<table>
<thead>
<tr>
<th>Author/Subject Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aichertman, G.L., 230</td>
</tr>
<tr>
<td>Adams, C., 211</td>
</tr>
<tr>
<td>Adamus, P., et al., 179</td>
</tr>
<tr>
<td>Ady, J., 252</td>
</tr>
<tr>
<td>Adirondack Park, New York, aesthetic review criteria, 142</td>
</tr>
<tr>
<td>Adirondack Park Agency Osceola Lake, 155</td>
</tr>
<tr>
<td>administrative agency, roles of, 3, 5</td>
</tr>
<tr>
<td>Advisory Council on Historic Preservation, 64</td>
</tr>
<tr>
<td>aesthetic, state statutes, 18</td>
</tr>
<tr>
<td>aesthetic, local ordinances, 19</td>
</tr>
<tr>
<td>junkyards, 19</td>
</tr>
<tr>
<td>signs and billboards, 19</td>
</tr>
<tr>
<td>zoning, 20</td>
</tr>
<tr>
<td>aesthetic conservation, 125</td>
</tr>
<tr>
<td>aesthetic impact analysis, 9</td>
</tr>
<tr>
<td>aesthetic impact assessment</td>
</tr>
<tr>
<td>adverse visual impact, types of, 191</td>
</tr>
<tr>
<td>Australia, 191</td>
</tr>
<tr>
<td>Canada, 191</td>
</tr>
<tr>
<td>CSQ regulations, 191, 195</td>
</tr>
<tr>
<td>contrast rating, 199–200</td>
</tr>
<tr>
<td>detailed visual impact assessment, 199–200</td>
</tr>
<tr>
<td>landscape planning, 194</td>
</tr>
<tr>
<td>New York State Environmental Quality Review Act, 196, 199</td>
</tr>
<tr>
<td>procedural requirements, 191</td>
</tr>
<tr>
<td>scope, 195–199</td>
</tr>
<tr>
<td>United Kingdom, 191</td>
</tr>
<tr>
<td>United States, 191</td>
</tr>
<tr>
<td>visual absorption capability, 199</td>
</tr>
<tr>
<td>visual resources assessment procedure, 201</td>
</tr>
<tr>
<td>visual resource management systems, 192</td>
</tr>
<tr>
<td>aesthetic importance, 70</td>
</tr>
<tr>
<td>aesthetic review standards, 189</td>
</tr>
<tr>
<td>Maine's Site Location Law, 190</td>
</tr>
<tr>
<td>Vermont Act 250, 189–190</td>
</tr>
<tr>
<td>Vermont Environmental Board, 190</td>
</tr>
<tr>
<td>aesthetic zoning history, 50</td>
</tr>
<tr>
<td>auxiliary consideration, 51</td>
</tr>
<tr>
<td>economic well-being, 51</td>
</tr>
<tr>
<td>general welfare, 52</td>
</tr>
<tr>
<td>traditional disregard, 50</td>
</tr>
<tr>
<td>valid consideration, 50</td>
</tr>
<tr>
<td>aesthetics, meaning of, 20</td>
</tr>
<tr>
<td>environmental harmony, 23</td>
</tr>
<tr>
<td>shared human values, 22</td>
</tr>
<tr>
<td>prevention of harm, 21</td>
</tr>
<tr>
<td>visual beauty, 20</td>
</tr>
<tr>
<td>aesthetics alone, 53</td>
</tr>
<tr>
<td>Agee, J., 51</td>
</tr>
<tr>
<td>air quality, 182–166</td>
</tr>
<tr>
<td>class I areas, 163</td>
</tr>
<tr>
