VIEWPOINTS

GRASS-TOPS LOBBYING
COMMUNITY-CENTERED SCHOOLS
FACTORY FARMS

ROSEBUD AND WOLF MOUNTAINS BATTLEFIELDS
PRESERVATION PLANNING
DANIEL WEBSTER’S FARM
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Preservation organizations often turn immediately to their grassroots support base to advocate for a particular issue. But sometimes it can be more effective to take a more strategic, targeted approach involving only a few key players. This approach might be called “grass-tops” lobbying. Three experienced leaders from the preservation field talk about when and how to go at it alone and when to call in the troops. Hear from Paul Bruhn, executive director, Preservation Trust of Vermont; Myrick Howard, president, Preservation North Carolina; and Greg Paxton, executive director, Maine Preservation and formerly The Georgia Trust for Historic Preservation. Their discussion is excerpted from a conference session on this topic at the 2008 National Preservation Conference in Tulsa, led by Rhonda Sincavage, National Trust program associate for state and local policy.

**Why does your organization use “back room” or “grass-tops” advocacy?**

**Paxton:** None of us like the idea of “back rooms.” Grass-tops is a neat way of describing what we are talking about, which is a top-down approach rather than a bottom-up. What I’ve found out over the years is that a few people who are very concerned about an issue have more impact than a lot of people who are just a bit interested.

In terms of getting issues addressed—it is better when a few key people involved in the legislative process are behind you and will work with you. This is much more effective than working with a larger number of people who are not influential. It’s best to target—target those people who can get things done (such as the governor or legislative leaders in a state) and target a few key people who can help you with that person.

**Howard:** I’ve been lobbying for nearly 30 years and I’ve never heard the term grass-tops until this year. I’ve always thought we did “strategic” lobbying. It’s very focused and very strategic—you know where you want to go and you figure out how you want to get there.

**How much lobbying is done by you, your board of trustees, or other individuals?**

**Bruhn:** I have remained active in politics in Vermont, which has allowed me to be on the inside of a number of discussions. It has enabled me to be in a position to propose some ideas. Most of the work is done by me, and then by bringing in local community folks as necessary, when it is appropriate and we need contact with a particular legislator. We draw on our contacts around the state to communicate with their legislators.
Howard: I’m basically the lead person in our organization. I try to get the persons around me whom I need at the moment, which varies from one instance to the next. Sometimes you want the developer in the room, sometimes you want the community person. You go at it very strategically. I would call myself the choreographer of lobbying for North Carolina.

How do you target your legislators and the key people? What if their interest in preservation doesn’t match their leadership position?

Bruhn: It’s a matter of doing some research. If the chair of a committee isn’t favorable to your issue, look at the other members and find out who will have some sway with the chair. It’s about watching the committee and understanding how it works and how the members relate to each other. And since most legislators come back year after year, all this becomes clear after a period of time.

Preservation Vermont shares a lobbyist with several other organizations including the Housing and Conservation Coalition and the Smart Growth Coalition, and they’ve been very helpful in conserving my time in the legislature. I spend one day a week in the legislature, which works great. Vermont is small enough so you can hang out in the cafeteria and see just about everyone you need to see.

Paxton: I’ve played a similar role of being the coordinator of lobbying, but using many other resources as well. Working with state agencies and with others of a similar mindset is useful. Having partnerships in lobbying is very important. Typically for a
particular issue there are other organizations that are just as interested in that issue, and you can often partner with their lobbyist.

It is fairly unusual to have a legislator who simply operates on auto pilot. You have to make sure you are constantly reminding them about your issue, particularly at key moments. Otherwise, they may take up someone else’s issue when you need their help most.

Howard: You need to put an antenna up and read the newspaper a lot to find out who is interested in what subject. We try to identify people who have an interest in the subject and then go to them and ask for advice. And very often, once other lobbyists and other organizations get to know you and your issue, they will help you out.

It is important to stay informed about the legislators and the legislature as it goes through the year. If they are struggling with budget issues, then it is probably not the right time to ask for an appropriation. Be aware of what is on their minds.

Bruhn: It is also about building an ongoing relationship with legislators—and not just during the legislative session. The session can be a frantic process and legislators are juggling many issues. And your issue might not be at the top of their mind every day. So it is important to build a relationship with them when the legislature is not in session.

Make sure they get to see some of the results of their efforts, such as tax credit programs, so they have a tangible experience in their minds. This helps them to understand that the legislation was important and that something significant happened as a result of their actions.

Howard: You then need to keep those relationships good and strong. After you have had the successes, you need to get your friends to thank them. Get your members to say, “thanks” and “this is really important.” Then in publications and newsletters say, “Thank you so much, Senator. We really appreciate your support in making this happen.”

Paxton: One way of describing the state legislature is that it is a rumor mill. It is like a beehive—everyone knows where the honey is. Lots of people are swapping information as it comes out. The degree to which you are tapped into that network is key. Otherwise you look like an outsider who has just stepped in the hive of activity. It is critical to be tuned in with the lobbyists who are there and who know what is going on.

It also matters which party you are working with. The party members who are in the majority have a lot more influence than the party members who are not. That can vary from year to year and from house to house. But we have a very distinct advantage in historic preservation because our field is definitely bipartisan.

Howard: I agree. This is such a bipartisan subject. To the extent that you can stay away from being partisan, it really helps. Legislators like to be bipartisan themselves. They like to say to the public that “we crossed the aisle and made some good things happen.” Preservation is an issue that you can get both sides to embrace.

This sounds like a huge time commitment on your part. How do you balance advocacy with other responsibilities? At what point did you decide this is a priority for your organization?
Howard: Actually I don’t spend that much time on it. I do spend time reading the newspaper and trying to stay informed and on top of things. We strategically go after one thing per session. Our legislators really don’t want to hear from us multiple times a year on multiple issues.

If you can deliver to legislators the preservation movement with some degree of unanimity, they will support the bill and get it through. They do not want a fractious situation. They want it thought through, talked through, walked through, and worked through. With a lot of the legislation that we put through, we do a first draft of the legislation or work with the legislative staff to do a first draft of the legislation.

I make sure that I am ready to be there at the drop of a hat for the committee hearings when they are scheduled. And usually I don’t really say much in these committee meetings. I’m just there if they have questions. It’s more of a strategic commitment.

Paxton: The time spent is varied. It really depends on what is up that particular year. There have been years when we have been very engaged; other years it’s relatively light and things go very smoothly. We have discovered that opportunism is important. It is important to know what is going on in the legislature. So if the environmental community comes up with an easement bill, you want to make sure you are involved with that. It is being aware of the things that are floating around and making yourself available to the people who are pushing them.

Bruhn: There is a lot at stake every year in the legislature: everything from grant programs to smart growth legislation to state tax credits—all of the tools preservationists use every day. So it is really crucial to have a presence in the legislature if you are a statewide organization, and try to maximize it as much as possible and be ready to zip over to the statehouse as needed. Having a regular presence at the statehouse once a week during the session is very useful.

Howard: You can take this approach down to city council level or county commission level too. It’s really not that different. To work with the city council, I meet one-on-one with members of the council before a hearing.

Some of us are annoyed with the constant emphasis on “grassroots, grassroots, grassroots,” as if it’s morally superior to other forms of lobbying. I don’t think it is. One of the real hazards of grassroots is that when you have a big group of people talking to a council member or legislator, you immediately put that official on the defensive. You can’t have a meaningful conversation with them. If you go in with 10 people or 100 e-mails, you are dead in the water before you have even had the conversation.

Grassroots makes no sense.

Bruhn: Using the grassroots to say “thank you,” however, is extremely important.

Paxton: This gets into the whole notion of how you present yourself. Thanks to the media, what is most visible in politics is disagreements making headlines. But most of the time elected officials are working with each other. Like everyone else, every legislator is looking for respect. They want you to treat them with respect and dignity. Don’t play from behind. Whining that “we never get what we need” is not a good tactic. You are dealing with them today and you
are trying to get something done tomorrow. Always deal from a winning attitude.

It is okay to disagree with a legislator. It’s okay to have a legislator tell you “no.” What matters is how you handle it. Remember, legislators have to make choices and cast votes every day. Accept the fact that they don’t agree with your position. Show that you understand the nature of politics and that the person who is not with you today may be on your side the next day on a different issue.

What is your advice for people just starting out?

**Paxton:** Be a little unpredictable. Don’t always use the standard preservation line. This may be more effective on a local level rather than the statewide, but add a little life and variety and human interest into what you are doing to capture the interest of people.

**Howard:** Find someone in public office who likes preservation. Preservation is a very, very good electoral asset. I’ve watched people run for mayor for the first time and get elected on the basis of their preservation credentials, since it is all about community and place. Find yourself someone who can guide you through the process. It is very important to understand that this is about relationships, about keeping relationships, and keeping them clean. Do not say things behind anyone’s back in public or in private that will create a problem when it comes back around.

**Bruhn:** What attracted me to the field—and it is the same thing we need to relate to legislators—is that our cause is about a whole lot of different benefits. Tie a particular benefit of preservation to what is current, and help folks understand how relevant it is.

**Paxton:** Make different arguments to different legislators on the same issue. Make your arguments based on their interest. If the legislator is new or someone you haven’t worked with before, test that person out. Look at what piques his or her interest. Remember, preservation issues have lots of different sides.

**What is the best way to rebuild relationships when you are not on the strongest footing with a legislator to begin with?**

**Howard:** I try to distance myself from the rowdy crowd. The advantage of being strategic is that you don’t have to deal with the rowdy crowd. These are the folks who go into a legislator’s office, and if that legislator is not 100 percent supportive of their
issue, they chew them out, rather than ask: "How can we make this a better bill?" or "How can we get your support?"

Legislators want to know that they won’t be attacked by someone out of the blue. A good part of my work is making sure that there aren’t big surprises for the legislators as the bill goes through the process.

**Paxton:** Sometimes there is not a lot you can do. Don’t change your approach. Be who you are, keep at it, be steady, and be reliable. Definitely continue to reach out to opponents.

As a statewide organization, we have one advantage. It is often our role to be the “good cop” in the state legislature. Especially with a local issue, it is important to try to be the entity that is above the fray and working toward a solution. It can be helpful to have a “bad cop”—a local group that is out on the edge. Keep talking to those folks as well, so they don’t feel like you are the enemy. But seeking to be a problem solver is the best role to play.

