

TEACHING AMERICAN HISTORY PROJECT

A partnership between Portland State University, Portland Public Schools and the Tigard-Tualatin and Beaverton School Districts, funded by the U.S. Department of Education

HISTORICAL TOPIC: Growth and Conservation (1900 - Present)

The celebration of the first Earth Day in 1970 marked an era of environmental legislation starting in the Johnson administration and continuing through the Nixon administration. This legislation addressed growing concerns about the impacts of growth on the open spaces of the West and on close surroundings of cities. Environmentalism drew both Sierra Clubbers and suburbanites.

In the Pacific Northwest, the key figure was Tom McCall, the eloquent Republican governor of Oregon. McCall presided over steps to protect beaches from “condomania” and farm land from suburban sprawl. A quarter century later, Oregon was the site for the key Supreme Court case *Dolan v City of Tigard* which addressed balance of public and private property rights.

*The Growth & Conservation topic contains the subtopics listed below. Each subtopic includes a narrative with highlighted text [resources] and notations indicating that additional support material is available for viewing and/or downloading including primary documents, maps, spreadsheet data and websites. To access the material go to the TAHPDX: Teaching American History Website and use the links available on the **TOPIC AREAS [Growth & Conservation]** page or the **QUICK NAVIGATION** pages.*

Search TAHPDX on the internet or access the website via the link on the Community Geography page at <http://www.pdx.edu/ims/comgeo.html>.

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Curriculum Unites developed for this topic (download using the TAHPDX website):

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3. Urban Renewal and the Minnesota Freeway (Portland, OR)
4. Urban Renewal in the Eliot Neighborhood (Portland, OR)

1. Conservation & Economic Development, 1900-1950

Progressive Conservatism

In the first half of the twentieth century, issues of environmental protection were largely framed in terms of efficient use of resources for long-term economic benefit – an impulse that historian Sam Hays has termed “the gospel of efficiency.” The National Forest system, for example, was created to preserve the quality of water for cities that used upstream watersheds and to regulate timber for economic production. National Parks were efforts to protect landscapes with economic value for tourism and well as inherent scenic value. The Bureau of Reclamation and Bureau of Land Management, which took over management of unallocated federal lands in the 1930s, also shared the same motivation to promote careful economic development through irrigation projects and rangeland management.

Book Resource: Hays, Samuel. 1999. *Conservation and the Gospel of Efficiency: The Progressive Conservation Movement, 1890-1920*. Pittsburgh, PA: University of Pittsburgh Press.

The 1930s and the Northwest

Through the 1930s and 1940s, most Americans drew little distinction between resource protection and resource development. On the Great Plains, for example, the planting of shelter belts and new farming techniques were designed to prevent soil erosion through a renewal of the Dust Bowl region. In the Pacific Northwest, the massive replanting of the Coast Range after the great Tillamook Burn showed the commitment to continued resource production; so did the damming of the Columbia River. In the dam-making era, Portlanders and other northwesterners wrote books with titles such as Our Promised Land and River of the West: A Study of Opportunity in the Columbia Empire and The Columbia: Powerhouse of the West. Better known are the products of the decision by the new Bonneville Power Administration in 1941 to hire **Woody Guthrie** [[web/media resource](#)] to tour the Bonneville Dam (1937) and Grand Coulee Dam (1941) projects and to write celebratory songs. Many Americans have sung the most popular of the compositions that Guthrie penned:

“Green pastures of plenty from dry barren hills . . .”

“Roll on, Columbia, roll on.
Your power is turning our darkness to dawn. . . “

Web/Media Resource: *Roll on Columbia: Woody Guthrie & the Bonneville Power Administration*. 2000. VHS (running time 56:30 minutes). Production of the University of Oregon’s Knight Library Media Services and the School of Journalism and Communication, Eugene, OR. Purchase information available from www.libweb.uoregon.edu/med_svc/wguthrie.

Book Resources:

Neuberger, Richard A. 1989 (reprint). *Our Promised Land*. Moscow, ID: University of Idaho Press.

Morgan, Murray Cromwell. 1949. *The Columbia: Powerhouse of the West*. Seattle, WA: Superior Publishing Co.