<td>Prevention of Significant Deterioration (PSD) regulations, 164</td>
</tr>
<tr>
<td>standard implementation procedures (SIP), 164</td>
</tr>
<tr>
<td>viability impairment, 162</td>
</tr>
<tr>
<td>air-quality-related values (AQRV) test, 164–165</td>
</tr>
<tr>
<td>Alabama, 25, 159, 213</td>
</tr>
<tr>
<td>Alaska, 25, 87, 128, 139</td>
</tr>
<tr>
<td>Alexandria, Virginia, 239</td>
</tr>
<tr>
<td>Albuquerque, New Mexico, 103</td>
</tr>
<tr>
<td>Rio Grande River Valley, 103</td>
</tr>
<tr>
<td>Sandia Mountains, 103</td>
</tr>
<tr>
<td>Anderson, L., 199</td>
</tr>
<tr>
<td>Anderson, R.M., 46, 47, 49, 65</td>
</tr>
<tr>
<td>Anderson, T.W., 253</td>
</tr>
<tr>
<td>Andrews, R.N.L., 9, 191</td>
</tr>
<tr>
<td>Appalachian National Scenic Trail, 138</td>
</tr>
<tr>
<td>Appleyard, D., 79, 263, 267</td>
</tr>
<tr>
<td>Arnold, D.S., 45, 48</td>
</tr>
<tr>
<td>archeological resources, 171</td>
</tr>
<tr>
<td>architectural appearance regulations, 67</td>
</tr>
<tr>
<td>create entryways, 68</td>
</tr>
<tr>
<td>create urban spaces, 68</td>
</tr>
<tr>
<td>excessively different, 67</td>
</tr>
<tr>
<td>excessively similar, 67</td>
</tr>
<tr>
<td>historic districts, 68</td>
</tr>
<tr>
<td>landmarks, 68</td>
</tr>
<tr>
<td>style within a district, 68</td>
</tr>
<tr>
<td>architectural control, legal issues, 69–71</td>
</tr>
<tr>
<td>Fifth Amendment, 69</td>
</tr>
<tr>
<td>First Amendment, 69–71</td>
</tr>
<tr>
<td>Fourteenth Amendment, 70</td>
</tr>
<tr>
<td>Arizona, 25–26, 251</td>
</tr>
<tr>
<td>Arizona v. California, 188</td>
</tr>
<tr>
<td>affecting Colorado River, 168</td>
</tr>
<tr>
<td>Hvasau Lake, 168</td>
</tr>
<tr>
<td>Imperial National Wildlife Refuge, 168</td>
</tr>
<tr>
<td>Lake Mead National Recreation Area, 168</td>
</tr>
<tr>
<td>tributary of Colorado Gila National Forest, 168</td>
</tr>
<tr>
<td>Arkansas, 27, 83, 131, 133, 139, 165, 185</td>
</tr>
<tr>
<td>Aroka, 235</td>
</tr>
<tr>
<td>Aronovsky, R.G., 84, 88</td>
</tr>
<tr>
<td>ASLA, 209</td>
</tr>
<tr>
<td>Atkins, J.T., 261</td>
</tr>
<tr>
<td>Austin, Texas, 100, 103</td>
</tr>
<tr>
<td>Australia</td>
</tr>
<tr>
<td>New South Wales, 84</td>
</tr>
<tr>
<td>Queensland, 84</td>
</tr>
<tr>
<td>South Australia, 84</td>
</tr>
<tr>
<td>Victoria, 84</td>
</tr>
<tr>
<td>Western Australia, 84</td>
</tr>
<tr>
<td>Bacon, W.R., 234, 243</td>
</tr>
<tr>
<td>Bagley, M., et al, 185</td>
</tr>
<tr>
<td>Baird, B.E., 202</td>
</tr>
<tr>
<td>Baldwin, M., 151</td>
</tr>
<tr>
<td>Baltimore 1904, 63</td>
</tr>
<tr>
<td>Behan, R.W., 230</td>
</tr>
<tr>
<td>Benjamin Franklin Parkway, 68</td>