**How often do you work with coalitions? When is it most effective? And when is it a little trickier?**

**Bruhn:** Our best example of working with a coalition is with the Housing and Conservation Coalition. It has worked for 25 years. The focus is pretty simple. It is all about the money. We work to build the appropriation for this program, and it is pretty easy to get behind. Most of the organizations involved in the coalition get a lot of direct support from the program.

We have a smart growth coalition that has been pretty effective in getting some good

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The Preservation Trust of Vermont has worked successfully with the Vermont Housing and Conservation Coalition for 25 years by focusing on common interests. It and members of the coalition were partners in the rehabilitation of the Adams House and carriage barn, in Fair Haven, to provide 13 units of senior housing. Photo by Sanders Milens.
legislation passed. But there is lots of variety of opinions within that coalition. Sometimes it gets a little testy because one organization’s interests may differ from the others, but nonetheless, it is really important to keep coalitions working together and get those issues worked out.

In sum, you can create a very powerful cause in the legislature or elsewhere by working with a number of other organizations.

**Paxton:** Coalitions should be issue-based. It is important to find where your interests intersect with another group, because you are not going to agree on everything. But if you do agree on a set of issues, then that’s what you should go forward on. Work opportunistically to achieve what you want. At the end of the day you will get your credit. In fact, in this field, it is the legislator who should always get credit. You should be last in line. Don’t get in a tiff about who is getting credit for leading and who is setting the policy.

**Howard:** Our best coalitions have been relationship-based and are strategic in their orientation. We sit down together before the session and talk about what is on our minds and where we can be mutually supportive. Every time we’ve been a partner in what is a more grassroots-type effort, it gets fractious and frayed and the bill doesn’t get passed.

**Bruhn:** There are some side benefits to coalitions. When we first got started with the affordable housing folks, they were very distrustful of preservation. They were committed to providing housing as shelter and were less concerned about what the housing looked like. Over the years we’ve had discussions about how important beauty is to all of us. Some of us can afford to buy it and others can’t. But we all need it. The advantage of affordable housing in great old buildings is that there is a lot of beauty. Over time, by working with them, they have come to understand the value of working with historic buildings.

**What methods do you use to lobby? When is it face-to-face and when is it a phone call or a letter?**

**Bruhn:** Our contacts are mostly face-to-face. We send very few letters. Once we are reduced to dealing with someone by letter, we are probably not doing as well as we should be.

**Paxton:** There is no communication during the session by letter, and virtually none by phone or by e-mail. Phone messages will not get to them. The whole system works by personal interaction.

**Howard:** It is face-to-face contact and all about relationships. Also remember that e-mails are now considered public record. So if you do send an e-mail, it can turn up in the newspaper the next day, so be careful what you say in an e-mail.

**Paxton:** In congress, staff is really the key. You can’t get access to people in congress except through their staff. It is important to know who they are and establish a relationship with them as well.

**Bruhn:** Sending thank-you letters is the exception to that no-letter rule. It is really important. Legislators need the positive feedback. Also find an opportunity to show them the fruits of their work, so they have a tangible experience with it.
In May 2008, the National Trust launched the “Helping Johnny Walk to School: Sustaining Communities through Smart School Policies” project to encourage the retention and development of community-centered schools. Such schools use existing infrastructure and buildings, share spaces for educational and recreational activities with the community, fit in well with the neighborhood, and typically offer students an opportunity to walk or bike to school. While recognizing that school location decisions are made locally, we believe that providing support at the state level—either by adopting new policies or removing existing policy barriers—can encourage local communities to build or retain community-centered schools.

THE CHALLENGE

Today many communities are making the choice to abandon neighborhood schools in order to build sprawling facilities on the outskirts of town. However, a more sustainable model exists. Communities can choose to create or renovate community-centered schools that help achieve educational objectives and also anchor local neighborhoods, support better public health, create a cleaner environment, and offer additional amenities to the community.

Because we believe few public institutions are more important to the sustainability of a community than schools, the National Trust is no stranger to this policy issue. In 2000 we included historic neighborhood schools on our list of America’s 11 Most Endangered Historic Places, published the seminal policy report Why Johnny Can’t Walk to School in the Age of Sprawl, and developed helpful guides for advocates.

This new project, funded through a cooperative agreement with the U.S. Environmental Protection Agency and with generous funding of the Jessie Ball duPont Fund, brings together leaders from different fields and advocates in six states to find new ways of overcoming state-level barriers to community-centered schools.

Six partners were selected to receive a grant and technical assistance from the National Trust for Historic Preservation: Preservation Pennsylvania; the Healthy

IMPORTANCE OF COMMUNITY-BASED SCHOOLS AND HEALTH

The number of overweight children in America has tripled in the past 30 years.1 One contributing factor is that fewer children walk or bike to school. According to the Centers for Disease Control and Prevention, almost 85 percent of children’s trips to school are made by car, school bus, public transit, or other modes of transportation. Just 15 percent of all trips are made by walking or bicycling.2 In 1969, 48 percent of children walked or biked to school.

By locating our schools within walkable neighborhoods, we can help increase physical activity among our country’s youth.
Schools Campaign of Illinois in partnership with the Lt. Governor Pat Quinn’s Office and Landmarks Illinois; the New Hampshire Preservation Alliance; Oregon’s Innovation Partnership; the South Carolina Design Arts Partnership; and California’s Ad Hoc School Siting Coalition that includes the Local Government Commission, the Center for Cities and Schools and the Safe Routes to School National Partnership.

To overcome specific challenges to achieving community-centered schools in their state, these partners are developing new research and educational materials. Along with these new tools, the project will also focus on building a national coalition and creating a publication that offers ways for states to promote community-centered schools. For project updates, visit www.preservation-nation.org/issues/historic-schools.

STATE-LEVEL OBSTACLES FOR LOCAL COMMUNITIES

Real and Perceived Site Standards
Frequently set at the state level, site standards for schools, also sometimes known as minimum acreage requirements, present a big obstacle to maintaining older schools and locating new schools within walkable neighborhoods.

State and local school agencies adopted these standards from a policy guidebook produced in the early 1970s by the Council for Educational Facility Planners International (CEFPI). Typical acreage standards required an elementary school with 400 students to be located on 14 acres of land; a middle school with 600 students requires 16 acres; and a high school with 2,000 students, 50 acres. Contrast that with early-20th century schools and their ball fields which typically utilized between 3 and 10 acres within a compact, walkable neighborhood.

At the urging of the National Trust, EPA, and others, CEFPI now calls for these oversized school lot standards to be abolished. The council’s publications, such as the CEFPI Guide for Educational Facility Planning,3 now endorse a flexible smart growth approach that supports schools as centers of community. By adopting CEFPI’s new recommendations, communities can invest responsibly in their schools while preserving their neighborhoods and conserving historic and natural resources.

Yet it is hard to change old habits, and getting school districts to recognize the new guidelines has been likened to getting an ocean liner turned around at sea. Many school districts and school architects continue to plan as if those outdated standards...
either still exist or are requirements, not just recommendations. Even when the policy is reversed at the state level, local perceptions about these acreage requirements persist. Recognizing that acreage standards encourage the construction of massive, isolated schools that are inaccessible to the communities they serve, South Carolina abolished such standards in 2003. Despite this change in policy, local districts continue to build sprawl schools on the outside of town.

Advocates need to campaign to remove these standards at the state level, and also to educate decision-makers about the impact of these standards on the community.

Deferred Maintenance
Communities are discouraged from keeping their existing schools in use if they’ve been poorly maintained and allowed to deteriorate. New York State comptroller Carl McCall stated, “There is a built-in fiscal incentive for school districts to avoid prudent maintenance expenditures, and instead let physical structures deteriorate until replacement is the only real option. State aid reimbursement is provided explicitly for capital expenditures at a generous rate, whereas it is not for routine maintenance.” The National Clearinghouse for Educational Facilities reports that in 1920 about 14 percent of local school district operating budgets went to maintenance, while only 4 percent went to maintenance in 1990. Meanwhile the U.S. Government Accounting Office says one-third of all schools need extensive repairs. However, some states, such as Massachusetts, require that school districts spend at least half of their maintenance budgets each fiscal year. School districts that fail to do so may not receive state funding for capital projects in the future. Massachusetts also offers “incentive percentage points” to school districts with excellent or good maintenance ratings when considering their funding requests. Massachusetts’ policies for improving the maintenance of schools were adopted following a policy advocacy campaign led by Historic Massachusetts, Inc. (now called Preservation Mass) in 2000.
Gaining more money for maintenance and ensuring that school districts are not penalized by the state for spending money to maintain existing neighborhood schools should be a priority of preservationists.

States can also create local construction jobs and extend the life cycle of existing buildings by providing additional monies or incentives for regular maintenance. According to real estate consultant Donovan Rypkema, rehabilitation generally uses about 20 percent more labor and, in turn, produces a greater number of jobs than new construction. Typically, in new construction half of the investment goes to materials and half to labor. In historic rehabilitations, 60 to 70 percent of the investment goes to labor. As compared to new construction, every one million dollars spent to rehabilitate a building results in $120,000 more initially remaining in the community, five to nine more construction jobs created, and an average of 4.7 more new non-construction jobs created.6

“Silo” Planning
Lack of coordinated planning also works against community-centered schools. In some instances, local school districts are reactive, struggling to keep up with the increased number of students that come with new development. In other states, districts do not have to follow any local planning or zoning laws, which sometimes leads to conflicts with other community development goals. To efficiently manage our resources and minimize conflicts among competing community goals, coordinated planning among school districts, boards, and local planning entities is necessary.

In some parts of Florida, burgeoning school enrollment led to overcrowded schools in the late 1990s. Using the state’s growth

THE NUMBERS ILLUSTRATE THE CHALLENGES

According to the National Center for Education Statistics, in 1930 there were 262,000 school facilities; by 2002, there were 91,000 school facilities. Over that same time, the student population doubled from 28 million to 53.5 million. By 2002 twice as many students were being educated in three times fewer schools.

While some of the decrease in school facilities can be attributed to the transition from one-room school houses to larger urban facilities in the 1940s and 1950s, much of the decrease occurred in the second half of the last century with the trend toward building “mega-schools” or even “mega-campus” with thousands of students and large amounts of land.

Interestingly, a 2006 study found that spending on school construction doubled from 1995 through 2004 with school districts spending record-breaking totals—more than $37 billion annually by 2002—on hard construction expenses alone.7

With such significant amounts of money being spent by state governments, requiring coordinated planning to align school facilities with community development goals makes sense.
management mandate that requires adequate public facilities be available on a timely basis to accommodate growing populations, lawmakers expanded this “concurrency” requirement to coordinate school construction with new residential development.

