scenic America chapters all sprang from the same set of preservation principles, and need to work together to promote common goals and objectives, including scenic beauty.

Discussion

In looking at and learning from past successes in achieving great parks and open spaces, it is clear that supporting individuals and organizations must collaborate and make scenic beauty a priority.

The creators of Central Park, the first great American city park, were inspired by human desire and appreciation for the pastoral scenic ideal and sought to ensure that diverse visitors could pursue their interests simultaneously. Designed and promoted by Frederick Law Olmsted and Calvert Vaux, such scenic beauty was meant to provide a haven from New York's hectic pace. Central Park's 843 acres are divided into a myriad of smaller, interconnected places so that many thousands of visitors can fit comfortably into the park without interfering with the tranquility or recreation uses of others. The park consists of hundreds of carefully-considered, landscaped destinations that have been in continuous use for more than 150 years¹³.

The great scenic natural wonder of Niagara Falls was threatened by overdevelopment of hotels directly on the edge of the falls. People could not appreciate the beauty of the falls through all the commercial clutter. New York's first State Park was planned by Olmsted and Vaux in 1887 to save the popular and sensitive site while ensuring public access. Replacing kitsch and artifice, Olmsted and Vaux created a network of footpaths through wooded areas



The restoration of New York's Central Park became a symbol of the city's economic and civic revitalization. Over 42 million residents and visitors use the park annually.



Yosemite National Park illustrates the great scenic and ecological value of creating parks and conserving open space.

and along the Niagara River with appropriate sites for buildings and services.

Visitors were directed through “arrangements of walk, banks and plantings.” Today, Niagara Falls State Park reflects Olmsted’s and Scenic America’s approach: protect scenic areas and encourage public visitation while strategically discouraging “unconscious destructive practices” through scenic landscape design.

John Muir was one of the first, but certainly not the only person to see the great scenic beauty of the Yosemite Val-

ley and understand the need to preserve that beauty as a national treasure. It became one of our first and greatest National Parks. Today we better understand how important it is ecologically, but originally, it was preserved due to its scenic beauty.

San Francisco Beautiful (SFB) grew from a local garden club movement. Inspired by the city’s heritage as part of the twentieth century City Beautiful movement, SFB kept the city from replacing the Cable Cars with buses and fought for the creation of the Golden Gate National Recreation Area. Scenic Hudson initially was created in order to prevent the destruction of the Palisades viewshed by the proposed Storm King project. Now the organization plays a central role in stewardship of scenic beauty and cultural tourism in the broader area of the Hudson Valley. Scenic Texas is working to help cities embrace scenic beauty in their planning functions using recognition through the Scenic City Certification Program.

The 1965 White House Conference on Natural Beauty advanced goals to increase and steward parks through an aggressive vision of pluralistic and sustainable scenic parks and open spaces nationwide. Today, the Conference’s vision is increasingly being heeded and implemented as communities restore their important park heritage and recognize that potential parkland exists in unexpected places: from building freeway cap parks to redeveloping parking lots and former industrial zones to reclaim valuable public space.

Many communities are also beginning to realize the value inherent in their waterways and waterfronts, in surplus government land and rail lines, and even in garbage dumps. These projects range widely:

Freshkills Park on Staten Island, a 2000-acre park being created on reclaimed landfill; the Denver High Line Canal, a 60-mile recreation trail aligned with the irrigation waterway; the 51-mile conversion of the Los Angeles River from a concrete flood-control channel and urban wasteland to an urban greenway; and a 150-mile hike and bike trail along Houston’s bayou system that is primarily used for flood control. These transformative projects are distinct and scenic — they are appropriate to their



The Los Angeles River is being reclaimed as a recreational greenway after decades as a 51-mile flood control channel and urban wasteland.

The Benefits of Parks

BY ADRIAN BENEPE

Senior Vice President and Director of City Park Development • The Trust for Public Land

Today, with over 80 percent of Americans living in urban areas, a number that is increasing as people continue to move from rural areas to cities, parks are more important than ever to American life. Fortunately, those people moving to cities have benefited from an urban park revival and expansion not seen since the park building boom of the 1930s that was funded by the federal government's Depression-era WPA and PWA programs. We are now in a "golden age" of city park development.

This increase in parks has been fueled by more public investment, especially at the local level, along with a number of public-private partnerships. Creative city planners are building parks, greenways, and gardens from former industrial brownfields, abandoned railroad lines, and defunct maritime areas along rivers and waterfronts.

The investment in parks is driven by a new appreciation of the many benefits of parks. They provide crucial access to exercise and fitness, improving mental and physical health. They play vital roles in improving the environment by cleaning the air and water, absorbing runoff from storms, reducing urban heat islands, and mitigating the effects of climate change. In addition, major studies have shown how parks enhance neighborhoods and improve real estate values. And topping all the benefits is the intangible addition of beauty to urban residents' lives.

But the many benefits of parks are often provided in an uneven fashion. The Trust for Public Land's ParkScore™ assessment of America's 75 largest cities show that almost 30 percent of urban residents don't have a park or playground within a 10-minute walk. As work continues on a full assessment of the 10-minute walk factor for all American city dwellers, it is estimated that 35 percent — or 113 million people — do not have a park within a 10-minute walk.

Additionally, while a statistical assessment of the quality of urban parks would be difficult and expensive to complete, there is widespread anecdotal evidence that poor residents are more likely to have lower quality parks than wealthy ones, and lower-income neighborhoods are more likely to have fewer trees to provide healthier environments.

Making sure that all Americans have equitable access to nearby, high-quality parks is an imperative. There are several actions which can help achieve that goal.

First, Congress must make sure that last year's temporary reauthorization of the Land and Water Conservation Fund, which helps fund urban parks, is made permanent, and it gets its full \$900 million a year, with much more set aside for urban parks. Secondly, the federal government should complete the PADUS inventory of protected public space (aided by The Trust for Public Land's effort to map all the parks in all the urban areas). And third, public park land — rural and urban, federal, state and local — must be protected from being sold off or exploited for commercial uses, and the federal government must resist efforts by states to take lands held in the public trust for commercial uses, just as cities should not view parks as "undeveloped" space waiting for inappropriate additions.

These goals are ambitious, and achieving them will require national and local non-profit park, environmental, and conservation organizations working with Scenic America and property owners in education and advocacy campaigns. Together, they should enlist elected officials and civic leaders in the crucial work of protecting, expanding, maintaining, and enhancing our irreplaceable public parks and lands.

physical context, sites are provided for activities that will attract diverse users and well-designed scenic roads, walkways and paths guide visitors and connect them with surrounding neighborhoods.