Voices for the Wilderness

In contrast, preservationist and wilderness values remained minority voices. **John Muir** [web resource] famously articulated a wilderness preservation ethic, but even his writings about Alaska were only taken up by boosters of that territory’s tourism industry. **Arthur Carhart** [web resource], famous for the Wilderness Act of 1964, and **Aldo Leopold** [web resource] articulated a rationale for wilderness preservation and attention to the protection of natural systems, but they were exceptions to the rule.

Web Resource: The Sierra Club maintains comprehensive transcriptions of Muir’s articles, books and letters (http://www.sierraclub.org/John_Muir_Exhibit/writings/).

Web Resource: Arthur Carhart was instrumental in the passage of the Wilderness Act of 1964. For more information about “wilderness” and this act visit <http://www.wilderness.net/>.

Web Resource: Aldo Leopold Foundation at visit <http://www.aldoleopold.org/>.

2. New Environmental Ideas

In the second half of the 20th century, the pragmatic conservationism of the Progressive and New Deal eras was complicated by other strands of environmentalism. These added concerns that centered on lifestyle improvement and spiritual values. These strands all spoke in varying ways to the needs of the growing – and increasingly prosperous – middle class. We can delineate these strands as the movement for wilderness, the fight against pollution, and the effort to contain the impacts of suburban sprawl.

Wilderness & Ecology

In writing the history of environmentalism in the last fifty years, most attention has gone to the rising prominence of a wilderness ideal. Environmentalists in the 1950s mobilized to resist new dams that would drown spectacular and isolated western canyons. Led by the Sierra Club,

environmentalists were able to block construction of the proposed Echo Park Dam (1955) that would have drowned much of Dinosaur National Monument. They failed, however, to block the *Glen Canyon Dam* [web/media resource] on the Colorado River. The *Wilderness Act of 1964* [pdf resource], which set aside substantial tracts of undeveloped land in National Parks and National Forests, was a major success. So were the *National Wildlife Refuge System* (1966) [pdf resource] and the *Wild and Scenic Rivers Act* (1968) [pdf resource].

Web Resource: *Glen Canyon: A Dam, Water and the West*. PBS documentary (60 minutes) uses archival photographs, film, and interviews with the key players involved in the dam's construction to present a balanced examination of Western progress (information available at <http://www.kued.org/productions/glencanyon/about/program.html>).

Map Resource: Map of designated Wilderness Areas in the United States (current).

Web Resource: For more information about the Wild & Scenic Rivers Act visit the official National Park Service website at <http://www.nps.gov/rivers/about.html>.

Pollution Problems

A second inescapable problem was urban pollution, visible in contaminated water and in thick layers of smoke and smog. Cities such as Pittsburgh and St. Louis, where coal drove factories and heated buildings, confronted a “smoke menace” that damaged lungs and buildings. In Pittsburgh an alliance of civic leaders, citizens, and major business interests came together to clean up the city so that it could continue to attract investment and residents. Their efforts were part of the so-called “Pittsburgh Renaissance” of the 1940s and 1950s.

Even as coal-burning cities were starting to clean up (in part by a shift to other fuels and power sources), a new air pollution menace developed in Los Angeles. Photochemical smog was created by the effect of sunlight on automobile emissions. The exhaust of all those L.A. automobiles was contained by the mountains that form the Los Angeles Basin and transformed by bright California sunshine into a damaging cloud of smog. Cities with similar topographical situations, such as Denver, suffered the same problem.

In Portland, attention focused on water rather than air. The Willamette River in the mid-20th century was severely polluted by urban sewage and by organic wastes from paper mills and food packing plants. Portlanders targeted water pollution as early as the 1930s, but the situation was still extremely bad in 1962, when television reporter Tom McCall made a documentary on “Pollution in Paradise” that inventoried the problems of the Willamette.

Graphic (JPG) Resources: Pictures of smog in Los Angeles, Denver, Seattle and Portland.

Suburban Sprawl & Environmental Hazards

Meeting a pent-up demand for housing, American families after 1945 swarmed to new subdivisions in the suburbs. There were massive developments such as Levittown, New York, and Lakewood, California. There were also thousands of smaller subdivisions on the edge of

every city. Even relatively small cities such as Portland, Oregon, experienced the post-war boom.