By sharing data and coordinating planning with their multiple municipalities, Florida school districts plan to provide enough schools to serve residential development projected by local governments. This state-required coordination of local planning is achieved in many ways.

For example, school districts provide local governments with an annual report of project needs and capital improvement plans, while local governments direct school districts to potential locations consistent with existing land-use designations. Also, each school district must provide citizens with “opportunities for involvement” when formulating its comprehensive plan, while local governments involve school officials when developing their comprehensive plans.

School districts and local governments can also work together to plan joint use of facilities. In some states, it’s a regular practice. New Hampshire communities and school districts often share athletic fields and library facilities. Others states, including Massachusetts, give “incentive percentage points” for innovative community uses of school facilities when a school considers applications for state funds. Many other states could encourage this cost-saving practice by offering authorizing language for localities, or financial incentives.

By mandating or providing incentives for closer planning coordination, states can create win-win results for their citizens.

Cost Percentage Rules
“Percentage rules” also present a barrier. In some states, if the cost of renovating an existing school exceeds a stated percentage of the cost of building a new one, then the
school district is advised or required by the state to build new. The numbers vary from state to state (e.g., Ohio has a two-thirds rule; New Hampshire, a 60 percent rule). These arbitrary percentage rules often prevent a full cost comparison of new construction versus the cost of renovation because certain costs, such as demolishing the existing building, building new infrastructure, and acquiring land, are not part of the calculation.

In some states, failure to choose the new construction option means forfeiting state financial assistance. For example, Ohio’s “two-thirds rule” says that if the cost of renovating an older school exceeds two-thirds of the cost of a new school, the state will not provide any money for the project. Thus even if a state-of-the-art school can be provided at less cost by renovating an existing school, school districts are often pressured—or even required—to build new.

States can encourage the sustainable practice of rehabilitating existing school infrastructure if they eliminate these funding rules and related prejudices against older and historic schools.

Incomplete or Inaccurate Information
Feasibility studies help those involved in making school facility decisions understand the choice between new construction and renovation of an existing building. Yet these feasibility studies sometimes contain inflated costs for renovation, and/or fail to include all the costs of building on a new site in the comparative cost analysis.

In some states, regulations and processes help provide more complete information for decision-makers. For example, in Connecticut, the feasibility analysis for a new facility must include direct costs such as land acquisition, planning fees, construction costs, and equipment and furnishing costs, as well as indirect costs such as those for new sewers, roads, transportation, or utilities and financing fees.

Florida requires that studies on the feasibility of renovating historic schools be conducted by design professionals with preservation expertise before such schools may be demolished. The state also requires school boards to notify the state historic preservation office and give it an opportunity to comment on state-assisted projects prior to the approval or expenditure of any state funds when new construction or renovation projects involve a historic resource. In addition, school rehabilitation projects assisted with state funds must comply with special standards intended to ensure that character-defining features of historic schools are preserved.

This year, New Hampshire Senator Martha Fuller Clark, an Advisor to the National Trust, proposed Senate Bill 59 to change New Hampshire’s process so that the municipal planning entity and the voting public would have 90 days to comment on the feasibility of alternatives before the vote and not 60 days before the construction, as is the case now. Such a state-mandated change in the process would help ensure that everyone had timely access to information about the various options before it was too late.

POLICY AND ADVOCACY RESOURCES AND ALLIES
For almost a decade, the National Trust has been looking at the state-level policies affecting these local decisions through a
partnership with the Building Educational Success Together (BEST) collaborative. BEST partners work to make schools safe, educationally adequate, and community anchors for the surrounding neighborhood. In addition to surveying state policy that affects school location decisions in all 50 states and reporting on how states can either support or undermine their neighborhood school, the National Trust and its BEST partners also looked at model state policies in four areas: financing, planning, facilities management, and schools as centers of community. Read the survey results and model policies at www.preservationnation.org/issues/historic-schools.

In addition to the BEST collaborative, there are many other individuals and organizations working to encourage community-centered schools:

• parents and health officials alarmed by the increasing obesity rate among children;
• Safe Routes to School advocates, a network of individuals and organizations working to increase activity levels in children by developing safer ways for children to walk or bike to school;
• educators who believe smaller schools offer better learning environments;
• health advocates who want to encourage walkable communities;
• residents and business owners who want their tax dollars spent efficiently;
• design professionals who believe sustainable solutions exist for retrofitting older schools; and
• local government officials who want to expand community support for school facilities and educational programming.

In addition to affecting the physical and fiscal health of a community, investment in school facilities also supports other community goals such as creating new jobs, achieving social equity, improving air and water quality, mitigating climate change, reducing number of vehicle miles traveled, and sustaining open space and useable farmland. Given the environmental and economic crises we are facing, it is more vital than ever before for states to support community-centered schools.

Renee Kuhlman directs special projects for the National Trust Center for State and Local Policy.

NOTES
1 www.cdc.gov/nccdphp/dnpha/obesity/childhood/prevalence.htm. The national prevalence of overweight and obesity is monitored using data from the National Health and Nutrition Examination Survey (NHANES). Data from NHANES I (1971–1974) to NHANES 2003–2006 show the following increases: Among school-aged children, aged 6–11 years, the prevalence of overweight increased from 4 percent to 17 percent, while among school-aged adolescents, aged 12–19 years, the prevalence of overweight increased from 6.1 percent to 17.6 percent.

2 Kids-Walk-to-School Fact Sheet, Centers for Disease Control and Prevention, www.cdc.gov/nccdphp/dnpha/kidswalk/fact_sheet.htm (NHTS 2001, analyzed by S. Ham DNPA 2005); http://nhts.ornl.gov/index.shtml. The National Household Travel Survey (NHTS) is a U.S. Department of Transportation (DOT) effort sponsored by the Bureau of Transportation Statistics (BTS) and the Federal Highway Administration (FHWA) to collect data on both long-distance and local travel by the American public. The joint survey gathers trip-related data such as mode of transportation, duration, distance, and purpose of trip. It also gathers demographic, geographic, and economic data for analysis purposes. The 2001-2002 National Household Travel Survey (NHTS) updates information gathered by two series of travel surveys—the Nationwide Personal Transportation Survey (NPTS) conducted in 1969, 1977, 1983, 1990, and 1995 and the American Travel Survey (ATS) conducted in 1977 and 1995.

3 www.cefpi.org/i4a/ams/amsstore/itemview.cfm?ID=90 The guide focuses on the various aspects of progressive school planning and the importance of creating connections among all the constituents that are necessary to the planning process.

HOW YOU CAN HELP PROMOTE COMMUNITY SCHOOLS

To encourage community-centered schools in your area, start by examining your state’s policy and practices that relate to school location decisions by going to www.PreservationNation.org and www.bestfacilities.org/best-home/.

If barriers exist, determine whether they can be rectified through administrative measures or whether they require specific legislation.

Identify areas in which there are policy vacuums such as incentives for rehabilitation, grants for “big ticket” maintenance needs like HVAC system upgrades, or a process for identifying and protecting schools listed in state or national registers of historic places.

Share your goals for increasing the number of community-centered schools in your state with allies like those listed above.

Speak out about the effects of state policy and practices on the local decision-making process at local meetings and through letters to the editor.

Adapt model policies such as those listed above to your state’s circumstances and encourage their adoption.

Once in place, be sure to monitor policies to make sure they are properly implemented.

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FACTORY FARMS: A BAD CHOICE FOR RURAL AMERICA

By Jennifer Sandy

Rural America is usually painted as a pastoral scene of rolling cropland and family farms. But increasingly, this historic landscape is threatened by the harsh reality of factory farms. Also known as Concentrated Animal Feeding Operations, Confined Animal Feeding Operations, or CAFOs, factory farms use industrial production techniques to raise thousands of animals in one location.

This type of industrial agriculture is increasingly how the agribusiness industry is meeting our country’s demand for beef, pork, and poultry. The EPA has estimated there are now more than 20,000 factory farms nationwide, a 30 percent rise since 2003. The American Public Health Association estimates that 54 percent of livestock in the country is now confined on just 5 percent of livestock farms. This relatively new model of livestock production has grown rapidly since the early 1990s. The Government Accountability Office estimates that the number of CAFOs in the U.S. more than tripled between 1982 and 2002. The growth in factory farms has forced thousands of independent farmers out of business by decreasing the sale price of animals. In the hog industry, for example, about one quarter of all U.S. producers went out of business between 1998 and 2000, leaving only 50 producers controlling one-half of all hog production.

So what does a CAFO look like? A typical factory farm consists of a number of large metal buildings where the animals are housed, and storage pits or sewage “lagoons,” either adjacent to or underneath the animal storage facility. Waste is stored in the “lagoons” until it can be spread or sprayed onto nearby cropland as a fertilizer. The “lagoons” are often as big as several football fields.

IMPACT ON RURAL HISTORIC PLACES

Whatever your ethical stand on this method of livestock production, it is important to recognize that factory farms can negatively affect rural historic areas in a number of ways.

Perhaps the most obvious impact of a factory farm is its noxious odor which is often noticeable for miles in every direction. The quantity of waste from a large factory farm can equal the amount of sewage generated by a major city.

Factory farms also emit organic dusts, molds, bacterial endotoxins, and gases such as ammonia and hydrogen sulfide, many of which are known airway irritants or respiratory hazards. This is a problem both for people living near CAFOs and for the people who work in them. Many studies have documented respiratory problems, including chronic bronchitis and non-allergic asthma, in approximately 25 percent of factory farm workers, and some CAFO employees have actually died from asphyxiation after entering underground pits used to store manure.
The documented effects of factory farm emissions are not only a serious health concern, they are also a quality of life issue. A North Carolina study reported that, compared to people living in areas that support dairies or have no livestock, neighbors of swine CAFOs said they were less often able to go outside or to open their windows.10 How pleasant do you think it would be to spend an evening on your historic farmhouse’s front porch if your neighbors were 4,800 hogs?