Many communities are moving from the goal of creating a single park or park system to creating holistic growth strategies that link the development of new homes to improving existing cities and towns — by investing in parks, bike lanes, sidewalks, public transit and other amenities and encouraging the right development in the right places. These communities are growing in sustainable, economic ways with a range of housing types, affordable across the income spectrum, with parks and greenways to commute, to walk, ride bikes and use public transit. The San Francisco area Greenbelt Alliance has effectively integrated the creation and protection of parks and opens space with smart growth across the Bay area’s 3.6 million-acre greenbelt of natural and agricultural lands while ensuring everyone can live in thriving neighborhoods¹⁴.

Proposed solutions

1. Environmental and conservation organizations should collaborate to support each other’s efforts, as well as to prioritize scenic beauty within each organization’s goals and action agendas.
2. Environmental and conservation organizations should promote public awareness and grassroots support for parks and open space through all forms of public outreach, and work to pass planning initiatives and zoning reforms that preserve and expand parks and open space.
3. Environmental and conservation organizations should educate the public about the value of scenic beauty and the role of scenic beauty movements in conservation, economic development and healthy communities.

Challenge

Parks and open space, particularly in rural areas, are often the target of intrusive and destructive uses, such as natural resource extraction, pipelines, utility transmission corridors, and associated access roads. We must protect open spaces and parkland from condemnation for uses that harm or destroy scenic values and critical resources. We must also ensure that unavoidable extraction and infrastructure projects in open spaces and parkland will be professionally planned in such a way that harmful impacts are minimized and mitigated through restorative and enhancement measures that result in net-positive outcomes.

Discussion

For some time, America has been in great need of energy options. Part of the solution has been at the expense of public lands used for the extraction of natural resources such as oil and gas, and the networks of supporting infrastructure associated with such enterprises. Unfortunately, many of these efforts have been hastily planned without sufficient consideration of the long-term harmful effects or of sufficiently robust ways to minimize and mitigate impacts.

There is a positive model that has been in effect at the federal level for just under 50 years — namely, Section 4(f) of the U.S. DOT Act of 1966, which prohibits the use of parkland, open space, recreational land, and historic areas for federally funded transportation projects without a rigorous demonstration that there is “no feasible or prudent alternative” to the use of such land. In those cases where it has been

possible to demonstrate that no such alternative exists, the mitigation requirements have been substantive, typically resulting in net benefits through replacement acquisitions or enhancements that far exceed impacts to directly affected areas. This legislation, which was challenged and tested early and often in the courts, has become the “gold standard” for protection of parks and open space. It should be extended to all actions affecting parks and open space.

At this time there are few regulations, professional practice standards, or incentives to ensure projects will enhance rather than detract from the scenic character of their communities.

There are successful examples of compatible scenic design and infrastructure development which incorporate and create parks and open space such as New York City’s Riverside Park and Riverside Drive¹⁵, the Taconic Parkway in New York, the Portland, Oregon Light Rail Service, and the Los Angeles Metro Gold and Exposition Lines. All have scenic open space and parkland as integral to their design as they sensitively traverse diverse urban areas. Incorporating scenic standards and regulations as part of project environmental requirements will contribute to the protection and enhancement of open space and scenic values.

Proposed solutions

1. Place constraints on federal and state government’s ability to utilize or permit the use of land that is preserved as open space or parkland. The approach used should be modeled after Section 4(f) of the U.S. DOT Act of 1966 because of its success in effectively accomplishing these purposes for federally-funded transportation projects.
2. As a part of infrastructure development and improvements, local governments should create parks, scenic areas and people-oriented compatible uses.
3. Context-sensitive design should be used as the norm for publicly funded capital projects in open space and parks.

Challenge

Scenic greenways have demonstrated the civic, social and economic value of providing accessible parks and pathways in and around communities. Greenways incorporate open space, and connect parks with other community infrastructure and amenities. The need for greenway acquisition and development will increase as communities combine parks, trails, and transit with complementary commercial and residential development. Well-designed and -managed public parks and greenways are among the very few places where people of every class, race, and income come together; they play a vital role as social mixing places for an ever-increasing population and diversity of people.



The development of scenic parks and view corridors as part of infrastructure development has created some of America’s most beloved open spaces and roads, such as Henry Hudson Parkway, Riverside Drive and Riverside Park on Manhattan’s Upper West Side.

Discussion

Historic scenic park systems and greenways such as those in Buffalo (Martin L. King, Jr. Park), Milwaukee (Lake Park), and Louisville (Cherokee Park) consist of entire systems of parks and interconnecting parkways that link neighborhoods to green spaces. These scenic jewels of urban landscape humanize and tie together large continuous areas of settlement, recreation and passive enjoyment.

Contemporary examples of such large scale scenic greenways include the Atlanta Beltline, the High Line in New York City, Cherry Creek in Denver, Katy Trail in Dallas, and City Branch Rail Park, the proposed reuse of an abandoned freight-line in Philadelphia. Each of these new scenic greenways integrates multiple uses and diverse populations.

Greenways are by their nature multi-functional, preserving open space and existing wildlife corridors while sensitively integrating other activities. Greenways serve as corridors for running, walking, hiking and biking around communities, and also connect important cultural, historic and civic sites. They might even be primarily designed for utility infrastructure, flood control or transportation purposes.

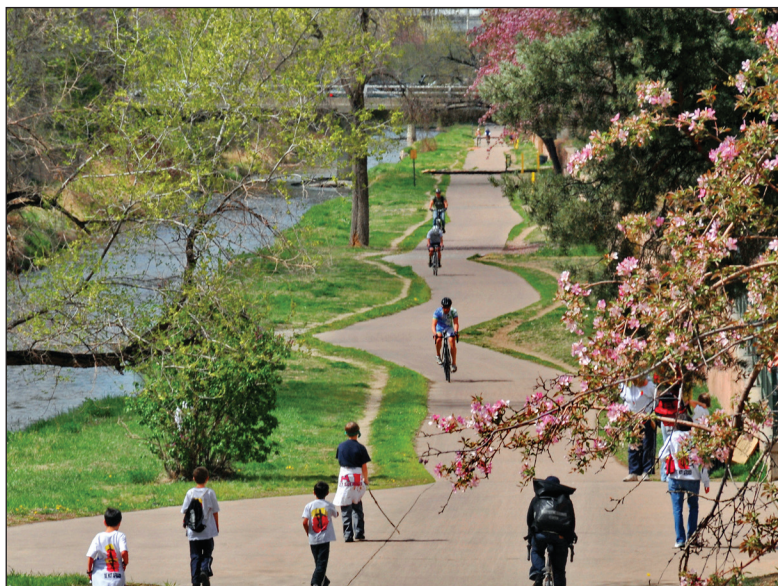
Greenways enhance community values and the economic value of neighboring property. Studies of the value of parks and greenways confirm meaningful economic benefits such as increases in contiguous property values¹⁶ along with other economic impacts of job creation and employment, tax revenue and new business development.

Proposed solutions

1. Environmental and conservation organizations should promote a National Greenway system compatible with and connected to state and local greenways.



