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FEDERAL UPDATE

Farm Bill Becomes Law — Again!

On Wednesday, June 18th, Congress for the second time overrode President Bush's veto of the Farm Bill (H.R. 6124)--317-109 in the House and 80-14 in the Senate. The second override vote was necessary to correct an earlier technical legislative error. In the five year measure, rural heritage activities are eligible for certain rural development grants, lands with historic and archeological resources are eligible in more conservation programs, tax incentives for conservation easement donations are extended for 2 years, and the Historic Barn Preservation Program is reauthorized.

The National Trust for Historic Preservation and its partners are working with staff at the U.S. Department of Agriculture to ensure the historic preservation provisions in the farm law are maintained during the regulatory process. For a additional information about the provisions, please visit <http://www.preservationnation.org/take-action/advocacy-center/legislative-briefs/farm-bill-and-rural-heritage.html>.

House Hearing Emphasizes Transportation Bill Effects on Sustainability and Smart Growth Policies

The House Select Committee on Energy Independence and Global Warming held a hearing on June 18th and that focused on the role of smart growth in combating global warming and greenhouse gas emissions. However, a clear divide emerged early in the hearing between the majority of the panel witnesses and the representative (Greg Cohen) of the Alliance of Highway Users. In short, the witness panel debated whether smart growth efforts should be first and foremost targeted towards reducing vehicle miles travel (VMT) or instead developing better land-use policies that combat sprawl.

The disagreements between the witnesses brought into sharp focus the role of the next surface transportation reauthorization bill will have in shaping the smart growth debate over policies that emphasize more population density and any accompanying traffic congestion that may come with in-fill development. On this point, subcommittee panel-member Rep. Earl Blumenauer (D-OR) lamented that cities in his district have lost population, but gained cars! Blumenauer also emphasized the need to ensure that links between public transportation and affordable housing costs are greatly enhanced to ensure that demand for more urban-centered housing isn't limited to upper-income people who can afford it.

David Goldberg of Smart Growth America listed the reuse of existing buildings in his statement as one of the 10 Guiding Principles of Smart Growth, but there was actually very little discussion of the role of rehabbing buildings despite the fact that buildings account for almost 40% of greenhouse gas emissions. The National Trust has been an active proponent of the sustainability of existing structures in addressing global warming and the

negative effects of urban sprawl and auto-centric patterns of development.

You can read the text of the witness testimony at the individual links provided below or visit the Subcommittee's website at <http://globalwarming.house.gov/pubs>.

WITNESS LIST:

[Dr. Sultan Al-Jaber](#), CEO, Masdar Initiative, Abu Dhabi, United Arab Emirates

[Steve Hewitt](#), City Administrator, Greensburg, Kansas

[Gregory Cohen](#), President and CEO, American Highway Users Alliance

[David Goldberg](#), Director of Communications, Smart Growth America

[Steve Winkleman](#), Transportation Director, Center for Clean Air Policy

STATE AND LOCAL UPDATE

Face of Connecticut Bill Signed Into Law

Governor Jodi Rell signed Public Act 08-174, "An Act Concerning the Face of Connecticut Steering Committee, the Preservation of Farmland, a Municipal Grant Program for Development Projects, Loans for Brownfield Purchasers and Tax Exemptions for Open Space Land Held by or for Corporations," into law this week. This bill represents a significant victory for open space, historic, and farmland preservation advocates across Connecticut and opens the way for even more significant gains in the coming years.

Several important changes were made to the original legislative proposal for 2008, specifically the addition of advocates for brownfield remediation and redevelopment to the Face of Connecticut Steering Committee, and most notably, the absence of any funding allocated to the Face of Connecticut account. Connecticut smart growth advocates note that although no new bonding was enacted this session, the Face of Connecticut bill had 97 co-sponsors who can be counted on next year to fulfill their commitment to and fund the initiative. Specifically, P.A. 08-174 accomplishes several important goals, including:

- Establishes the 15-member Face of Connecticut Steering Committee to direct the distribution of funds deposited into the Face of Connecticut account, including a representative of a local organization involved in historic preservation, appointed by the speaker of the House of Representatives.
- Establishes the Face of Connecticut account.
- Increases the Connecticut Department of Agriculture's maximum price per

Property Rights
Lawsuit Denied in
Case Seeking to
Overturn the
Historic District
Preservation
Overlay Zoning in
Los Angeles

acre for the purchase of development rights on farmland.

- Authorizes the Connecticut Department of Agriculture to establish criteria for a Community Farms program.
- Exempts open space from local property taxes if held by a non-profit.
- Re-establishes the Brownfields Task Force and requires recommendations on remediation options by January 2009.

Los Angeles Historic Districts Claim Victory in Court Case

Last month, the preservation community in Los Angeles breathed a sigh of relief when a lawsuit filed by property rights advocates against the city to overturn Historic Preservation Overlay Zoning (HPOZ) in the neighborhood of Windsor Square was denied. This is the latest in a series of lawsuits stemming around the designation of HPOZ in the neighborhoods of Windsor Square and Hancock Park that could have potentially seen far-reaching impacts across the city. The Windsor Square case included allegations that HPOZ designation was a violation of the California Environmental Quality Act, as well as an infringement of the property rights of homeowners.

An alliance against historic designation argued that HPOZ designation would actually harm the environment by limiting conservation measures such as solar panels. The judge rejected these claims, and ruled to uphold the designation of Windsor Square HPOZ. The Hancock Park HPOZ decision still awaits final City Council action.

The Los Angeles Conservancy has been an essential supporter of HPOZ during these past years of dispute. For more information about their Neighborhood Initiative, visit www.laconservancy.org.