WATER CONTAMINATION PROBLEMS

Factory farms also have a documented history of causing water contamination. It is estimated that CAFOs nationally generate 1.4 billion tons of animal waste each year, which is 130 times the national volume of human waste—the equivalent of 5 tons of animal waste for every U.S. citizen.11 This waste contains pathogen bacteria, including salmonella and E.coli; heavy metals; nitrogen and phosphorous; and millions of pounds of antibiotics.12 The routine feeding of antibiotics to animals in factory farms is helping fuel the growing public health problem of antibiotic resistance; over 70 percent of all antibiotics in the U.S. are fed to healthy farm animals.13

CAFO lagoons often leak, and, in fact, a certain amount of leakage is allowed by law in some states.14 A number of factors can cause lagoons to leak, including liner damage from repetitive freeze-thaw cycles, weathering of outer walls, pressure from plant roots, and tunneling by rodents or worms.15 Leaks from factory farm lagoons can cause manure...
and contaminants to pollute the groundwater, contaminating local drinking water supplies. Nitrogen and phosphorous contamination also degrades our fragile river and estuary systems. In 1995, 25 million gallons of raw animal waste spilled from an 8-acre industrial lagoon in North Carolina, killing 10 million fish and closing more than 350,000 acres of coastal wetland to shell-fishing. The EPA has blamed current farming practices for 70 percent of the pollution in the country’s rivers and streams, and epidemiology studies have linked several pathogen outbreaks to contamination from livestock waste. In fact, the American Public Health Association has called for a moratorium on new factory farms until additional scientific data on the risks to public health have been collected.

**CAFOS AND THE HISTORIC RURAL LANDSCAPE**

CAFOs obviously have an immediate and negative impact on the historic rural landscape. They are large in scale, housing thousands of animals, and generally consist of utilitarian metal buildings and manure retaining ponds. Traditional farm structures and methods have no role in this type of operation. As small- and medium-sized producers are forced out, historic farms are sold and consolidated, and many historic farm structures are abandoned or demolished. Areas with factory farms also often see an increase in truck traffic, which can have visual and auditory impacts.

The rise in large-scale livestock production has caused a dramatic drop in the number of smaller family-owned operations, particularly mid-sized family farms. Increasingly, livestock production is moving away from traditional forms of buying and selling and toward a system of contracts. The farmer provides facilities, fuel, and labor, while the buyer—usually an agribusiness company or large cooperative—provides the animals, feed, and medicine. The animals are owned by the buyer throughout their lifespan, not by the farmer. And while contracts appear to reduce risk for the farmer, they can have negative consequences. Construction of new CAFO facilities leaves farmers with debt, and there are often no provisions barring the buyer from cancelling contracts early, leaving the farmer with the debt burden and an empty facility.

**SOCIAL IMPACTS**

The proliferation of factory farms also undermines the social cohesion of rural areas. As large-scale CAFOs concentrate in an area, rural communities often experience related declines in local business purchases, physical infrastructure, and population. Decreases in neighborliness, social cohesion, and democratic values have also been documented. The disproportionate location of factory farms in areas populated by people of color or people with low incomes is also a serious social issue.

Factory farms are poor job-creation mechanisms for rural America. In addition to causing the displacement and consolidation of family-owned operations, CAFOs tend to employ fewer people than similarly sized conventional livestock production facilities. One economic analysis of Missouri hog operations found that a contract facility making $1.3 million in annual sales generated 9.4 jobs on and off the farm, while an independent operation making the same amount generated 28 jobs. Because they are owned by large national companies, factory farms typically purchase feed and supplies from outside the community and only minimally contribute to the local econo-
omy\textsuperscript{26}, also making them a poor economic development choice for rural America. Factory farms also affect heritage tourism. Many historic rural communities have begun to recognize the economic benefits of heritage tourism and are working hard to attract visitors to boost their economies. Factory farms, however, can seriously harm visitation when tourists are repelled by their offensive smell.

Perhaps not surprisingly, studies have shown that factory farms also negatively affect property values.\textsuperscript{27} Many people do not want to live downwind of one of these operations. The Union of Concerned Scientists has estimated that, based on data from Missouri, property values near CAFOs across the country have fallen a total of about $26 billion.\textsuperscript{28} The explosive growth of factory farms in rural America is helping to accelerate depopulation of our rural areas, reducing stewardship of the historic rural landscape.

**FINDING SOLUTIONS**

So what can be done to protect rural historic resources from this type of inappropriate development? Many factory farms use U.S. Department of Agriculture (USDA) funding, which means that Section 106 of the National Historic Preservation Act comes into play. To date, the National Trust is aware of only one such funding application by a CAFO that was subject to Section 106 review. Yet more undertakings by factory farms triggering Section 106 review are likely, as people become aware of the many ways that factory farms can have a negative impact on historic resources.

One of the federal programs most frequently used by factory farms is the Environmental Quality Incentives Program, or EQIP, through the USDA (www.nrcs.usda.gov/programs/eqip). Other USDA funding programs include grants and loans through the Farm Service Agency (www.fsa.usda.gov) and the Natural Resources Conservation Service (www.nrcs.usda.gov). Many factory farms also require a National Pollutant Discharge Elimination System, or NPDES permit, pursuant to the Clean Water Act, but the Act allows the Environmental Protection Agency to delegate permitting authority to the states. In states that have received this delegated authority, NPDES permitting does not trigger Section 106 review under the National Historic Preservation Act. For more information on which states have delegated NPDES permitting authority, go to http://cfpub.epa.gov/npdes/statetstats.cfm.

Clearly, federal laws don’t provide much oversight of CAFOs. In 2005 a GAO report found that an estimated 60 percent of factory farms in the U.S. were unregulated. It also found a lack of oversight of state governments to ensure they were adequately implementing required federal regulations.\textsuperscript{29} Another GAO report released in October 2008 notes that the EPA lacks information and a clearly defined strategy for effectively regulating factory farms, and that the EPA has recently proposed exempting factory farms from some of their emission reporting requirements.\textsuperscript{30}

With little federal regulation to rely upon, many rural communities have taken action on their own, through local ordinances or litigation. Local planning and zoning legislation and state regulations can determine where factory farms are allowed to operate. Some states have passed or are working to pass legislation regulating the placement of factory farms. In Missouri, a bill was introduced to create a five-mile buffer zone...
around state parks and historic sites, but it was blocked by the powerful agribusiness lobby. A similar bill in Indiana to mandate a one-mile setback between CAFOs and schools, healthcare facilities, and licensed childcare centers also failed, as did an attempt to institute a three-year statewide moratorium on factory farm construction.

**Case Study – Arrow Rock, Mo.**
The village of Arrow Rock, founded in 1829, is situated on a bluff overlooking the Missouri River. The town has a rich history, encompassing the experiences of Native Americans and early explorers, Lewis and Clark, and travelers along the Santa Fe Trail. In fact, the entire town of Arrow Rock was designated a National Historic Landmark in 1964. Today the town is one of Missouri’s premiere heritage tourism destinations. Many of the town’s historic properties are owned and operated by the Friends of Arrow Rock, a nonprofit organization started in 1959, which has played an integral role in the village’s preservation.

In recognition of Arrow Rock’s unique heritage tourism activities, in 2006 the National Trust listed the town as one of its Dozen Distinctive Destinations, the first Missouri location so designated. Heritage tourism opportunities, particularly outdoor activities such as tours, festivals, and recreation in the adjacent state park, are the economic lifeblood of Arrow Rock.

In early 2007 a local farmer announced plans to construct a factory farm housing 4,800 hogs just two miles from Arrow Rock. The CAFO would threaten not only the village and its homes and businesses but also the state-managed Arrow Rock State Historic Site (which includes a state park), the nearby Sappington Cemetery State His-
toric Site, and several National Register listed and eligible historic rural properties including the William B. Sappington House.

When local residents began to investigate their options, they realized they were facing an uncommon, although not unique, situation. In Missouri the state historic preservation office—which oversees both the state’s preservation activities and its parks and historic sites—is part of the Department of Natural Resources. DNR is also responsible for issuing permits to construct factory farms and regulating NPDES permits under the Clean Water Act. Missouri is also, of course, a big agricultural state with a powerful agribusiness lobby.

Concerned citizens from Arrow Rock and around the state quickly mobilized to fight the factory farm threat. Led by the Friends of Arrow Rock, they formed a new coalition group, Citizens to Protect State Parks and Historic Sites or CPSPHS, and created a comprehensive website, www.protectparks.org. Other organizations—such as the Village of Arrow Rock, the Missouri Parks Association, the Missouri Rural Crisis Center, the National Park Service, the Washington University School of Law Interdisciplinary Environmental Clinic, the Sierra Club, and the National Trust—also got involved.

Because factory farms are so contentious and opponents can often be perceived as NIMBYs who wish to obstruct any kind of agricultural operation, it was important to articulate exactly how the proposed CAFO would have a negative affect on Arrow Rock and its surrounding historic resources. Opponents made the case that the town’s heritage tourism trade, so dependent on outdoor activities, would be negatively affected by the odors and dust generated by a factory farm located so close to the village. The reliance of the adjacent state park on outdoor recreation also helped make the case. Factory farms are unfortunately a fact of life today, but some places are inappropriate for CAFO construction, and two miles from a National Historic Landmark is one of those places.

The coalition pursued a multi-pronged strategy, circulating petitions, holding public meetings, and keeping the CPSPHS website updated with the latest news and press coverage. Coalition members did numerous interviews and cultivated relationships with media contacts. Several coalition members hired a prominent lawyer to file a suit against the DNR for abrogating its responsibility to protect state parks and historic sites.

Although the coalition knew the state was likely to issue a construction permit for the factory farm and that NPDES permitting would not trigger Section 106 review under the National Historic Preservation Act, the coalition searched for evidence of federal permits or funding for the project that would. It discovered the farmer had applied for a loan from the USDA Natural Resources Conservation Service, or NRCS. The program, known as EQIP, would help the farmer install a waste storage facility and a windbreak to help mitigate odor, although the former director of the Missouri Department of Agriculture has noted that windbreaks, or tree screens, mainly serve to keep CAFOs “out of sight, out of mind.” After a call from the National Trust, NRCS initiated Section 106 consultation, partially because of the controversial situation, and coalition members joined as consulting parties.

Coalition members also began lobbying their elected officials, enlisting citizens to
send letters to Governor Matt Blunt, state and federal elected officials, and the DNR. The CPSPHS worked with State Representative Jeff Harris to introduce a bill creating a five-mile buffer zone around state parks and state historic sites. The bill was unsuccessful, although other state legislation that would have rescinded county health ordinances regulating factory farms also died in the state senate. The CPSPHS website continues to track CAFO-related legislation and raise funds for ongoing legal challenges.