Visitors walking along the High Line aerial greenway in New York City.



Scenic Greenways play a vital role as social mixing places and connect important civic, economic and community sites: Bikers and pedestrians enjoy Cherry Creek Trail in Denver.

2. Organizations like the Urban Land Institute and the National League of Cities should assist city planners and park advocates with tools for scenic greenway development — including financing mechanisms, landscape and public use design standards, models for public-private partnerships, and ballot measures.
3. Local governments should develop incentives and investment tools to promote greenways and parks as an urban development tool, ensuring that scenic principles of location, design and diverse public use are integral.

ISSUE THREE

Celebrating America's Byways and Gateways

Challenge

America's tradition of designating and preserving scenic byways is in serious jeopardy. The National Scenic Byways Program (NSBP) was established by Congress in 1991 to recognize and protect historic, archeological, recreational, natural, scenic and culturally important roads, and to promote tourism and economic development.

Unfortunately, in 2012, Congress repealed funding for the NSBP. Support for a vibrant America's Byways Resource Center, as well as a modest budget for a NSBP grant program, evaporated overnight. While some states and localities continue to support scenic byways, others have not. The burdens on the grassroots groups that try to maintain these byways can be overwhelming, physically and financially. While their commitment as stewards of these byways may remain high, many of these groups are nonprofits with very limited resources.

The very nature of how most byways are established — working through grassroots efforts to spur community awareness, interest and action — can also be their greatest challenge. Traditional mechanisms for public funding and management of projects are typically designed to be implemented by local and state governments. Yet, local and state governments are not often the ones that initiated the byway designation. Non-governmental organizations frequently took the lead role as byway sponsors when initiating and developing the byway and planning for its success. However, each sponsor is also required to sustain a management organization and implement strategies to ensure continuation of the intrinsic qualities of its byway, often with limited knowledge and experience in just how to do this.



Cohutta-Chattahoochee Scenic Byway runs through Fort Mountain state park in northwest Georgia.

The National Scenic Byway Foundation — a dedicated group of volunteers — has struggled to keep a national scenic byways organization alive, but its resources are insufficient to sustain the vision of protecting scenic byways for posterity on a national scale. Without any federal presence, the ability to preserve existing corridors or identify new ones worthy of protection is seriously impaired.

Discussion

The America's Byways® collection consists of 150 byways in 46 states, and encompasses more than 25,000 miles of nationally recognized roads, augmented by thousands of miles of state-designated byways. This represents a tiny fraction of the 4 million miles of highways and roads in the United States.

Byways provide access to the scenic “viewsheds” of America the Beautiful for our citizens and visitors, and they do much more in preserving windows to our historic, cultural and natural heritage. Byways range in character from the inspiring Blue Ridge Parkway in North Carolina and Virginia to the glitziness of the Las Vegas Strip; from the Lincoln Highway in Illinois to the Selma-to-Montgomery March Byway in Alabama, and from California's Big Sur to the Acadia Byway in Maine. Byways tell stories about people and places, and empower local communities to preserve, protect, promote and enhance their unique attributes. Many byways serve as gateways to state and national parks, forests and other public lands. They are holdouts in the relentless homogenization of the American landscape.

Whether the story is about coastal wilds, a prehistoric natural habitat's landscape and geology, the westward migration of settlers, the history of Native peoples, or bird habitats and flyways, the message remains the same: once these pristine viewsheds, cultural areas, or natural gems are compromised, they can never be made whole again.



Scenic Byway 12, an All-American Road in Utah.

The economic benefits of scenic byways are tremendous. Numerous studies, including those of byways located in California, Colorado, Maine, Maryland, Minnesota, Montana, New York, Oklahoma, Pennsylvania and Virginia¹⁷, have documented the benefits to businesses and local economies stimulated by visitors to byways.

A 2013 study of Utah's Scenic Byway 12 (“A Journey Through Time Scenic Byway”) estimated \$12.75 million in annual economic activity in the communities it traverses¹⁸. A 2010 survey of the Paul Bunyan Scenic

Byway in rural northern Minnesota determined that visitors expended \$21.6 million while traveling on the byway¹⁹.

In a 2014 National Scenic Byway Foundation²⁰ survey, state transportation agencies reported that approximately 60 state scenic byways in nearly 30 states are prepared to seek designation as a National Scenic Byway or All-American Road®. Yet, in light of budgetary constraints, the Federal Highway Administration has announced that it will not initiate any such designations for the foreseeable future.

Proposed solutions

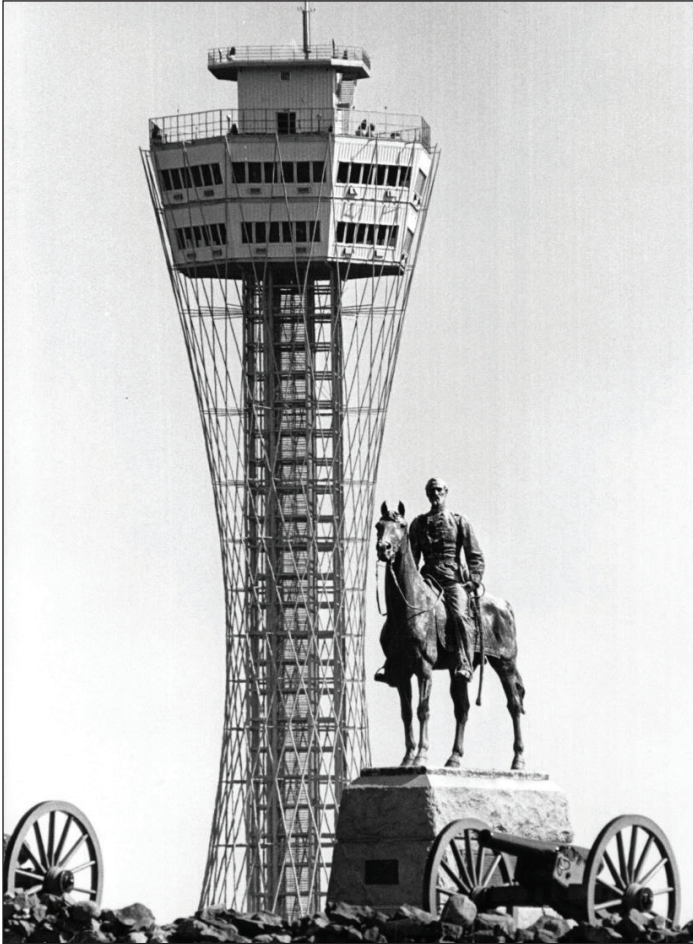
1. Restore sufficient funding within FHWA to resume the application and designation process for new National Scenic Byways.
2. Restore a level of National Scenic Byways Program federal funding sufficient to induce matching contributions from a variety of public and private sources. These funds would provide the incentive for stakeholders, such as the non-profit National Scenic Byway Foundation, as well as State, local and private sector partners, to reinvigorate their partnerships by raising the required matching funds to improve the quality of scenic byways, enhance the visitor experience, and sustain National Scenic Byways over the long run.
3. Encourage the U.S. Department of Transportation and the National Scenic Byway Foundation, in collaboration with State, Indian tribe, and local volunteer byway organizations, to provide the technical assistance needed so that each and every byway can meet applicable standards for designation and management on a continuing basis.