Map Resource: Map (11x17) of “Post-War Development in the Portland Metropolitan Area 1950-2005” shows expansion of suburban areas outside of the downtown Portland region.

Suburbanization benefited from federal policy. The Veterans Administration and the Federal Housing Administration offered guaranteed home purchase loans with minimal down payments. The FHA and VA declared certain older neighborhoods off limits for such loans (“redlining”) and thereby pushed home buyers outward.

Map Resource: A 1938 *Residential Security Map* of Portland, Oregon shows the redlined areas. To understand this map fully, also see the explanatory text in Chapter 11 of Jackson’s *Crabgrass Frontier*.

Book Resource: Jackson, Kenneth T. 1985. *Crabgrass Frontier: The Suburbanization of the United States*. New York: Oxford University Press.

The federal government also helped people get to and from their new subdivisions. Americans had long dreamed of something better than two-lane highways that routed motorists through the stop-and-go traffic of cities and trapped them behind creeping trucks. By the early 1950s, they were fed up with roads designed for Model-A Fords; they wanted to enjoy their new V-8 engines and the 50 million new cars that were sold between 1946 and 1955. The solution was the ***Federal Highway Act of 1956*** [pdf resource], creating a national system of interstate and defense highways. The legislation wrapped a program to build 41,000 miles of freeways in the language of the Cold War. The roads would be wide and strong enough for trucks hauling military hardware; they were also supposed to make it easy to evacuate cities in case of a Soviet attack.

Map Resources: Historic 1926 National Road System Plan; National Highway System (showing the Eisenhower Interstate Network), and a detailed Highway Map of Oregon.

Web Resources:

The U.S. Department of Transportation’s Federal Highway Administration ***50th Anniversary of the Eisenhower Interstate System***.

The American Association of State Highway and Transportation Officials (AASHTO) ***Eisenhower Interstate Network’s 50th Anniversary*** site.

The Smithsonian National Museum of American History ***“America on the Move”*** website dedicated to the history of transportation in America.

Although the first interstate opened in Kansas in 1956, most of the mileage came in use in the 1960s and 1970s. Interstates halved the time of city-to-city travel. They were good for General Motors, the steel industry, and the concrete industry, requiring the construction equivalent of sixty Panama Canals. The highways promoted long-distance trucking at the expense of railroads. They also wiped out hundreds of homes per mile when they plunged through large cities. As with urban renewal, the bulldozers most often plowed through African American or Latino

neighborhoods, where land was cheap and white politicians could safely ignore protests. Some cities, such as Miami, used the highways as barricades between white and black neighborhoods.

Map Resource: Maps of the *“Impacts of Freeway Development & Urban Renewal”* in Portland focus on the Eliot Neighborhood and the Lloyd Center Development. The pdf file contains four 11x17 maps that show current streets and building footprints over a 1950 Sanborn Map that shows the buildings and streets at that time. Close up views illustrate the swath of residential neighborhoods that were removed for construction of the Lloyd Center and Interstate Highway 5.

Interstates accelerated suburbanization. The beltways or perimeter highways that began to ring most large cities made it easier and more profitable to develop new subdivisions and factory sites than to reinvest in city centers. Federal grants for sewers and other basic facilities further cut suburban costs. Continuing the pattern of the late 1940s, suburban growth added a million new single-family houses per year.

Rapid outgrowth of metropolitan areas created an interlocking set of environmental problems. Subdivisions consumed the most productive farmland – potato fields on Long Island, orange groves in California, berry fields in Oregon. They also encroached on environmentally sensitive lands and natural areas. Highways spawned the visual clutter of billboards and commercial strips – *God’s Own Junkyard* in the title of one angry book. Vast fields of septic tanks overwhelmed the absorptive capacity of the landscape and created inescapable pollution problems.

Book Resource: Blake, Peter. 1964. *God’s Own Junkyard: The Planned Deterioration of America’s Landscape*. New York: Holt, Rinehart & Winston. Contains a wealth of vintage photos of the “deterioration” of the American landscape due to suburbanization.