So what’s happening in Arrow Rock now? After just one Section 106 consulting party meeting, the factory farm applicant withdrew his request for federal funds, ending the regulatory strategy before there was any resolution of key issues, such as the Area of Potential Effect. At the time, the applicant insisted he would still build the CAFO, but throughout the spring and summer, nothing happened.

At the end of August, the applicant’s state CAFO permit expired, and everyone breathed a sigh of relief. Even better, on August 25 the Cole County Circuit Court ruled in favor of the Friends of Arrow Rock’s petition against the DNR. In siding with the plaintiffs, Judge Joyce established a 15-mile factory farm buffer zone around all of Missouri’s state parks and state historic sites. The DNR has already filed a motion to reconsider and is likely to file an appeal, but this is a significant victory for factory farm opponents in Missouri and elsewhere.

**Case Study – Minidoka National Historic Site**

For several years, the National Trust has been involved in another high-profile CAFO issue: a 13,000-head cattle feedlot proposed for just over one mile from the Minidoka Internment National Historic Site in Jerome County, Idaho. Construction of the factory farm would affect both public health and the site’s integrity and could seriously harm visitation.

The site was one of 10 long-term internment facilities for Japanese Americans and resident aliens in the U.S. during World War II. Originally consisting of more than 600 buildings, (including administrative and warehouse structures, 44 residential blocks, schools, fire stations, a hospital, post office, shops, and a cemetery), the camp was disassembled after the war. The site and adjoining properties still include a broad collection of buildings and structures from the internment camp period, but limited funds and staff mean that there are no visitor services at the site and scant interpretation. Minidoka remains a highly significant site and retains a strong sense of place. The Friends of Minidoka convene an annual pilgrimage to the former camp and maintain a comprehensive website, www.minidoka.org, serving to educate the public and uphold the legacy of the internees.

The National Park Service has recently completed a comprehensive General Management Plan for the site that would increase educational programming, and Congress recently passed legislation to expand its boundaries. Additional legislation authorized the creation of a $38 million grant fund to ensure protection of all 10 camps, but unfortunately, funds have yet to be appropriated.

When the initial permit for a 13,000-head dairy cattle feedlot was submitted to the Jerome County Commissioners, a local ordinance prevented anyone who owned property further than one mile from the site from commenting on the permit application.
This arbitrary rule meant that the commission did not consider comments from the National Park Service, clearly an important stakeholder. Most other members of the newly formed opposition coalition were also excluded from commenting. Coalition members included the Friends of Minidoka, Idaho Concerned Residents for the Environment, the National Parks Conservation Association, Preservation Idaho, Citizens Protecting Resources, the Japanese American Citizen’s League, the Idaho Conservation League, the Idaho Rural Council, the Western Environmental Law Center, and the National Trust.

A critical part of the coalition’s strategy was getting the Minidoka Internment National Historic Site included on the National Trust’s America’s 11 Most Endangered Historic Places list in 2007. The listing generated a great deal of publicity, and the Idaho Statesman published an opinion piece by National Trust President Richard Moe. The 11 Most listing highlighted not only Minidoka but the threat to historic resources posed by factory farms across the country.

Everyone was pleasantly surprised when, in October 2007, the Jerome County Commissioners voted to deny the factory farm permit. The applicant and the Idaho Dairymen’s Association appealed to the state court, and meanwhile the land was sold.

Unfortunately, this August an Idaho district
court ruled that the Board of Commissioners went beyond its statutory authority in denying the permit. The Court did not order the Board to approve the permit, but to reconsider the basis of its decision, which had rested on the County Comprehensive Plan but also should take into consideration existing county zoning and feedlot ordinances.

In September, despite continued protests and last-minute appeals from the National Park Service, concerned citizens, neighbors, and preservation groups, the commissioners approved the feedlot permit. The coalition has continued its efforts to stop the construction of the feedlot by filing for judicial review of the board’s decision. The coalition has started a campaign to raise funds to support the lawsuit.

In December 2008, while the lawsuit against the County was pending, South View Dairy started constructing the CAFO. Despite a word of warning from the coalition’s attorneys, the work did not cease. The coalition has now taken action by filing a Notice of Intent to sue under the Clean Air Act and Clean Water Act. It remains to be seen whether this will effectively deter the ongoing construction or whether additional legal action will be necessary.

These are just a few of the many battles going on around the country to prevent insensitive placement of factory farms. It is obviously not realistic to fight all CAFOs, but when there is a clear effect on historic and cultural resources, preservationists should rally. Contact elected officials at the local, state, and federal level to advocate for better regulation of CAFOs. Get involved with a local or statewide environmental group in your community or state and ask it to address the impact of factory farms on local natural resources. Useful websites include www.factoryfarm.org, which provides data on the number and type of factory farms in your state. The National Trust has also created a fact sheet on Factory Farms and America’s Rural Heritage, which you can find on PreservationNation at www.PreservationNation.org/issues/rural-heritage/factory-farms/.

It is critical to articulate the nature of the threat to historic places and steer clear of NIMBY issues. Form a broad-based coalition that includes environmental groups and sustainable agriculture advocates, and formulate a multi-pronged strategy. Public awareness is key, so make sure you engage the media, raise visibility, work with your elected officials, and take the long view.

Such advocacy efforts are bringing results. Increasing numbers of citizens and policymakers are beginning to recognize the harmful effects of factory farms, and more sustainable and sensitive alternatives such as managed intensive rotational grazing (MIRG) and hog hoop barns are gaining popularity. President Obama’s rural agenda put forth during his campaign also includes some encouraging changes, including strict regulation of CAFO emissions and support for organic and local agriculture.

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NOTES
1 U.S. Environmental Protection Agency, Civil Enforcement, CWA National Enforcement Priorities, epa.gov/oecaerth/civil/cwa/cwaenfpriority.html; and U.S. Environmental Protection Agency,


4 Horrigan et al.


6 Power.

7 American Public Health Association.

8 American Public Health Association.

9 Horrigan et al.


11 Horrigan et al.

12 American Public Health Association.


14 American Public Health Association.


16 Horrigan et al.

17 Marks.

18 Horrigan et al.

19 American Public Health Association.

20 American Public Health Association.


23 Iowa’s Center for Agricultural Safety and Health and the Institute for Agriculture and Trade Policy.


26 Donham et al.

27 Donham et al.


29 Donahm et al.

30 Power.


32 Gurian-Sherman.

No sites embody a more conflicted spirit of place than battlefields, where heroic sacrifice and tragic human failures resonate across time. The spirit of conflicted places holds layered meaning and differing significance for people of divergent cultural perspectives. To truly preserve sites that represent the experiences of several culture groups, it is important to consult people from all sides of the story, and to search for broad understanding and definition of the values of place. Ultimately, in seeking consensus and protection, a true willingness to save, rather than develop, the cultural landscape must be embraced on all sides.

TERRITORIAL CONFLICT ON THE NORTHERN PLAINS

Eastern Montana lies deep within the Northern Plains—rich, rolling grasslands that were home to vast herds of buffalo and native equestrian people until the late 1800s. This was the last region of homesteading and settlement in the contiguous United States, and it was here that the last major campaign by the United States government against the First Nations of the plains was waged, capturing the attention of the world and altering the course of human history in the region and our nation forever.

The conflict had its roots in Westward Expansion and the national effort to throw the doors open to mining, railroading, and agricultural settlement of the American West. Stretching across some 25 years, the campaign to vanquish the plains tribes focused upon the Cheyenne and the Sioux, and came to a head in 1876–77, in an offensive centered in southeastern Montana.

The military strove to conquer the native people of the region, while the tribes fought to defend their homelands and to survive. The words of General George Crook, a U.S. Army general who led efforts against the plains tribes, and Wooden Leg, one of the Cheyenne tribal warriors who defended their territory, offer a historical perspective on the sharply different viewpoints held by those on either side of the fight:

“I believe it is wrong for a government as great and powerful as ours not to protect the frontier people from savages. I do not see why a man who has the courage to come out here and open the way for civilization in his own country is not equally entitled to the protection of this government as anybody else. The army should be strong enough, certainly, to protect their people throughout their whole domain.” (Crook 1876)

“The treaty allowed us to hunt here as we might wish, so long as we did not make war upon the whites. We were not making war upon them. I had not seen any white man for many months. We were not looking for...
them. We were trying to stay away from all white people, and we wanted them to stay away from us ... Lots of buffalo were feeding on the grass at the upper Tongue and Powder rivers, on all of their branches and on the other lands in this whole region. Lots of elk, deer and antelope could be found almost anywhere the hunter might go to seek them. Lots of colts were being born in our horse herds this spring. We were rich, contented, at peace with the whites so far as we knew. Why should soldiers come out to seek for us and fight us?” (Wooden Leg 1931, 159–160)

THE ROSEBUD AND WOLF MOUNTAINS BATTLEFIELDS

Often called the Great Sioux War, the military campaign of 1876–77 began with an attack on a Cheyenne village in March of 1876, which in turn sparked the Battle of Rosebud Creek and the Battle of Little Bighorn in June of that year. The war ended in a final battle on the Tongue River known as the Battle of the Wolf Mountains, on January 8, 1877. Over these months, the Army pursued Sioux and Cheyenne warriors and villagers throughout the region for more than 400 miles.

It has been recognized for almost 130 years that this trail and the battlegrounds along it are among the most important historic places in the United States. The Little Bighorn Battlefield, a national monument since January 1879, is one of the most
prominent historic sites in the lexicon of the American West. However other battlefields along the trail, less well known, are at great risk. A study by the National Park Service and Western History Association (2002) under a *Clash of Cultures* theme identified several sites along the Great Sioux Wars Trail that are at risk, and deserving of far greater recognition and protection.

Among those, the Rosebud Battlefield, 50 miles from the Little Bighorn, and the Wolf Mountains Battlefield stand out. Rosebud Battlefield is a Montana state park, purchased in 1978 to protect its inherent cultural and historic values. One valley to the east, the Wolf Mountains Battlefield is located on a family-owned ranch and holds tremendous integrity, thanks to family members who have provided great stewardship for this place over the past century.

Due to their remote locations, these battlefields are exceptionally well preserved, unlike battlefields in more populated localities. As the former superintendent of the Little Bighorn Battlefield, Neil Mangum, noted: “Rosebud Battlefield is not a park of picnic tables and playgrounds. Few structures disturb the nearly pristine landscape …
The site looks remarkably similar today to how it did more than a century ago, when Brigadier General George Crook’s command was met in battle by Sioux and Cheyenne warriors.” (Mangum 2004)

The pressure to produce and move new energy to market in the United States has changed this picture dramatically. Both are now imminently threatened by energy development.