Challenge

National parks are treasured by Americans as well as travelers from around the world. Unfortunately, the desecration of gateway corridors and communities approaching and adjacent to many of our most cherished national parks seriously diminishes the experience of visitors, and often jeopardizes the fragile ecology of the park itself. With few restraints regarding planning, zoning, vehicular access, cell towers, utility lines or garish signage, some of the worst examples of unabated strip commercial development have emerged at the doorsteps of a number of our national parks.

This degradation of gateway corridors and communities results not only in jarring and incongruous visual intrusions, but in serious traffic congestion and safety problems for vehicles, pedestrians and cyclists, not to mention the impacts on local flora and fauna.

Property rights governing private lands are jealously guarded by land owners and local governments — and this is not likely to change. The challenge is to halt, and indeed, wherever possible, undo the degradation of gateway corridors and communities by engaging with local governments, residents and the business community to demonstrate that neither the quality of their lives nor the long-term economic vitality of their region is well-served by unmitigated exploitation of their nearby national park and its visitors.



The former Gettysburg National Tower.

Discussion

A classic example of degradation in a gateway community was a 307-foot, privately owned observation tower that intruded upon the Gettysburg National Military Park for more than a quarter of a century (1974 – 2000) before sufficient outrage among preservationists and others resulted in its forced removal through eminent domain.

In their 1997 volume *Balancing Nature and Commerce in Gateway Communities*²¹, authors Jim Howe, Edward T. McMahon and Luther Propst state their premise in clear and succinct terms: “...if there is one theme underlying this book, it’s that preserving what’s special about America’s communities and landscapes doesn’t have to jeopardize local economic well-being.” They add that “...study after study shows that communities that preserve their character and natural values consistently outperform the economies of those that don’t.”

There are numerous examples where residents, business interests, and elected leaders in gate-

way corridors and communities have succeeded in preserving and restoring the attractive qualities and characteristics that harmonize with rather than detract from the nearby national park²². These include

Estes Park and Grand Lake, Colorado (Rocky Mountain National Park); Red Lodge, Montana (Yellowstone National Park); Jackson, Wyoming (Grand Teton National Park); Mount Desert Island, Maine (Acadia National Park); and communities adjacent to Harpers Ferry National Historic Park in West Virginia, to name just a few. In contrast with Pigeon Forge, Tennessee, nearby Gatlinburg, once a poster child for unseemly exploitation of a national park gateway, is on its way through committed local leadership to restoring the unique character that existed before its era of strip-developed, land use clutter.



A waterfront park in Bar Harbor, Maine, a key gateway to Acadia National Park.

Other communities around the country – large and small – have accomplished similar goals. None of these examples have achieved perfection. It is almost always possible to identify “outliers” that serve to remind others of the never-ending need to apply all available preservation tools. And, it turns out, there is an abundance of tools ranging from voluntary compliance by way of example or pressure from neighbors, peers, customers and enlightened competitors, to prescriptive local regulations, such as scenic overlay zones. These zones, which supplement underlying zoning to preserve or enhance outstanding views defining a visual standard, are approved by a majority of property owners in a defined district, and are another method of leveraging change. (One such example is an ordinance in Great Neck, N.Y.). This approach builds in adequate due process by affording property owners the option of finding support for an alternative if they can muster the votes, while providing the local jurisdiction with the prerogative for action.



Gateway to Grand Teton National Park, Wyoming.

Invariably, the “positive” examples of national park gateway corridors and communities arise when there is a combination of factors in play, such as passionate and astute leadership, collaboration among affected stakeholders, and a shared vision. Equally important is voluntary compliance, when legislated restrictions or regulatory approaches are not politically viable.

Where the political will does exist, effective local planning and zoning (including guidance and restrictions affecting commercial signs, cell towers, utility lines, architectural treatments, and vulnerable environmental resources) can be applied.

As reflected in *Balancing Nature and Commerce in Gateway Communities*, the toolkit available to preserve and enhance the aesthetic character of national park gateway corridors and communities is rich and varied. There is no shortage of obvious, creative solutions available to the public sector as well as to private interests. The question is not so much “what are the tools?” since the precise mix of effective measures will vary based upon local context. The question is how to foster the climate and circumstances under which the toolkit will be “opened” so that the appropriate combination of activities and actions might be advanced.

There is much that can be accomplished through education, encouragement, and sheer energy. That is what underlies the following recommended solutions.

Proposed solutions

1. Encourage the formation of a national association of gateway communities to build a comparative consciousness of problems and issues, and a lobby for supporting impact funds from state and national government.

2. Create “Gateway Impact Zones” in visually cluttered gateway corridors approaching and adjacent to National Parks that would be eligible for grants to cover the costs of sign removal, consistent landscape treatments, orientation and interpretative markers and signs, and façade improvements through the purchase of easements.
3. Strengthen the capability and effectiveness of National Park Service superintendents in reaching out to local communities to build relationships, explore cooperative ways to preserve and enhance the aesthetic and local character of the area, and seek assistance from community and park-related foundations.
4. Encourage public land organizations such as the Sonoran Institute and the Conservation Fund to continue to find examples of effective mechanisms for regulating and enhancing private access to public lands adjacent to nationally protected lands, and spread the knowledge by updating the 1997 volume, *Balancing Nature and Commerce in Gateway Communities*.
5. Encourage the National Parks Conservation Association to focus on the issues of gateways and by-ways through local assistance and support, and through an awards program led by its national office and coordinated through its field offices, working with national park superintendents and adjacent communities.

ISSUE FOUR

Mitigating Visual Impacts of Overhead Wires

More than 180 million miles of electrical, telephone and cable lines are strung over streets all across the country, according to a report by the nonprofit advocacy group Underground 2020²³. One could reasonably argue that overhead utility wires have an even bigger impact on the visual quality of our built environments than billboards, due to their sheer ubiquity. However, overhead wires, unlike billboards, provide the public with tangible benefits: we cannot do without the electricity and other vital services that these wires transmit. So the challenge is how to best limit the impacts of these necessary wires on our visual environments.

Challenge

To gain acceptance of proven best practices for mitigating the visual impacts of overhead wires on a case-specific basis and to find funding solutions for accomplishing each.

Discussion

Undergrounding

From a purely aesthetic perspective it would be preferable to have all wires underground and out of sight.