3. Environmentalism in the 1960s and 1970s

Environmental Awareness in the 1960s

The three factors above are the context in which Americans began to pay more and more attention to the damage that advanced technologies and industrial production did to natural systems. *Rachel Carson’s Silent Spring* in 1962 [**web resource**] pushed pollution onto the national agenda. Carson, a well-regarded science writer, described the side effects of DDT and other pesticides on animal life. In her imagined future, spring was silent because all the birds had died of pesticide poisoning. Other side effects of the industrial economy made headlines. An offshore oil well polluted the beaches of Santa Barbara, California, in 1969 [*Santa Barbara Oil Spill* – **pdf resource**]. Fire danced across the *Cuyahoga River* [**pdf resource**] in Cleveland when industrial discharges ignited.

Web Resource: Information about Rachel Carson, her life and scholarship can be found at this website (<http://www.rachelcarson.org/>).

Book Resource: Carson, Rachel. 1962. *Silent Spring*. New York: Mariner Books (40th Anniv. Edition 2002).

The New Politics of Environmentalism

In the turbulent 1970s, Americans found one issue they could agree on. In the 1970s, resource conservation grew into a multifaceted environmental movement. Environmentalism dealt with serious problems. It was broad enough for both scientific experts and activists, for both Republican Richard Nixon and Democrat Jimmy Carter.

Environmentalism gained strength among Americans in 1970. On April 22nd, ten thousand schools and 20 million other people took part in Earth Day, an occasion first conceived by Wisconsin Senator Gaylord Nelson. Earth Day gained a grassroots following in towns and cities across the country. New York closed Fifth Avenue to automobiles for the day. Companies touted their environmental credentials.

Web Resources (Earth Day):

Wilderness Society Earth Day Site including history, teacher resources, and student activities (<http://earthday.wilderness.org/>).

EarthDay Network includes history, environmental information (e.g. climate warming, light bulbs), community and teacher/student resources (<http://www.earthday.net>).

The American establishment had been looking for a safe and respectable crusade to divert the idealism and discontent of the 1960s. Now the mainstream media discovered the ravaged planet. So did a politically savvy president. An expedient pro-environmental stance might attract some of the antiwar constituency. Nixon had already signed the *National Environmental Policy Act* [pdf resource] on January 1, 1970, and later in the year created the *Environmental Protection Agency* (EPA) [web resource] to enforce environmental laws. The rest of the Nixon years brought legislation on clean air, clear water, pesticides, hazardous chemicals, and endangered species that made environmental management and protection part of governmental routine.

Web Resource: U.S. Environmental Protection Agency, includes access to transcripts and information about the Clean Air and Clean Water Acts, etc. (<http://www.epa.gov/>).

Web Resource: The White House Council on Environmental Quality (<http://www.whitehouse.gov/ceq/>).

Environmental Racism

As Americans became more aware of human-caused environmental hazards, they realized that minority and low-income and communities had more than their share of problems – a situation summarized as “environmental racism.” In the Louisiana petrochemical belt along the Mississippi River, African Americans often lived downstream and downwind. Landfills and waste disposal sites were frequently located near minority neighborhoods. In Buffalo, white working-class residents near the Love Canal industrial site discovered in 1978 that an entire neighborhood was built on land contaminated by decades of chemical dumping. Activists sought to understand the health effects and force compensation, paving the way for the Superfund cleanup legislation in 1980.

Oregon State: The State of Oregon has 11 current Superfund sites (4 have been deleted) and many more Hazardous Waste and Brownfield Sites [**PDF Resource: *OR Superfund Sites***]. The Port of Portland (**Map Resource: *Port of Portland Superfund Sites***), which includes many businesses along the north end of the Willamette River, is perhaps the most well-known superfund site in the state (although the Umatilla Army Depot is a close second).

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington DC, drafted and adopted 17 principles of Environmental Justice. Since then, *The Principles* [**pdf resource**] have served as a defining document for the growing grassroots movement for environmental justice.

PDF Resource: President Clinton’s Executive Order on Environmental Justice “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”

Web Resources for Superfund Information and Environmental Justice:

EPA’s Environmental Justice Advisory Council at <http://www.epa.gov/compliance/environmentaljustice/nejac/index.html>.

Scorecard.org [<http://www.scorecard.org/>]: Provides interactive web portal to data about pollution and environmental justice issues; zipcode and map access retrieves graphs and reports that “score” your selected area, also can access the EPA’s Toxic Release Inventory via an interactive map including information about each site noted. **EXCELLENT RESOURCE.**

National Center for Public Policy Research, Center for Environmental Justice at <http://www.nationalcenter.org/CEJ.html> (contains links to legislation, press releases and other publications).