CULTURAL PRESERVATION IN AN ENERGY BASIN

The river valleys of southeastern Montana are located within the Powder River Basin, a region rich in oil, gas, and coal. Just to the south, in the state of Wyoming, the basin has been extensively and destructively mined for all of these commodities. Strip mines for coal, coal bed methane [CBM] wells, gas pipelines, energy railroads, and oil wells are now common throughout Wyoming’s Powder River Basin. To the north, Montana remains almost pristine in contrast but is next in line. Few controls exist to prevent damage to historic sites, even those of highest national import, against the energy rush.

The challenges are exacerbated in situations where surface lands are owned separately from the minerals that lie beneath, a situation known as “split-estate,” that leads to conflicts between those hoping to preserve land, heritage sites, and habitat, and companies seeking to develop the minerals below. The complexities are mind-numbing, involving federal-, state-, or privately owned minerals that are leased out and often sold several times over the lifetime of the lease, in a system of speculation that is incredibly hard to track and virtually impossible to stop.

And at some point, if it becomes feasible to actually develop and mine those leased minerals, the tension between surface owners and stewards, and of subsurface development interests boils over. Even when all parties—even developers—agree, as they do on southeastern Montana’s battlefields, that the landscape should be preserved, it is a nightmare sorting out the various interests, and it costs a fortune to try and retire the mineral interests.

Still, a growing partnership has formed to pursue those goals. The group includes the National Park Service and American Battlefield Protection Program, the National Trust for Historic Preservation, the State of Montana, several Cheyenne and Sioux Indian nations, the Montana Preservation Alliance, and numerous historical, cultural, and environmental organizations of the region.

Such advocacy has arrived none too soon. From its outset in 2004, CBM gas drilling has been a disaster. The first CBM gas field was drilled in southeast Montana, and, sadly, the federal government permitted the drilling of 178 wells on and around the Tongue River Heights Fight site, one of the secondary skirmishes in the Great Sioux Wars campaign. In issuing the permits, the Bureau of Land Management failed to consider the national implications of drilling into this site, as well as tribal cultural and environmental impacts.

Such impacts to historic sites in the region have sparked new alliances and strategies to see that the battlefields and other sites related to this history are preserved. And as traditional tribal historians and landowners challenge land managing agencies to better protect the cultural heritage of our state, the effort to find common ground and preserve these battlefields has strengthened.
SPIRIT OF PLACE THREATENED

Beneath the Rosebud Battlefield lie coal and gas reserves that now threaten its existence. Elmer “Slim” Kobold, who operated a cattle ranch on the core lands of the battlefield prior to its becoming a state park, understood the inherent value of preserving the battlefield. “When mining companies found a rich coal seam under Kobold’s property in the early 1970s, he began an intense letter-writing campaign and teamed up with [the Montana Department of Fish, Wildlife & Parks] to get Rosebud Battlefield designated in the National Register of Historic Places. A few years later, with constant urging by the tough old cowboy, the Montana legislature agreed to preserve the site, appropriating money ... to acquire a large portion of the battlefield.” (Peterson 2004)

The battlefield was protected, it seemed, from development. However, the state did not acquire the minerals under the land. With 80 percent of the subsurface minerals retained by the Kobold family, and some 20 percent either federally owned or owned by the Crow Indian tribe, mineral development under the battlefield is a very real threat. At this time, all of the mineral rights are under active lease, and in January 2008, Pinnacle Oil & Gas filed its intent to drill for coal bed methane gas beneath the Rosebud Battlefield.

Negotiations are currently ongoing to retire these leases. Montana Fish, Wildlife & Parks and the Conservation Fund, supported by the Montana Preservation Alliance, the Foundation for Community Vitality, and the National Trust, are working with the owners and developers to attempt to trade out the leases with the state and retire the mineral rights under the battlefield.

Meanwhile, the challenges mount. A new railroad to haul coal from Wyoming through Montana has been approved for the Tongue River Valley. As currently planned, it will cut through the heart of the Wolf Mountains Battlefield and coal trains more than a mile long will be rolling through the battlefield within a few years time.

Urgency to protect these sites is expressed by a growing audience, and by officials at the highest levels of government, from Montana’s governor and congressional leaders to tribal councils. Citing the “imminent threat by coal bed methane development” to “the physical and cultural integrity of the waters of the Rosebud Creek, the Rosebud Battlefield, the Tongue River and the Battle of Wolf Mountain,” tribal councils for the Northern Cheyenne, Rosebud Sioux, and Upper and Lower Sioux Communities all passed resolutions to support the designation of “the Rosebud Battlefield State Park (including the Rosebud Spring) and the Battle of Wolf Mountain as national historic landmarks.” (Northern Cheyenne Tribal Council 2005; Rosebud Sioux 2006; Lower Sioux Community Council 2006; Upper Sioux Community Council 2006)

And on October 6, 2008, Secretary of Interior Dirk Kempthorne signed the Rosebud and Wolf Mountains Battlefield NHLs into being, the successful ending to a six-year effort by the NPS; the Northern Cheyenne and Sioux; Montana Fish, Wildlife & Parks; the Montana Preservation Alliance; and the landowners to achieve this honor.

HONORING THE SPIRIT OF PLACE

We are the answer to the prayers of the people who fought on this battlefield.
(William Walks Along, Northern Cheyenne)
tribal vice-president at the first Rosebud Commemoration, July 17, 2006)

The Rosebud and Wolf Mountains encounters offer dynamic perspectives on the spirit of place. Battlefields hold powerful and faceted meaning for different cultural groups and audiences. In our experience, the differences can be profound, and they are often informed by sharply contrasting secular and spiritual values.

As historian and theologian Edward T. Linenthal noted, “battle sites are civil space where Americans of various ideological persuasions come, not always reverently, to compete for the ownership of powerful national stories and to argue about the nature of heroism, the meaning of war, the efficacy of martial sacrifice, and the significance of preserving the patriotic landscape of the nation.” (Linenthal 1993, 1)

From a federal and state government perspective, the significance of battlefields such as Rosebud and Wolf Mountains is largely viewed in a secular manner—these places commemorate battles in the sweep of American Western history, they mark turning points in campaigns to control land and resources, and they reflect patterns in cultural relations and national expansion. These battlefields are valued highly as military sites, providing places for military historians to study tactical maneuvers and strategies of engagement. They also are managed with a multiple-use philosophy, giving recreation and education equal footing with commemorative and contemplative activities.
In meetings with tribal traditionalists on the future of the Rosebud Battlefield, we often heard people talk of cultural identity, of the spiritual significance of battlefields and their importance as burial places. These deeply held values are not often shared, nor understood by non-native agency personnel with little background in the history of these places. In addition, the tribes seek an active role in managing and protecting these places and in shaping the way that they are interpreted for the public.

In 2005 the Cheyenne came forward with information about this war and the battlefields, information they had held for more than 100 years. The tribe had maintained a vow of silence regarding these events, until such time that it was safe for the people to discuss the oral history of what had transpired. That year, for the first time, Cheyenne and Sioux people held a commemoration ceremony at the Rosebud Battlefield, marking a return to the place culturally and signaling their strengthened commitment to seeing it preserved.

The next January, they held a small and meaningful ceremony at the Wolf Mountains Battlefield, again memorializing the events that had taken place there and the people who had fought there so long ago. In both places, tears were shed and the families who had preserved the land and given access for tribal commemorations were thanked and honored.

Two years later, in 2008, the effort to commemorate and protect these places goes on. Faced with imminent development, tribal leaders, preservationists, historians, and conservationists have formed a broad coalition to draw attention to these fragile resources and build public support for their protection. Communities in the region are joining together to create alternative economic programs centered around heritage development and historic preservation. This fall a southeastern Montana partnership staged a rolling workshop to bus people through this historic region and alert the public to the threats to the spirits of these places. Rather than accepting unbridled energy development, participants offered preservation and promotion of the cultural landscape as a viable economic option for sustaining communities in the region.

The prospect to recognize Rosebud Battlefield as a national historic landmark “reinforced what Montanans and historians have long known,” Montana’s Governor Brian Schweitzer stated in January 2008. “Rosebud Battlefield is nationally significant in American history and culture.” (Schweitzer 2008)

In the end, it is an effort to preserve a common heritage and the identity of many unique cultures. The tribal chairman of the Standing Rock Sioux recently noted, “We believe that long-term protection of these areas is an important first step in preserving not only part of our own tribal heritage but that of other tribes as well.” (Murphy 2005)

As the respected Northern Cheyenne historian John Stands in Timber reflected, “They [the old Cheyenne] are gone now and much of what they knew has been lost. But I am glad I have saved a part of it for those who will come after us. It is important for them to remember some of the things that made the Cheyennes a great and strong people.” (Stands in Timber 1967)

Chere Jiusto is the executive director for the Montana Preservation Alliance. Lynda B. Moss is the executive director with the Foundation for Community Vitality.
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NOTES


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Many American cities have developed a thriving historic preservation infrastructure that includes historic preservation policies, a variety of organizations and agencies working to advance preservation, and any number of successful restoration projects and historic districts. And in many cities historic preservation is recognized as a key ingredient of a successful city plan. Too often, however, historic preservation planning is pursued as a separate activity, not linked to core planning and development functions, and relegated as an adjunct to urban planning policies dominated by economic development concerns. Distinct, freestanding preservation plans are rare.

In 2007 faculty and students from the University of Pennsylvania’s Graduate Program in Historic Preservation surveyed patterns and trends in preservation planning at the citywide scale in U.S. cities. Surveyors collected data through online searches, reviews of current literature, and interviews with a variety of city staff and consultants, to identify cities undertaking citywide preservation planning efforts. This study was commissioned by the Preservation Alliance of Greater Philadelphia (with financial assistance from the National Trust) as part of the initial stages of launching a citywide preservation plan for Philadelphia.

They began by looking at the 100 largest U.S. cities. (A few Canadian cities were included, despite the different governmental structure and planning traditions in Canada.) Among the cities sampled, Charleston, S.C.; Los Angeles; San Francisco; Fort Worth; Phoenix; Kansas City, Mo.; Seattle; and Salt Lake City stood out. But the surveyors found that in nearly every large city, basic historic preservation functions are in place: a local preservation ordinance, district and landmark listings, an appointed commission with some staff, some survey of historic resources, some integration of preservation into master plans. In a few cities, strategic plans with a strong base of knowledge and data have yielded much stronger results than a mere collection of individual preservation activities would bring.