</tr>
<tr>
<td>Bernstein, J.E., 320, 233</td>
</tr>
<tr>
<td>beyond historic areas, legal issues, 74–75</td>
</tr>
<tr>
<td>Fifth Amendment, 75</td>
</tr>
<tr>
<td>First Amendment, 75</td>
</tr>
<tr>
<td>recent developments, 75</td>
</tr>
<tr>
<td>billboards, 81</td>
</tr>
<tr>
<td>Binder, D., 209</td>
</tr>
<tr>
<td>Biserius, D.J., 260</td>
</tr>
<tr>
<td>bi-state regional scenic areas, 141–142</td>
</tr>
<tr>
<td>Columbia Gorge, 141</td>
</tr>
<tr>
<td>Lake Tahoe, 141, 152</td>
</tr>
<tr>
<td>Blair, B.Jr., 141</td>
</tr>
<tr>
<td>Blair, W.G.E., 261</td>
</tr>
<tr>
<td>Blau, D., 252</td>
</tr>
<tr>
<td>Bloom, C.R., 214</td>
</tr>
<tr>
<td>Booth, N., 142</td>
</tr>
<tr>
<td>Bosselman, F., 152</td>
</tr>
<tr>
<td>Bosselman, F.P., 209</td>
</tr>
<tr>
<td>Bosselman, P., 79</td>
</tr>
<tr>
<td>Boston 1904, 63, 75, 97</td>
</tr>
<tr>
<td>Boundary Waters Canoe Area, Minnesota, 126</td>
</tr>
<tr>
<td>Bowie, M.V., 252</td>
</tr>
<tr>
<td>Braces, P., 261</td>
</tr>
<tr>
<td>Brennan, 69</td>
</tr>
<tr>
<td>Brooks, D.E., 209</td>
</tr>
<tr>
<td>Brooks, R., 40</td>
</tr>
<tr>
<td>Broughton, R., 213</td>
</tr>
<tr>
<td>Buente, D.T., 215, 216</td>
</tr>
<tr>
<td>building code, 47</td>
</tr>
<tr>
<td>Burke, J., 130</td>
</tr>
<tr>
<td>Burlington, Vermont, 100</td>
</tr>
<tr>
<td>Adirondack Mountains, 100</td>
</tr>
<tr>
<td>Lake Champlain, 100</td>
</tr>
<tr>
<td>Burns, C.S., 223</td>
</tr>
<tr>
<td>Caldwell, L., 276</td>
</tr>
<tr>
<td>California, 28, 82, 98, 101, 126, 139, 152, 185, 213</td>
</tr>
<tr>
<td>Callies, D., 152</td>
</tr>
<tr>
<td>Canada, 84</td>
</tr>
<tr>
<td>Newfoundland, 84</td>
</tr>
<tr>
<td>“Cape Cod formula,” 141</td>
</tr>
<tr>
<td>Carhart, A., 126</td>
</tr>
<tr>
<td>Caribou National Forest, Idaho, 212, 223</td>
</tr>
<tr>
<td>Carter, J., 132</td>
</tr>
<tr>
<td>Case Studies</td>
</tr>
<tr>
<td>Alleghany National Forest; case study, 241–245</td>
</tr>
<tr>
<td>Pennsylvania, 241</td>
</tr>
<tr>
<td>Monongahela decision, 241</td>
</tr>
<tr>
<td>Procedure, 241</td>
</tr>
<tr>
<td>inventory, 241</td>
</tr>
<tr>
<td>sorting questions, 241</td>
</tr>
</tbody>
</table>
Allegany National Forest; case study, (continued)
visual absorption capability, 242
visual quality objectives, 242
landscape management guides, 242
Alpine Lakes Wilderness Appraisal; case study, 143–148
Alpine Lakes Wilderness Area, 143
Pack River Management Company, 143
real estate valuation methodology, 143–144
valuation process, 144–147
Wilderness Evaluation System, 147–148
significance, 148