The EPA’s Superfund Website at <http://www.epa.gov/superfund/>.

The EPA’s National Priorities List Website (<http://www.epa.gov/superfund/sites/npl/npl.htm>) contains a state-by-state interactive mapping application with access to information (downloadable pdf documents) about superfund sites.

4. The Environmental Decades

Presidential Administration	Focus of Concern	Legislation
Lyndon Johnson	Wilderness and wildlife	Wilderness Act (1964) National Wildlife Refuge System (1966) Wild and Scenic Rivers Act (1968)
Richard Nixon	Pollution control and endangered environments	National Environmental Policy Act (1969) Environmental Protection Agency (1970) Clean Air Act (1970) Occupational Safety & Health Act (1970) Water Pollution Control Act (1972) Pesticide Control Act (1972) Coastal Zone Management Act (1972) Endangered Species Act (1973)

Gerald Ford	Energy and hazardous materials	Toxic Substance Control Act (1976) Resource Conservation & Recovery Act (1976)
Jimmy Carter	Energy and hazardous materials	Energy Policy & Conservation Act (1978) Comprehensive Emergency Response, Compensation & Liability Act – Superfund (1980)

Web Resource: The U.S. Environmental Protection Agency website maintains a list of major environmental legislation with access to summaries and full-text at <http://www.epa.gov/epahome/laws.htm>.

Web Resource: Full text of the Clean Air Act (<http://www.epa.gov/air/caa/>).

PDF Resources for Major Environmental Legislation:

- Wilderness Act (1964)
- National Wildlife Refuge System (1966)
- Wild and Scenic Rivers Act (1968)
- National Environmental Policy Act (1969)
- Endangered Species Act (1973)
- Comprehensive Emergency Response, Compensation & Liability Act – Superfund (1980)

5. Environmentalism in Oregon

Tom McCall: The First Steps

In Oregon, no moment looms larger in recent history than **Governor Tom McCall's [pdf resource]** rousing *land use speech [pdf resource]* in January 1973. “There is a shameless threat to our environment and to the whole quality of life – the unfettered despoiling of the land,” he told the state legislature. He pointed an outraged finger at malefactors in the best style of Theodore Roosevelt. “Sagebrush subdivisions, coastal condomania, and the ravenous rampage of suburbia in the Willamette Valley all threaten to mock Oregon’s status as the environmental model for the nation. . . . The interests of Oregon for today and in the future must be protected from grasping wastrels of the land.” (*see page 3 of the speech*)

The language was judgmental and personalized. Here was no inevitable process of land conversion driven by an impersonal market. Like a latter day Amos or Jeremiah, McCall knew sinners when he saw them. With the ringing tones of the Old Testament, his prophetic rhetoric targeted aberrant behavior (“condomania”) by miscreants (“grasping wastrels”). He invoked moral standards that in a right world would cause evil doers to feel shame for their actions.

Web Resources for Governor Tom McCall:

For more information on Governor Tom McCall (1967-1975) visit the Oregon Historical Society’s Website: http://www.ohs.org/education/focus_on_oregon_history/GHO-Governor-McCall.cfm].

For access to Governor Tom McCall’s papers and speeches visit the Oregon Secretary of State Archives: <http://www.sos.state.or.us/archives/governors/McCall/mccallmenu.htm>]

During his two terms as governor, McCall claimed and articulated ideas that were already in ferment around Oregon: bottle deposits (*Bottle Bill* HB1036 1971) [pdf resource], protection of public access to Pacific beaches (Beach Bill HB1601 1967), a *Willamette River Greenway* (HB2497 1973) [pdf resource]. His gift was less the ability to devise new policies than the political acumen to sell such ideas to the public – and, by so doing, to the legislature.

PDF Resource: Starbird, Ethel A. 1972. A River Restored: Oregon's Willamette. *National Geographic Magazine* 141(6): 816-835 (June 1972).