“Confronted with the unsightly clutter of poles, wires and other hardware, undergrounding immediately comes to mind as the solution,” said Hugh Rice Kelly, a former attorney for Houston Lighting & Power Co. and its successor CenterPoint Energy for 28 years, and more recently a board member of Scenic Hous-

ton. “And while it is certainly true that undergrounding works as a technical matter, as it does in many downtowns in this country and others, there is the very real issue of the costs to underground. There is the additional fact that underground wires do indeed get damaged and when they do the costs to repair them are far greater than for those above ground.”

Studies have generally found that the undergrounding of existing overhead wires on a mass scale is simply not feasible,

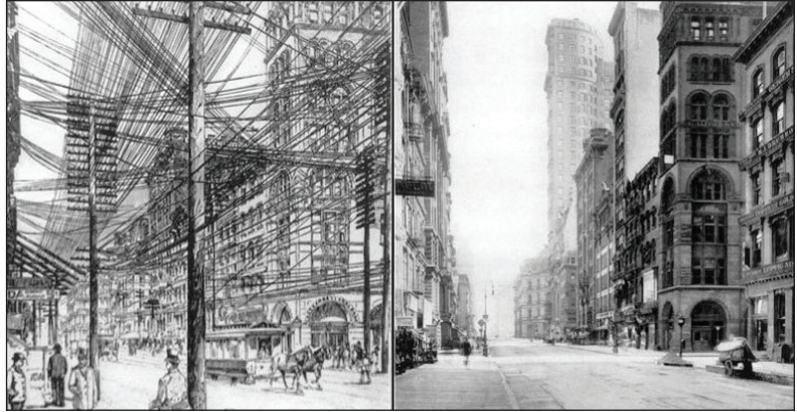
primarily due to cost. In 2003 the North Carolina Public Staff and Utilities Commission estimated that to underground all distribution lines in the state would cost roughly \$41 billion and require approximately 25 years to complete²⁴. The report also determined that the cost of publicly financing such a project would result in an increase of more than 125% of an average residential customer’s monthly electric bill.

More recently, Florida prepared a similar report that included undergrounding transmission lines as well as distribution lines and found that a statewide effort would cost around \$51.8 billion. The report also notes that although underground utilities are twice as reliable as overhead systems, they are not impervious to damage, and the repair time for underground systems is almost 60% longer than for overhead systems when damage does occur.

However, where there is a desire by local business, residents and governments to underground wires in their communities solutions can and are being found. For example:

The California Public Utilities Commission (CPUC) instituted a voluntary underground conversion program for distribution wires in 1967. The CPUC requires utilities to contribute two percent of revenues to a conversion fund that provides for the systematic undergrounding of distribution wires. The program is considered voluntary because counties have an option to participate through ordinance. The structured setting aside of funds for undergrounding utility wires has allowed cities and counties to have an orderly plan of undergrounding that is succeeding throughout California. Since the program began, more than \$2.2 billion has been allocated and spent to underground utility lines in all but two of the state’s 58 counties²⁵.

Washington, DC’s public utility company Pepco has entered into the “DC PLUG” initiative, which is short for “District of Columbia Power Line Undergrounding.” The DC PLUG initiative is expected to improve reliability and resiliency for its customers by 95 percent. DC PLUG is being funded through a unique financing arrangement in which the D.C. Department of Transportation (DDOT) and Pepco each contribute approximately 50 percent of the total financing. The funds will be obtained through a combination of Pepco’s traditional funding of debt and equity for \$500 million, \$375 million in District-securitized bonds, and between \$62 and \$125 million in DDOT improvement funds. The funds will be recovered through two surcharges on customer bills.



An 1880 illustration shows a New York City street draped with overhead wires. 1920 on the right, after the city undergrounded all wires.



A 15 year project to underground all wires on Hilton Head Island is clearing up streetscapes.

Hilton Head Island, S.C., is more than two-thirds through a fifteen-year project to underground all utility wires on the island. The conversion process relies on a partnership between the town and the utility company, Palmetto Electric. The project is being paid for with a 3% monthly fee assessed to the utility bills of the roughly 1,800 commercial and 35,000 residential customers on the Island.

In some cases, such as in new development, the best and most obvious choice is to build the new utility infrastructure underground. In fact, many cities and counties require utility wires to be buried as part of any development.

Threats posed by extreme weather and climate change may outweigh aesthetic considerations in determining whether underground wires make the most sense. For example, increasingly damaging storms may make undergrounding the most cost-effective option simply from a reliability and resiliency standpoint. This reality factored into decisions by residents in the coastal cities of Hilton Head Island, S.C. and Palm Beach, Fla. to put all of their wires underground. The aesthetic benefits of undergrounding are a bonus to these cities; they will also gain additional revenue from increased tourism and higher property values.

Camouflage

The practice of attempting to hide overhead wires behind houses and other buildings is common all over the United States, particularly in planned residential areas. In this practice, overhead lines run behind residences and intersect with overhead heavier-duty “feeders” at the end of every other block, forming a grid much like a street system. In some instances, the feeders have been put underground while keeping the rear-lot utilities above ground.



In this Houston neighborhood, poles and wires are situated in an alley running behind homes.



Powerlines at the Galleria in Houston have been placed behind parking facilities.

Where trees grow tall, they can be used to good effect to hide overhead lines, including primary distribution lines. Utility companies often oppose this form of camouflage to varying degrees over concern that the trees will pose increased risk of downing a line and creating an outage, but with the right spacing and regular pruning trees can be quite effective in hiding and diminishing the visual impact of overhead wires.

An example of where both undergrounding and camouflage has been used is The Galleria in Houston. The Galleria is an upscale shopping and office complex in uptown Houston. In the most visible and public-facing

parts of the development, wires have been put underground. In less visible areas, pole and wires were located in alleys behind stores and offices, reserving the high-cost underground work for the most visible areas.

Proposed solutions

1. Decisions about mitigation of the visual impacts of overhead wires should be made on a case-specific basis. In areas where undergrounding is not feasible efforts should be made to camouflage or otherwise minimize visual impacts of overhead wires.
2. Increase awareness of funding options for utility undergrounding that are both creative and practical through the creation of a virtual center for shared resources on undergrounding, beginning with existing successful examples.
3. Encourage all states and localities to adopt a dedicated revenue model to promote undergrounding of utility wires.

Challenge

To encourage utility and communication service providers to work together on planning new or replacement infrastructure, particularly when underground co-location would better serve their needs and those of the public.

Discussion

As a result of increasingly severe weather conditions, more companies are considering co-location in undergrounding to provide safer and more reliable energy solutions. For example, the Kit Carson Electrical Coop (KCEC) and New Mexico Gas Company (NMGC) are working collaboratively with communities in Taos, New Mexico to locate electric, fiber optic and natural gas underground in a single trench within the New Mexico State Highway right-of-way. As part of this project, KCEC will remove existing aerial electric distribution lines and install new electric distribution lines underground. This project is intended to improve service reliability, reduce service interruption and most importantly, substantially reduce the risk of a catastrophic wildfire caused by a compromised overhead electrical service.