THE IDEAL

The ideal citywide preservation plan should include an up-to-date physical survey backed up by contextual historical research to provide a knowledge base about resources to preserve. It should also include a range of preservation planning and policy options to support such activities as historic designation, design guidelines, and financial incentives for rehabilitation. Further, a preservation plan should relate to the overarching planning, zoning, economic development, and other built-environment functions of the city government.

Surveyors found that there are several obstacles to achieving all these goals. It is difficult to marshal enough resources to build a strong base of information about the city’s historic resources as well as support a strategic planning process among the many partners contributing to a city’s preservation infrastructure. People, time, money, and influence
need to be dedicated to the purpose. Preservation planning is not simply about documenting historic resources, nor is historic designation and protection an end in itself, yet surveys and historical research provide an essential base for any policies or decisions. Surveys are time- and resource-intensive, and seldom keep up with the demand for information. At the same time, changing historical canons, public awareness levels, and historic preservation methods highlight the need to make surveying and historical research an ongoing process—not a one-time product.

Another challenge for preservation planning at the citywide scale is making connections between preservation and economic development, zoning, and community development. Historic preservation is often viewed as being marginal and separated from the planning mainstream. The goal of citywide planning should be to draw in new partners. Preservation planning driven by surveys alone or focused on isolated monuments or districts—without being connected to overall decision-making about a city’s economic development, public investment, and urban form—is ineffective and won’t bring the desired results. Instead preservation planning should be connected to the main-streams of development and planning policy.

A preservation plan is not a document merely arguing that preservation is a good idea and listing the sites to be preserved. It should articulate a vision for the role of historic preservation in a city’s future and elaborate on strategies for achieving this vision. Preservation plans may take on the additional challenges of confronting trade-offs between economic development, community desires, environmental sensitivities, and other public benefits. Preservation plans should help reconcile conflicting processes and integrate the work of preservation with the other planning measures necessary for urban growth and change. Such plans may simply advocate for preservation or they may go beyond advocacy to specify modes and means of realistic implementation. They should also abide by the basic city-planning tenets of basing decisions on research and analysis of options, and recognizing that public engagement results in better decisions.

WHAT KINDS OF PLANS ARE BEING DONE?

Surveyors found that, in general, cities have one of the following types of preservation plans in place: a free-standing plan, a chapter in a larger comprehensive plan, an effort organized around neighborhood- or area-planning, or a survey-driven plan. Some cities refer collectively to a variety of preservation efforts—surveys, histories, regulatory efforts, commissions, incentives—as “historic preservation plans.” Even more narrowly, some cities publish a catalog of surveyed buildings and call this a plan. This article does not focus on such planning efforts, instead dwelling on more deliberate, forward-looking efforts.

Free-standing Plans

Only a few of the larger cities surveyed have undertaken freestanding citywide preservation plans. Surveyors identified less than a dozen examples, including Charleston S.C.; Los Angeles; Fort Worth; and Salt Lake City. A few smaller cities have commissioned freestanding preservation plans, including Waterloo, Iowa; Franklin, Tenn.; and Abingdon, Va. A number of small cities in California and Texas have also formulated preservation plans, thanks to state-level funding programs for these activities. The plans in these cities tend to be straight-
forward summaries of local history, historic preservation tools, and existing policies. Stand-alone plans demonstrate a high level of commitment to preservation as part of a city’s approach to planning and development. Strongly motivated, politically influential preservation constituencies are usually the driving forces behind such plans. These plans increasingly are designed to be strategic—that is, setting out a number of goals beyond survey and regulation, aimed at better integrating preservation into broader planning frameworks and development activities. The cities undertaking these plans generally have widely recognized historic resources and a long tradition of preservation.

Comprehensive Plan “Chapters”
The majority of cities undertaking preservation planning pursue it as part of a larger comprehensive plan. Preservation planning takes the form of a “chapter” of the comprehensive plan. In some cases this is because political or planning authorities recognize that addressing historic resources is a significant aspect of planning and built environment issues; in other cases, it is because of state-level legal and policy requirements.

This approach to preservation planning, however, has pros and cons. On the pro side, it is better to have historic preservation included in comprehensive planning than excluded. When historic preservation plans are simply folded into comprehensive planning efforts, it is easy to under-value and undermine the contributions preservation makes to urban development. Even though a range of tools are available and a modest level of surveying and designation have been carried out, preservation sometimes remains on the sideline of debates over—and efforts to actively shape—the character of the city. Preservation runs the danger of warranting only pro forma mention, regarded as an optional “amenity,” getting reduced to regulation, or traded off against other aspects of the plan.

Heritage areas provide another model of citywide preservation planning. Heritage areas do not rely on public ownership or regulation; rather, they are entrepreneurial, partnership-based strategies for integrating development and preservation efforts (often across political jurisdictions) to broaden public access to historic and natural resources. The Baltimore City Heritage Area, created in 2001 by the Mayor’s Office, complements the traditional preservation activities carried out by the Commission for Historical & Architectural Preservation, the City’s lead preservation agency. Photo by Byrd Wood.

Neighborhood-driven or Area-planning Approaches
Surveyors found that some cities approach
preservation planning in a piecemeal manner—neighborhood by neighborhood. In many instances, the choice of which neighborhoods get preservation planning attention is fairly ad hoc—chosen opportunistically rather than according to strict criteria. Surveying historic properties and writing context statements are regarded, in these cases, as part of a strategy to help frame community goals and vision. In cities pursuing this model—examples include Seattle, San Francisco, Phoenix, and Indianapolis—somewhat decentralized, neighborhood-level preservation plans are used to gradually extend the reach of preservation across the city. These plans may lack an explicit strategic, citywide vision, but such efforts seem well suited to solving more immediate threats to historic communities. This represents a pragmatic approach to preservation planning, particularly in a time when resources to mount preservation planning efforts are scarce.

Survey-driven Plans
Traditional preservation plans, driven by survey not strategy, are used less frequently these days—partly because surveys can be expensive and time-consuming to do and partly because preservation advocates are more attuned to making an impact on the entire city (not just those precincts deemed “historic” by consensus), which requires a strategic approach (revolving around a future-oriented vision of the city and the role historic buildings/places are desired to play in that future). The use of digital tools to capture and manage survey data (GIS, digital photography, database software) is transforming the way surveying is done, although it remains a big undertaking. However, even in the most strategy-oriented plans, survey data still serves as a critical foundation for planning decisions. Some cities focus their efforts on expanding surveys—or revising criteria for surveying and listing—because it is simply easier politically, pragmatically, and legally to build on well-established tools, policies, and institutions.

Developing historic context statements about the thematically important aspects of a place’s narrative is an increasingly frequent practice. Developing a context statement should be a critical, early part of the survey process. Many surveys, it is acknowledged, are not representative (neglecting certain ethnic groups, historic periods, geographic areas of a city) and therefore in need of revision and updating. Carefully done context statements help reveal past biases and gaps. This approach aligns very clearly with the push for more strategic preservation plans: Context statements give preservation leaders and staff a solid base on which to make decisions on the allocation of scarce resources.

COMMON ELEMENTS OF CITY-WIDE PRESERVATION PLANS
Results of this survey showed that these different approaches to citywide planning share several common elements.

In most cases a basic historic preservation planning infrastructure was in place, including an ordinance and a few preservation organizations (public and nonprofit). Furthermore, some level of survey, historical context information, listing, and mechanisms for regulating listed properties existed.

Public involvement in preservation planning tended to take the form of public meetings and consultative committees drawn from civic leadership, political, and business circles. The urgent discussion about building a public constituency for historic preservation was too rarely heard or creatively approached.
Some preservation planning efforts were aimed at revising existing legislation, policies, or regulations. Plans also commonly endeavored to expand the kinds of resources considered for listing and protection—recent past resources and places associated with ethnic histories, for example.

More and more, planning efforts revolved around the economic benefits of historic preservation as part of the rationale for doing preservation planning. Sometimes plans stressed the need to protect assets important for heritage tourism, other plans cited evidence supporting the argument that historic preservation regulation increases property values. Planning efforts focused on making economic arguments for preservation often urged the use of financial incentives to encourage private investment in preservation projects.

KEY VARIABLES

Surveyors identified seven key variables among the plans they reviewed. These variables are not promoted here as essential ingredients for successful preservation plans, but rather as issues addressed in some way by most efforts.

Driving Issue
Preservation plans are usually motivated by a driving issue—sometimes reactive, sometimes proactive. This issue is sometimes the loss of an important resource (a common occurrence in the preservation history of many cities); more often, preservation plans are longer-term, thoughtfully designed responses to the lack of strategic vision for preservation in the broader scheme of a city’s growth. Thus, the driving issue for many citywide preservation plans is a cumulative frustration with failure to include or support preservation in everyday planning decisions. In other cases, the opportunity presented by a pro-preservation political regime, a mandated periodic updating of the comprehensive planning, or a state program to enable municipal-scale preservation planning stimulates a planning effort.

The Driving Organization
While multi-sector partnerships are the norm in most planning and preservation efforts these days, one organization often takes the lead in citywide preservation plans. In most cases, this is an agency of the municipal government. In addition, other, somewhat independent centers of leadership in the preservation and civic communities play some role in most of the efforts (whether it is the leading nonprofit preservation group, a local foundation, downtown business/owners’ group, or university). As with most preservation or planning efforts nowadays, partnership is the rule. Another common source of leadership is the non-profit preservation community; or, more rarely, (regional) foundations.

Organizational Structure of the City’s Preservation Community
In most cities, some government staff is devoted strictly to preservation. The historic preservation agency or dedicated staff is most often organized as a subgroup within the planning department, though there are many variations on this theme as well as a number of exceptions (in which case the preservation agency reports directly to the executive—the mayor or city manager).

Integration of Preservation with Other Planning/Development Processes
Whatever the institutional arrangements of a city’s preservation agencies, a key variable—perhaps the key variable—affecting the
efficacy of preservation planning is how well it is integrated with broader urban planning, economic development, and political priorities and procedures. To the extent that historic preservation is isolated from these broader processes, it loses its potential to influence the city at large (though it may still be quite successful on certain sites or areas of the city). Sometimes the difficulties of integration are expressed in conflicts or contradictions between zoning and preservation regulations, lack of administrative collaboration between departments with related responsibilities (building inspection, zoning, economic development, and historic preservation, for instance), or competition over the emphasis of project plans or area/neighborhood plans (in which preservation often is pitted, rightly or wrongly, against development).