Oregon's Land Use Planning System

The direct consequence of McCall's famous speech was Oregon's state system of land use planning. In 1973 the legislature established a mandatory planning program administered by a state *Land Conservation and Development Commission* (LCDC) [web resource]. The legislation, usually referenced as *Senate Bill 100* [pdf resource], has survived numerous legal challenges and three statewide referenda. It requires every Oregon city and county to prepare a comprehensive plan that responds to a set of *statewide goals* [pdf resource]. The plans provide the legal support for zoning and other specific regulations, and the LCDC can require local governments to revise plans that do not conform to the state goals. Oregon thus operates with a system of strong local planning carried on within enforceable state guidelines that, through the public participatory process, express a vision of the public interest.

Web Resource: Oregon Land Conservation and Development Commission is responsible for implementation of Oregon's Land Use Statutes including SB 100, SB 82, Measure 37 and the Oregon Statewide Planning Goals [<http://www.lcd.state.or.us>].

In both its origins and its continued political strength, the Oregon planning system represents a persistent coalition that spans rural and urban economic interests in the Willamette Valley. The original goal of Oregon Trail emigrants, the fertile Willamette Valley, contains the state's richest farmland, its three largest cities of Portland, Salem, and Eugene, and 70 percent of its population. The movement for state-mandated planning originated in efforts by Willamette Valley farmers to protect their livelihoods and communities from urban engulfment and scattershot subdivisions, with their disruptive effects on agricultural practices. Republican legislator, Hector Macpherson, of Linn County recalled that “at the time, I was a dairy farmer terribly concerned with what was happening around me, because of the houses moving in around me out there.” As the effort moved through several legislative versions between 1970 and 1973, fear of California-style sprawl and the possibility of a mini-megalopolis in the Eugene-Seattle corridor attracted Willamette Valley urbanites to the legislative coalition. The final land use measure that emerged from the back rooms drew overwhelming legislative support from all parts of the Valley. However, there was very little initial support from eastern Oregon or the coast, whose residents worried about lack of development rather than an excess.

Book Resource: Oregon Senate Bill 100 (SB100) passed by a vote of 18-10. The House approved the bill without amendment. For a transcript of an interview with key players in Oregon's historic land use planning legislation see:

Abbott, Carl and Deborah Howe. The politics of land-use law in Oregon Senate Bill 100 twenty years after. *Oregon Historical Quarterly* 94 (Spring 1993):921. Roundtable discussion with Hector MacPherson, Henry Richmond, Stafford Hansel, and Ted Hallock.

PDF Resources:

For an indepth look at development in the Willamette Valley during this pivotal time period see Lawrence Halprin's publication "*Willamette Valley: Choices for the Future.*"

The Willamette Valley Livability Forum recently prepared a "revision" or update to Halprin's publication titled "*Choices for the Future: The Willamette Valley.*"

Implementing Oregon Planning

From the start, the statewide goals linked older urban planning concerns to a newer environmentalism. The LCDC program rapidly evolved from a purely reactive effort to fend off erosion of the state's farm economy to a positive attempt to shape a particular urban form.

Several goals have been of special importance for directing metropolitan growth -- Goal 3 on the preservation of farmland, Goal 5 on the preservation of open space, Goal 10 on access to affordable housing, Goal 11 on the orderly development of public facilities and services, Goal 13 on energy-efficient land use, and Goal 14 on the definition of Urban Growth Boundaries (UGBs) to separate urbanizable from rural lands. Although very different in origins from Portland's city planning initiatives, the state program thus ended up blending the interests and combining the votes of urbanists, agriculturalists, and environmental advocates in a way that has mirrored and supported the similar alliance at the metropolitan scale. The Oregon Farm Bureau Federation, environmental activists, and Portland politicians have all remained strong supporters for twenty-five years.

Metro, the elected regional governing body, adopted the Urban Growth Boundary for the Portland area in 1979 after five years of staff work and hearings. Supposedly providing a twenty-year supply of developable land, the UGB embraced 236,000 acres (369 square miles). Outlying metropolitan communities such as St. Helens and Newberg have their own UGBs. The intent is to prevent sprawl by providing for "an orderly and efficient transition from rural to urban use." Within the UGB, the burden of proof rests on opponents of land development. Outside the boundary, the burden rests on developers to show that their land is easily supplied with necessary services, that it has little worth as resource land or farmland, and that adequate land for the proposed development does not exist within the UGB. The UGBs around Portland and the other Willamette Valley cities (e.g. Salem and Eugene) have created a dual land market that assigns different values to acreage inside and outside the boundary.