A fiber optic communication distribution line will be located in the same trench, providing high-speed internet to a currently underserved area which is recognized by the telecommunications industry as one of the poorest service areas in the Rocky Mountains. NMGC will put in a gas line to provide natural gas service to residents who currently rely upon liquefied propane gas stored locally in tanks which require refilling via delivery trucks throughout the year, posing a potential spillage risk under winter conditions. Co-locating the natural gas line within the same trench will be cost effective for both NMGC and KCEC, and will efficiently utilize the ground disturbance associated with construction.

Proposed solutions

States and localities should adopt comprehensive plans relating to underground infrastructure allowing utility companies to share existing infrastructure and costs in available rights-of-way. These plans should:

1. Identify opportunities for co-locating existing overhead wires with other utility improvements in existing rights-of-way.
2. Identify opportunities in developing areas for co-locating new wires underground with new utility installations.
3. Publicize widely success stories where co-location and equitable cost-sharing has resulted in cost-effective solutions that benefit each of the service providers, and in turn, the consumers they serve.

Challenge

To protect scenic vistas from those high-voltage transmission lines that pose particular threats to the scenic environment. These high voltage wires are far larger and the structures used to support them far taller and wider than the distribution lines that carry power to local areas and to individual consumers.

Discussion

High-voltage transmission lines carry energy from power generating facilities to substations where the energy is forwarded on at lower voltages to commercial and residential customers. These large wires and structures have become more common all around the country as sprawling growth has created a high demand for new power sources. They often have dramatic impacts on the visual environment and increasingly, communities and conservation groups



High-Voltage transmission wires cut a swath through a forested area.

are seeking alternative solutions.

In New Hampshire, a proposal by Eversource Energy to transport hydroelectricity into Southern New England from Canada via 85-foot towers has been met with stiff opposition due to Eversource's proposal to string the 192-mile line through pristine areas of natural beauty, including many miles of the White Mountain National Forest.

New Hampshire residents are pressuring Eversource to put the entire 192 miles underground. The utility, bowing to opposition from citizens and criticisms from federal officials, has agreed to put 60 miles underground, primarily in the White Mountains area. Eversource initially proposed burying only 8 miles of the line near the Canadian border²⁶. Opponents of the plan continue to press for more undergrounding.

In Virginia, citizens and scenic advocates have been locked in a long battle with the Dominion utility company over a proposal to erect dozens of new steel towers and high-voltage transmission lines across more than three miles of the James River. Scenic advocates say that the towers, which would rise nearly as high as the Statue of Liberty, forever mar the pristine vistas the first English settlers saw when they sailed the waterway before arriving at Jamestown more than 400 years ago. Local businesses are concerned that tourism could be affected. The battle continues in the courts of law and public opinion over whether and how this project should move forward.

In Colorado, the utility Tri-State/PSCo had intended to build a transmission line with 115 to 150 foot-tall steel stanchions with 6-cross members through the Trinchera Ranch, marring the scenic backdrop of Mt. Blanca along Highway 159 from Santa Fe, New Mexico into Colorado. The view of Mt. Blanca is one of the most important landmarks in the Sangre de Cristo National Heritage Area. Tri-State/PSCo had stated there were no alternatives that did not include taking portions of the Ranch or scarring the view of Mt. Blanca for the construction of the transmission line.

However, the local community and property owners found a viable alternative that would not destroy the environmental integrity of the special area, nor damage pristine wildlife habitat and view sheds. They proposed rerouting the lines to existing energy corridors where rights-of-way already had been established. Finding an alternative was critical to the community's success in preserving a valuable scenic resource.

Proposed solutions

1. For high-voltage transmission lines:
 - a. State, regional and local planning agencies should designate scenic and historic areas which utility companies must consider in planning utility corridors.
 - b. Utility companies should avoid scenic and historic areas or be prepared to mitigate impacts through underground or effective camouflaging measures.
 - c. Utility corridor planning should always include consideration of alternatives, including the use of existing and already approved rights-of-way, and careful route selection should always be required to locate lines away from areas of particular natural beauty.
 - d. Clear-cutting of trees in rights of way are unnecessary so long as the maximum permitted height of trees is not enough to draw an electric arc when lines are at maximum load.

2. For high-voltage transmission lines in urban/suburban settings:
 - a. Require placement of new transmission lines underground with the possible exception of industrial areas;
 - b. Existing overhead transmission lines should be undergrounded when they are due for major reconstruction in areas where scenic or historic character is important.

Links to resources on overhead wire mitigation:

- Palm Beach undergrounding: <http://undergroundpalmbeach.com>
- Hilton Head Island undergrounding: <http://bit.ly/2ocqQ9b>
- District of Columbia undergrounding: <http://www.pepco.com/DCPLUG>
- New Hampshire Northern Pass High Voltage Powerlines:
For: <http://www.northernpass.us/index.htm>
Against: <http://www.notonnorthernpass.com>
For, if undergrounded: <https://forestsociety.org/advocacy-issue/northern-pass>
- James River High Voltage Powerlines: <https://savingplaces.org/places/james-river>

ISSUE FIVE

Promoting Beautiful Highways

A substantial portion of the 1965 White House Conference on Natural Beauty was dedicated to determining how to protect the visual character of the roadsides of America's burgeoning highway system. It produced an early draft of the Highway Beautification Act (the HBA), which became known as "Lady Bird's Law" for the first lady's professed desire to rid our roadways of unsightly billboards and junkyards and instead have them lined with native plants, wildflowers and trees. Unfortunately, her vision has been undermined by lax enforcement of outdoor advertising laws at the federal and state levels and by elected public officials,

at all governmental levels, being persuaded by the powerful outdoor advertising lobby to allow bigger, brighter, and more billboards than ever before. To save America the Beautiful, we must revive Lady Bird's vision. Through the Lady Bird Johnson Wildflower Center's fall 2015 edition of Wildflower Magazine, we are reminded of Lady Bird's legacy of promoting scenic roadways. It can be viewed online here:

<http://issuu.com/wildflowercenter/docs/fall2015wildflower>.



The Green Ribbon Program administered by TXDOT plants native trees and plants on the state highway system to beautify roadsides and help mitigate the effects of air pollution.



Florida DOT highway plantings and hardscape designs in Pinellas County.

Challenge

There is no federal prohibition of vegetation removal or tree cutting on the public rights-of-way. In fact, some legislatures and state transportation departments are permitting outdoor advertising companies to remove or cut public trees and vegetation. This has led to the “uglification” of our publicly funded highways. We must end the removal and cutting of taxpayer-owned trees and vegetation to increase visibility to privately owned billboards.