**Survey vs. Strategy**

The balance between emphasizing *survey* (gathering and organizing information) versus emphasizing *strategy* (influencing and shaping future decisions through analysis or through forming partnerships) is a key distinguishing factor between different types of plans.

Good surveys are a foundation for good strategies and decision-making, but not a substitute for them. Conducting a survey is expensive and time-consuming, and the survey is (or should be) in a state of constant revision and addition. Collecting data is difficult in itself; making it useful and accessible requires great effort. Even the most exhaustive surveys rarely yield any sensible result to the public (Chicago’s extensive survey, accessible online, is an exception); yet a reliable and reasonably comprehensive survey is an essential basis for policy and development decisions.

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The Fort Worth Citywide Historic Preservation Plan, completed in 2003, is a notable example of a free-standing preservation plan. The plan analyzes existing surveys, historical research/context studies, and economic studies, and bases its recommendations on community input and visioning exercises as well as analysis of existing policies, tools, and data.

As a complement to the survey, strategy means shaping policy decisions, designing the processes of implementing and supporting preservation (politically, administratively, financially), and thinking about systemic change as well as project-, site-, or resource-specific outcomes. Both survey and strategy are essential to an effective preservation plan, though neither should be allowed to dominate the planning.

**Funding Sources**

Obtaining funds to do the planning itself is a necessary concern, of course. Money can come from many different sources. Funds from operating budgets rarely suffice to maintain a proactive survey at any level as well as conduct routine administration of preservation ordinance responsibilities.
Therefore bond issues, foundation grants, or other special sources of funding are used for preservation planning.

The second funding issue is securing financial support to carry out provisions of the plan and staff/monitor/implement the measures called for in it (i.e., additional surveying, research, design review). Better integration of preservation activities with mainstream planning and development processes (as opposed to sowing conflict between preservation and development) should increase the availability of implementation funds.

Constraints
Ambitious efforts like citywide preservation plans require risk-taking on the part of supporters and advocates. Framed another way, preservation planning faces a number of pragmatic obstacles and constraints alongside the strategic and intellectual challenges. Lack of political support both within the planning apparatus and more generally in the civic sector is a common obstacle. Closely related, weak public support for preservation—or rather, over-reliance on a small, highly committed cadre of preservation supporters—is a limiting factor in cities undertaking preservation plans.

CONCLUSION
Citywide preservation planning seems to be undergoing a mild boom. As historic preservation gains greater, gradual acceptance as a tool for urban development as well as a memorial and artistic activity, the perceived need for preservation planning increases. In varied forms, preservation planning is gaining acceptance as an essential function of city governance.

There is no one best model of preservation planning; it should respond to the strengths, weaknesses, opportunities, and threats specific to each city. The best preservation plans expand on traditional preservation planning tools (survey, regulation, incentives) and work to transform the city’s use of preservation to be more forward-looking, more publicly engaged, and integrated with other urban planning and development processes. The framework described here (key concepts and plan types) will ideally support critical thinking about doing more citywide preservation planning and doing it better.

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The 141-acre farm that famed statesman and New Hampshire native Daniel Webster described to his son as “the very sweetest spot on earth” is enjoying a new lease on life after many uses and years of uncertainty.

A theme of retreat and rejuvenation runs through the long history of this place; it was used as a farm, retreat, orphanage, convent, and now a residential treatment facility for alcoholism and drug addiction called Webster Place Recovery Center.

**AN UNTHINKABLE PLAN**

In 2005 the farm was included on the National Trust for Historic Preservation’s list of America’s 11 Most Endangered Historic Places when a developer acquired the property and proposed to build multiple housing units that threatened the future of the historic buildings and land. Threatened resources included a National Historic Landmark, the site of a 1755 fort, some of the best agricultural soils in the state, and nearly a mile of frontage along the Merrimack River.

Eleven buildings stand on the property: three wood frame farmhouses plus a cemetery from Webster’s era along with later brick dormitories, school buildings, and a chapel erected from 1873 to 1925 by the New Hampshire Home for Orphans and School of Industry.

The buildings and land were on the market for five years after the nuns left the property to consolidate their operations in Manchester, N.H. Buildings deteriorated, and a future that capitalized on the place’s history and assets seemed unlikely when the property was sold to a developer with plans for more than 100 housing units on the farmland.

**TEAMWORK PAYS OFF**

A call to action by neighboring farmer Dan Fife and Leigh Webb, president of the Franklin Historical Society, as well as a dedicated cadre of others interested in conservation and preservation; a building re-use study by the New Hampshire Preservation Alliance; and major commitment by the Land and Community Heritage Investment Program (LCHIP) led to the purchase of the property from the developer by the Trust for Public Land (TPL). TPL held the property off the market while the organization and its partners raised $2.5 million to secure the permanent protection of the historic, natural, and agricultural resources and find new owners for the farmland and campus.

New Hampshire entrepreneur Alex Ray responded to a search for a productive re-use of the buildings consistent with their historic character. Ray, owner of the Common Man family of restaurants, wanted to help shrink the long waiting lists for people seeking affordable and accessible treatment for alcoholism and drug addiction by opening up a center in New Hampshire.
A BRIEF HISTORY
Daniel Webster (1782–1852), a U.S. congressman, senator, presidential candidate, and secretary of state, is considered one of America’s greatest statesmen and orators. After studying at Dartmouth College and opening a law practice in Boscawen and later in Portsmouth, he maintained his family farm in Franklin, after his older brother Ezekiel’s death, as a place for political meetings, farming, and a retreat until his death in 1852. In 1871 the Webster family home on the property became what is believed to be the country’s first rural orphanage, housing children who had lost parents during the American Civil War. The Sisters of the Holy Cross later occupied the campus from 1960 until 2000.

THE NEW WEBSTER PLACE
The clean-up and renovation for the Webster Place Recovery Center has created spaces of dignity and comfort. The work was also a celebration of environmental and economic sustainability. Whenever possible, building materials such as wood paneling and metal fire escapes, furnishings, and machinery were either donated or recycled on site. A new wood chip plant heats the buildings at one-third of the cost of the old oil system, and its ambient heat warmed a plant propagation space this spring.

Webster Place Recovery Center opened for business in February 2008, and the program’s new leaders are carrying forward Ray’s ideas. Executive director John Knowles treats the buildings as inspiration instead of simply program space. In a recent tour, he described how respect for history and place is a treatment theme, and emphasized the positive effect the property’s architectural and natural assets have on clients—a resident might write in a journal at a desk in front of a large, old window with views of farmed fields; tap maple trees and make syrup; or harvest strawberries and broccoli out of gardens that he or she has helped till.

“We are so pleased with how well Alex Ray’s vision for this property meshed with how this property has been used over the last two centuries,” says Colin Cabot, chairman of the Webster Farm Preservation Association (a group that helped raise funds for the property’s acquisition and stabilization) and board member of the Preservation Alliance. “He not only revived the historic structures but is continuing the agricultural, educational, charitable, and renewal activities that have defined this special place for over 200 years.”

“I’m not a philanthropist. I’m trying to build a business model that says you can grow a self-sustaining business and do it by giving back,” says Ray.

Ray is making it possible for the Franklin Historical Society to use Webster’s former home for meetings and exhibits, and other nonprofit uses add synergistic activity to the campus. Leigh Webb, president of the Franklin Historical Society, says, “The opportunity is to begin the evolutionary process of restoring this significant landmark and tribute to Daniel Webster while creating the permanent meeting place, archival storage, and museum of the Franklin Historical Society. As this project unfolds, the Society envisions not only an enhancement of the area’s economy by developing an attractive visitor destination, but also generating a greater appreciation of Franklin’s place in New Hampshire’s history.”
Only about half the campus is in use right now, and Ray is open to other complementary users for the historic buildings who share his vision for the property.

NOW AND INTO THE FUTURE

As part of the plan to permanently protect the natural, cultural, and historic features of this property, the Preservation Alliance holds a preservation easement, which is designed to protect the buildings and the adjacent historic landscape while encouraging their rehabilitation and vibrant use in the years ahead. TPL conveyed the remaining 122 acres—farmland along the Merrimack River—to a neighboring farmer, Clarence Fife, and facilitated the transfer of a permanent conservation easement to the Society for the Protection of New Hampshire Forests.

The total cost of the project, including purchase of the two easements, stabilization of the buildings, and related costs, was $2.5 million. In addition to LCHIP’s grant of $750,000, the federal Natural Resources Conservation Service’s Farm and Ranch Lands Protection Program (FRPP) awarded $500,000 to the effort, with the support of the New Hampshire congressional delegation. The New Hampshire Department of Fish and Game contributed $100,000. The remainder of the funds came from private donations and the sale of the restricted land and buildings. The partners raised nearly $850,000 in contributions from individuals, foundations, and businesses. U.S. Congressman Paul Hodes recently helped secure a matching Save America’s Treasures grant to help the Franklin Historical Society study and rehabilitate the Webster home.

Jennifer Goodman is the executive director of the New Hampshire Preservation Alliance. This article was reprinted with the permission of Around Concord magazine.
Easements now protect the property’s historic buildings and landscape, which includes prime agricultural land and nearly a mile of frontage along the Merrimack River. Photo by Gail Rousseau.

ABOUT THE AGENCIES

The Land and Community Heritage Investment Program (LCHIP) is an independent state authority that provides matching grants to New Hampshire communities and nonprofits in an effort to protect the state’s most important natural, cultural, and historic resources for the purposes of ensuring the perpetual contribution of these resources to the state’s economy, the environment, and the quality of life in New Hampshire. (www.lchip.org)

The New Hampshire Preservation Alliance is the state’s not-for-profit membership-based historic preservation organization dedicated to preserving historic buildings, landscapes, and communities through leadership, advocacy, and education. (www.nhpreservation.org)

The Society for the Protection of New Hampshire Forests is the state’s oldest and largest nonprofit land conservation organization. (www.forestsociety.org)

The Trust for Public Land (TPL), established in 1972, specializes in conservation real estate, applying its expertise in negotiations, public finance, and law to protect land for people to enjoy as parks, greenways, community gardens, urban playgrounds, and wilderness. (www.tpl.org)

The Franklin Historical Society was established in 1981 with a mission “To promote and inculcate an interest in, and an understanding of, the history and development of the city of Franklin, NH…” (www.histsoc.org/NH/FHS)