Map Resource: Map of the Urban Growth Boundary for the Portland Oregon metropolitan Region (encompassing 13 surrounding cities).

The UGB is coupled with Goal 10, which mandates a mild "fair share" housing policy by requiring that every jurisdiction within the UGB provide "appropriate types and amounts of land . . . necessary and suitable for housing that meets the needs of households of all income levels."

In other words, suburbs are not allowed to use the techniques of exclusionary zoning to block apartment construction or to isolate themselves as islands of large-lot zoning, as decided by court cases involving the suburbs of Milwaukie and Happy Valley. By limiting the speculative development of large, distant residential tracts, the LCDC system has tended to level the playing field for suburban development and discourage the emergence of suburban "super developers" with overwhelming political clout. In the Portland region, a ***Housing Rule*** [pdf resource] adopted by the LCDC now requires that every jurisdiction zone at least half of its vacant residential land for attached single-family housing or apartments. By 1998 and 1999, 50 percent of new housing starts in the region were apartments and attached dwellings, up from 35 percent in 1992-95. In effect, the rule enacts a soft version of a fair share program that hopes to reduce socioeconomic disparities between city and suburbs by manipulating density and urban form.

LCDC has also adopted a ***Transportation Planning Rule*** [pdf resource] that requires local jurisdictions in the metropolitan area to plan land uses and facilities to achieve a 10 percent reduction in vehicle miles traveled per capita over the next twenty years. The rule flies in the face of the explosive nationwide growth of automobile mileage per capita. It requires a drastic rethinking of land use patterns and transportation investment to encourage mixed uses, higher densities, public transit, and pedestrians. It makes local land use planners and the Oregon Department of Transportation into allies at the same time that the ***Federal Intermodal Surface Transportation Enhancement Act*** [pdf resource] has pushed highway builders to rethink their jobs.

In 2005, ***Senate Bill 82*** [pdf resource], dubbed the "Big Look," authorized the establishment of the Oregon Task Force on Land Use Planning which is tasked with a thorough review of Oregon's Land Use Planning System.

PDF Resources: Metro has periodically updated the region's growth plan and provides a detailed publication about the region's 50-year plan for managing growth.

The Nature of 2040
2040 Concept Map
2003 Performance Summary

The concept of the UGB has also inspired many local artists. Poet Judith Berck mused on the visual and conceptual tensions of the UGB in "Driving Portland's Urban Growth Boundary."

Left side of the road stands a skeleton,
steel beams in a big box, every second another bolt for strength, going up
a building for minds that build machines for minds
propped up by much yen and a thousand white-shirted hopes.
Right side of the road a skeleton still stands, brown rotted beams at all angles,
closer to earth after every storm, going down
pressing against tall grasses,
once a house for mares, black goats and a summer's worth of hay.
You can see through the ribs to filbert trees and asparagus bolted wild,
pushed into earth by hands and now skeletons.
I drive between receding and arriving.

Judith Berck. 2000. Driving on Portland's Urban Growth Boundary. *Oregon Humanities* 36 (Spring 2000).

Note: Linda K. Anderson has also created artworks depicting issues around urbanization as reported in "*Living on the Line*" and "*Farming the Urban Core*".

Regional Environmentalism: The Columbia River Gorge

Federal legislation to create a *National Scenic Area in the Columbia River Gorge* in 1986 [[pdf resource](#)] reflected the power of Portlanders to shape a regional agenda around the goal of scenic protection. Indeed, the legislation climaxed a steady expansion of Portland's use of the gorge as a recreation zone through the twentieth century. The Scenic Area Act, however, built in tension by adding the second goal of economic development to the first goal of resource preservation. Senator Mark Hatfield reflected this understanding of the Scenic Area when he told a gorge audience that the legislation "was never intended to dry up those communities in the gorge or to be a blow to the future of those communities." In specific terms, the legislative goals are to "(1) protect and provide for the enhancement of the scenic, cultural, recreational and natural resources of the Columbia River Gorge, and (2) protect and support the economy of the Gorge by encouraging growth to occur in existing urban areas and by allowing future economic development in a manner that is consistent with paragraph 1."