Discussion

The HBA was intended to protect the public investment in public highways and to preserve the natural beauty of the landscapes they traversed²⁷. Legalized tree-cutting practices are counter to highway beautification goals and represent unsound public policy. For a state Department of Transportation (DOT) to pay for the planting and maintenance of trees only to later permit their removal is a waste of taxpayer money and represents extremely poor stewardship of highway funds.

Courts from across the county have held that there is no property right for a billboard erected on private land to be visible from the public road; those rights may only be created by statute.

Some state DOT’s prohibit billboards from being erected on sites where public monies have been spent on beautification, and some state DOT’s (such as Texas) prohibit the trimming or cutting of public vegetation and trees. Beautification and landscaping of public land should never be limited or impaired by the presence of billboard advertising on adjoining or nearby private land.

Proposed solutions

1. Federal and state legislators should prohibit the removal or destruction of public trees and landscaping for the purpose of increasing billboard visibility. Similarly, unless prohibited by law, each state DOT should adopt rules that prohibit the removal or destruction of public trees and landscaping to better view billboard advertisements.
2. State DOTs should adopt rules that prohibit new billboards from being erected on sites where public monies have been invested in beautification.
3. Every state DOT should adopt a program that sets aside a certain percentage of every DOT contract for beautification of public highways such as the Highway Beautification Program in Florida, the Green Ribbon Program in Texas²⁸ and other alternatives such as those described in the Rhode Island DOT “Best Practices Highway Design Guide²⁹.” Plantings should be native to the community to honor and enhance local character, using the guide from the Lady Bird Johnson Wildflower Center:
<https://www.wildflower.org/plants>.



Digital billboards like these in Tempe, Arizona flash new advertisements every six seconds.

Challenge

The Federal Highway Administration (FHWA) is not enforcing the congressionally mandated customary uses of lighting, size, and spacing of billboards.

Discussion

The compromise agreed to by the outdoor advertising industry in 1965 was to limit the size, spacing and lighting of billboards to what was “customary” use at the time of passage. The “freezing” of billboard size, spacing and lighting was to assure that those characteristics could not become more visually intrusive than they were in 1965.

Upon passage of the HBA, Congress directed public hearings in the fifty states to determine customary size, spacing and lighting in each state at that time, and these findings were codified in the Federal-State Agreements (FSA’s) that every state drafted to ensure compliance with the goals of the HBA. Any violations of the FSA could lead to penalties in the form of withholding up to 10% of federal highway funds.

Instead of enforcing these standards, FHWA officials are allowing states and cities to ignore customary use limitations, particularly those on size and lighting. The result has been to devalue public highways, compromise public safety and permit more egregious billboards thus completely undermining the HBA. This failure to enforce has resulted in the erection and operation of more than 6,000 intermittently operating digital billboards along our public highways throughout the country.

It has been shown that billboards devalue nearby properties³⁰ and compromise highway safety. In fact, recent safety studies in Florida and Alabama draw conclusive links between digital billboards and increases in crashes³¹.

Scenic America has challenged the legality of intermittently operating commercial billboards under the HBA’s customary use provision. In that lawsuit against U.S. DOT and FHWA, Scenic America filed a petition for writ of certiorari before the United States Supreme Court in December 2016. As of June 2017 all briefs had been submitted, and in September 2017 the Court will decide whether to grant or deny the petition³².

Proposed solutions

1. FHWA must adhere to the Congressional mandate of “customary use” for lighting, size and spacing of billboards. In particular, nearly every FSA prohibits commercial messaging intermittent lighting (except for time, date, and temperature changes).
2. Compel federal and state highway agencies and their officials to enforce the HBA by imposing substantial fines and additional penalties for failure to enforce.

Challenge

The HBA allows commercial advertising billboards to be erected in unzoned commercial or industrial areas even if there is only one existing business.

Discussion

Draft language in the Highway Beautification Act stated that billboards would be banned “except in those areas of commercial and industrial use.”³³ Due to a last minute change, this language was amended to allow several billboards to be erected in non-urban, non-commercial areas where only one business exists. As a result, over the last 50 years, this provision has allowed inappropriate advertising in otherwise scenic and rural areas of the country.



These billboards along an otherwise scenic I-85 in Georgia are allowed because a nearby self-storage building is considered a qualifying business, thus allowing the area to be deemed commercial.

At the signing of the HBA, President Johnson said:

This bill does not represent everything that we wanted. It does not represent what we need. It does not represent what the national interest requires. But it is a first step, and there will be other steps. For though we must crawl before we walk, we are going to walk.

Proposed solutions

1. Congress should revoke 23 CFR §750.706 of the HBA so that billboards are limited to zoned commercial or industrial areas.



Minnesota taxpayers spent over \$4.3 million to relocate this digital billboard for a bridge replacement project.

2. As an alternative, to assure commercial billboards operate in commercial areas only, Congress should redefine an unzoned commercial or industrial area to require the existence of multiple commercial businesses (minimum of 10) rather than only one commercial business.

Challenge

Taxpayers should be able to control what their publicly funded highways look like. Many citizens would like to remove signs that create visual clutter and devalue their community. In-

stead taxpayers must fund the removal of billboards using statutorily mandated cash compensation instead of other constitutionally sound compensatory methods such as amortization³⁴. Moreover, the improper bolstering of billboard values by outdoor advertising interests and court decisions has resulted in unjust enrichment to billboard owners. Such cost-prohibitive over-valuation is forcing governmental entities to allow unwanted billboard relocations. William F. Buckley, a noted conservative commentator once wrote, “If a homeowner desires to construct a huge Coca-Cola sign facing his own homestead rather than the public highway, in order to remind him, every time he looks out his window, that the time has come to pause and be refreshed, he certainly should be left free to do so. But if he wants to face the sign toward us, that is something else...”

Discussion

Amortization was a recognized legal method of providing just compensation in 1965 when Congress passed the HBA, and amortization continues to be a federally constitutional method of compensation today. In addition amortization is constitutional under the vast majority of state constitutions.

In 1978, however, due to intense pressure from the billboard lobby, Congress amended the HBA to mandate cash as the only legal payment for billboard removal along HBA-regulated highways. This Congressional mandate prohibits cities, states, and other governmental entities from using amortization as a legal method of billboard removal for signs erected along HBA-regulated highways. After Congress acted for the billboard companies, many state legislatures extended this cash payment requirement, and the concomitant prohibition of amortization, to non HBA-regulated roads.

To make this problem even worse, when billboards stand in the way of public highway projects and thus must be removed, state courts are adopting higher valuation approaches such as the gross income multiplier (GIM) rather than using the cost of the structure, the method typically used to compensate owners of movable property. The GIM approach is often six times more than the cost approach, representing unjust enrichment and effectively eliminating cash payments as an affordable option in most states, counties and municipalities. This is especially egregious in the case of a digital billboard. For example, in Minnesota the state DOT paid Clear Channel Outdoor \$4.3 million for one digital billboard face, and then allowed it to be relocated to avoid paying more³⁵.