In effect, the act requires the Forest Service and a new bi-state (Oregon and Washington) Columbia River Gorge Commission, the specified management agencies, to preserve and create jobs for country people while managing scenery for city people. The act divides the gorge into Special Management Areas (115,000 acres of largely federal land where little development is expected, with the Forest Service as the lead agency); General Management Areas (149,000 acres of largely private land where carefully controlled development is expected and a bi-state commission is the lead agency); and thirteen urban areas (28,500 acres that are exempt from the act and remain under local planning control). The legislation makes the gorge counties partners in implementing legislation that many residents opposed (the Scenic Area embraces parts of Clark – WA – and Multnomah – OR – counties, where politics favors the legislation, as well as parts of four other nonmetropolitan counties where opposition was and continues to be much stronger). It also gives the four federally recognized Columbia River Indian tribes an explicit role in defining and identifying cultural resources.

The model for the Scenic Area is the European idea of "greenline parks." The term comes from the idea of drawing a "green" line on a map to define a district of high scenic or cultural value and devising special land regulations to sustain its character over time. The approach is intended for working or living landscapes, not wilderness. Inside the green line, special controls can preserve natural resources, social institutions, and historic landscapes while allowing local residents to continue their previous livelihoods from land-based industries. Other examples in the United States include New York's Adirondack Park and the New Jersey Pinelands. National Parks in the United Kingdom are also specially regulated landscapes rather than public reserves in the American style.

Property Rights and Planning

Even as it has pioneered planning and environmental protection, Oregon has also been a major testing ground for property rights. The U.S. Supreme Court case *Dolan v. Tigard* [[pdf resource](#)] is a landmark decision that placed limits on the ability of a local government to “exact” funds from a property owner in return for development rights. In the Tigard case, the city required that a hardware store contribute to building a bikeway in return for the right to expand its business. The Court found that the bikeway was too indirectly tied to the function of the store for the exaction to be valid, and ruled in favor of the store owner.

In 2002 and 2004, Oregon voters approved measures requiring local governments to allow property owners to develop land under the regulations in effect at the time they acquired the land, or else to pay compensation for foregone value. The state supreme court invalidated the first measure – *Measure 7* [[pdf resource](#)] – on a technicality (stating that the measure simultaneously amended two constitutional clauses and was therefore invalidated). In 2005, *Measure 37*, direct legislation and not a constitutional amendment, passed. Measure 37 was challenged in the Marion County courts and was again invalidated in October 2005, but its fate is pending in higher Oregon courts.

Web Resource: The Institute of Portland Metropolitan Studies at Portland State University conducted an extensive project documenting Measure 37 claims. The website includes a *report on the impact of M37* using selected case studies (<http://www.pdx.edu/ims/m37.html>) and produced a comprehensive *M37 atlas* that can be downloaded (<http://www.pdx.edu/ims/maps.html>).

Postscript:

2006. On February 21, 2006, the Oregon Supreme Court issued its opinion in the *MacPherson vs. DAS* [[pdf resource](#)] case reversing the lower court decision and upholding Measure 37 as constitutional.

2007. In response to growing public concern over the effects of Measure 37 claims, Governor Ted Kulongoski introduced *SB 505* [[pdf resource](#)]. SB 505 created an "express line" for Measure 37 claimants that simply wanted to build one additional home on their property while establishing a temporary hold on other, largescale, claims. SB 505 gives the legislature the time needed to develop comprehensive Measure 37 reform while minimizing the negative impacts of inappropriate development from Measure 37 claims.

Following SB505, the legislature placed *Measure 49* [[pdf resource](#)] on the November 2007 ballot to clarify technical and administrative points and to partially limit the applicability of Measure 37. That modification passed with 62 percent of the vote statewide. Opposition was strongest in southern Oregon from Curry, Coos, and Douglas counties to Harvey and Malheur counties. In contrast, Measure 49 either passed or came within 49 percent positive votes across the middle and northern thirds of the state, with the exception of Sherman and Grant counties.

In effect, the pendulum had swung more to the middle. Voters decided that they wanted to protect “retail” or “family-scale” development rights but not the wholesale transformation of the landscape as was seemingly occurring with the deluge of Measure 37 claims.

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