This has left communities with billboard relocation as their only affordable option. Relocation merely moves visual blight from one location to another.

Proposed solutions

1. Congress should restore amortization as a legal option available to local and state governmental entities for the purchase of billboards operating along HBA-regulated highways.
2. Compensate, to the extent constitutional under State law, billboard owners for the actual cost of the structure instead of a formula that results in unjust enrichment.
3. Require, where legally allowable, every State DOT to adopt rules that provide for conditional billboard permits thereby allowing a billboard to legally operate until a governmental entity needs the land for a public transportation project.

Challenge

Outdoor advertising regulations and rules used by the FHWA and state DOTs do not reflect best practices being used by transportation authorities around the world.

Discussion

In 2010 the Federal Highway Administration, American Association of State Highway and Transportation Officials, and National Cooperative Highway Research program sponsored an “International SCAN” of Australia, Sweden, the Netherlands, and the United Kingdom to learn how they regulate outdoor advertising both inside and outside the roadway right-of-way.



In the United Kingdom, as in many other countries, billboards like this one receive permits with fixed expiration dates (typically 5-15 years).

Members of the SCAN team included representatives of federal and state transportation agencies and members of Scenic America and the outdoor advertising industry.

The International SCAN team observed that the visited countries made more use of conditional (time-limited) billboard permitting, employed more context-sensitive and safety-oriented laws and regulations, put a greater emphasis on safety and environmental impacts in guidelines and permit requirements, and mandated more collaboration between outdoor advertising stakeholders than is seen in the United States.

After careful consideration and review, the International SCAN group prepared a report that made various recommendations to incorporate the best practices of the surveyed countries into U.S. outdoor advertising rules. However, due largely to immense pressure from billboard industry lobbyists, these recommendations were never implemented.

Proposed solution

Encourage FHWA and state DOTs to adopt the recommendations made in the International SCAN report found online: <http://www.scenic.org/storage/PDFs/scan.pdf>.

Endnotes

- 1 <https://org.salsalabs.com/o/2436/images/Maine%202012%20tourism%20survey.pdf>
- 2 <http://knightfoundation.org/sotc/findings/>
- 3 See Saving Face: How Corporations Can Respect Community Character. Brookline vs. Boston sign standards pages 16-18 second edition
- 4 <http://www.nps.gov/nr/>
- 5 For example, Los Angeles' Adaptive Use Ordinance has revived the country's largest collection of Beaux Arts commercial architecture and created over 30,000 apartments and condominiums, bringing the city center back from the dead.
- 6 For example: Boston's Old City Hall, San Francisco's Ghirardelli Square, San Antonio's River Walk, Pittsburgh's Mexican War District.
- 7 The City of Los Angeles and the Getty Conservation Institute have, in partnership, recently completed a comprehensive, citywide survey of over 880,000 properties that is viewed as a national model for community-wide surveys. Such community-wide surveys may result in a comprehensive, consistent evaluation of properties across the country.
- 8 Claremont and Carmel, California, Scottsdale, Arizona, Boca Raton, Florida and Brookline, Massachusetts. Case studies have demonstrated that design regulation protects and enhances economic value.
- 9 <http://lwcfccoalition.org/about-lwcf.html>
- 10 <http://www.theatlantic.com/health/archive/2015/06/green-spaces-make-kids-smarter/395924/smarter>
- 11 http://lwcfccoalition.org/files/LWCF%20ROI%20Report_11%2029%2010.pdf
- 12 <http://katahdinwoods.org/economic-impact/>
- 13 Garvin, Alexander. Public Parks, The Key to Livable Communities. W.W. Norton. 2011
- 14 <http://www.greenbelt.org/mission/>
- 15 <http://www.wsj.com/articles/frederick-law-olmsted-and-robert-mosess-priceless-riverside-park-1438369869>
- 16 <http://www.nytimes.com/2011/06/06/nyregion/with-next-phase-ready-area-around-high-line-is-flourishing.html>
- 17 <http://www.fhwa.dot.gov/publications/publicroads/13janfeb/05.cfm>
- 18 <http://www.scenicbyway12.com/wp-content/uploads/2011/05/Scenic-Byway-Economic-Impacts-Final-Report.pdf>
- 19 <https://conservancy.umn.edu/bitstream/handle/11299/168112/paul%20bunyan%20scenic%20byway.pdf?sequence=1&isAllowed=y>
- 20 Source: Rob Draper, Board Chair, National Scenic Byways Foundation. Mr. Draper provided considerable background material for this section.
- 21 Balancing Nature and Commerce in Gateway Communities, by Jim Howe, Edward T. McMahon and Luther Propst, Island Press, 1997.
- 22 Sources: Interviews with Don Barger, National Parks Conservation Association; Larry Gamble and Tim Davis, National Park Service; Paul Rosa, Harpers Ferry Conservancy Vicki Simms, Gatlinburg Chamber of Commerce
- 23 <http://www.underground2020.org/documents/Advantages%20of%20Undergrounding%20Utilities%20White%20Paper%2005-09.pdf>
- 24 <http://scenic.org/storage/PDFs/n.c.underground.pdf>
- 25 <http://www.npr.org/2012/02/01/146158822/if-power-lines-fall-why-dont-they-go-underground>
- 26 <https://www.bostonglobe.com/business/2015/08/18/eversource-opts-for-underground-route-through-white-mountains-for-its-massive-power-line/6xVxeQvA7W1vZ1PYLow4iN/story.html>

- 27 The purposes of the HBA are set forth in 23 U.S.C. § 131(a): to protect the public investment in highways; to promote the safety and recreational value of public travel; and to preserve natural beauty. §
- 28 <http://www.nctcog.org/trans/onestop/funds/grnrib.asp>
- 29 http://www.dot.ri.gov/documents/community/RI_HIGHWAY_BEST_PRACTICES_DESIGN_GUIDE_2014.pdf
- 30 <http://www.scenic.org/blog/134-new-study-shows-billboards-hurt-nearby-property-values>
- 31 <http://scenic.org/blog/245-studies-show-direct-link-between-billboards-and-crashes->
- 32 <http://www.scenic.org/billboards-a-sign-control/digital-billboards/scenic-america-lawsuit-on-fhwa-ruling>
- 33 <http://d2dtl5nnlpfr0r.cloudfront.net/tti.tamu.edu/documents/TTI-2006-8.pdf>
- 34 In the context of billboards, amortization refers to the time period a non-conforming sign has to conform to a new land use classification. Amortization allows the sign owner to be wholly compensated for the sign by allowing it to remain operating for a period of years rather than by being compensated by a cash payment.
- 35 <http://www.scenic.org/billboards-a-sign-control/the-truth-about-billboards/187-billboard-condemnation-costs>

Acknowledgements

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