Amenity Wetland Values Juneau
Alaska; case study, 173–178
Mendenhall Valley, 173
Section 404 wetland permits, 173
Adams Resource Assessment, Inc., 173
Human use survey, 173–178
methods, 173
wetland scenic quality, 175
criteria ratings, 178
other wetland functions, 178

Death Valley National Monument; case study, 222–229
background, 223
creation, 223
claims, types of place, 223
location, 223
minerals:
talc, 224
borates, 224
Zabriskie Point, 224
analysis/approach, 224
validity of claims, 225
visibility analysis, 225
results:
critical viewpoints, 224
number of park visitors, 225
visual intrusion, 228
report to Congress, 228

Dennis, Massachusetts; case study, 54–61
local participation, 55
random selection, 55
cultural classification, 55
scenic value, 59
zoning bylaws, 60
public acquisition, 61

Greene County Nuclear Power Plant; case study, 252–256
regulatory context, 255
Oak Ridge National Laboratory, 222
Power Authority of the State of New York, 252
assessment, 252–256
extent of scenic quality, 252
scenic features & misfits, 253
scenic quality & visibility modeling, 253
simulation of plant and plume, 253
visual preference survey, 253–4
historic and cultural analysis, 254–6
Hudson River School, 254
Olana, 256

Ice Age National Reserve; case study, 267–274
regulatory context, 267
Wisconsin Public Service Commission, 267
Wisconsin Environmental Policy Act, 267
Department of National Resources, 267
site conditions, 268
Cross Plains unit, 268
process objectives, 268–271
techniques employed, 271–274
site visit, 271
sequence of materials, 271
overlay procedure, 271
random photography, 273
before and after photography, 273
quantitative assessment, 273
documentation, 274
experience, 274
rehearsal, 274
findings, 274
commission ruling, 274
North Syracuse Signage, case study, 92–93
local perception, 92
simulation, 92
recommendations, 92
sign ordinance, 93
Oregon Inlet Jetty Assessment; case study, 201–207
Cape Hatteras National Seashore, 202
approach, 202
results, 206
San Francisco, case study, 76–79
early history, 76
height controls, 76
bulk controls, 76
landmarks ordinance, 77
Heritage Foundation, 77
environmental review, 77
discretionary review, 77
urban design plan, 78
independent design consultation, 78
downtown plan 1984–85, 78
environmental simulation lab, at UC Berkeley, 78–79
skyline views, 79
street-level views, 79
St. Lawrence River Scenic Access Study; Case Study, 106–120
visual occupancy, 106
Seaway Trail, 106–107
visual quality, 106–107
visual access, 106–107
recommendations, 107
overlay zoning, 107
site review, 107

Casey, E.S., 171
Challis National Forest, Idaho, 223
Chandler, G., 199
Chandler, G.B., 84
Charleston, South Carolina, 66
Chenoweth, R., 143, 147
Chula Vista, California, 87
Church, P.E., 256

Cincinnati, Ohio, 100
citizen preference surveys, 54
city NEPA’s
Bowie, Maryland, 186
New York City, 186
civil law, 4
Clark, J.E., 158
Clark, J.R., 155
Cleveland Heights, Ohio, 71
Clyde, E.W., 209, 225
Coalition for Scenic Beauty, 87
coastal zone management, 151
Coggins, G.C., 134
Cole, N.F. et al, 211
Cole, T., 256
Colorado, 28, 82–83, 139, 213
Colorado Supreme Court
Dinosaur National Monument, 169
Rocky Mountain National Park, 169
Columbia Scenic Gorge Commission, 141
common law, 4, 15, 45
negligence, 4	nuisance, 4, 15, 45
trespass, 4, 45
comprehensive plan, 46
comprehensive zoning, 48
Cumston, R.J., 134
Connecticut, 28, 82, 139, 154, 185, 235, 251
Conner, T., 216
conservation, 125
Constitution, 3–4
Fifth Amendment, 14
Tenth Amendment, 14
constituency of comprehensive planning, 49
comprehensive zoning, 48
contextual harmony, 278
Conway, T.J., 171
Cook, W.L., Jr. 234
Coral Gables, Florida, 68, 71
Cornish, V., 125
Corwin, M.A., 240
Costley, R.J., 130
Costonis, J., 20, 22, 24, 66, 67, 70, 72, 73
Coughlin, R., 168, 240
Council on Environmental Quality, 185
courts, role of, 4
Crabtree, T.J., 237
Craik, K.H., 276
Crater Lake National Park, 223
criminal law, 4
critical areas, 151
Crown, S., 284
Crumpin, T., 65, 66, 71
Cubbage, F.W., 235
cultural and social significance, 54
cultural landscape values, 7
Cunningham, R.A., 84, 87, 98, 101, 105
Curran, D., 130
Custer National Forest, Montana, 223
Cutler, M., 276

Davis, G.D., 142
Davis, J.S., 138
Death Valley National Monument, California & Nevada, 212
facility siting, 249–252
Federal laws/procedures, 249–250
Battelle NW Laboratories, 250
Bonneville Power Administration, 249–250
Federal Aeronautics Administration, 250
Federal Energy Regulatory Commission, 245
Nuclear Regulatory Commission, 250, 252
review agencies, 250
US Bureau of Reclamation, 249
Urban Mass Transportation Administration, 250
facility siting, state regulations, 250–252
Fairfax, S.K., 230
fair-market value, 47
federal courts, role of, 6
federal district courts, 6
courts of appeal, 6
U.S. Supreme Court, 6
court of original jurisdiction, 6
federal energy contracts, 166
Columbia River, 166
Columbia River Gorge, 166
Federal Highway Administration (FHWA), 85, 159–200, 264
Federal mining statutes, 214–223
Federal wetland protection, 156–158
USEPA section 404 guidelines, 156–158
aesthetics, 157
amenities, 157
recreation, 156
site appearance determinants, 158
Fellmen, J.P., 8, 9, 10, 54, 182
Flat Tops Wilderness Area
Trappers Lake, Colorado, 126
flexible zoning techniques, 49
Florida, 29, 83, 87, 139, 185, 213, 235
Florida critical areas program, 169
Big Cypress, 159
Green Swamp, 159
Floyd, C.F., 84, 86, 89
Fonoroff, A., 101
Foote, J.P., 129, 130
forest aesthetics, approaches, 233
Forest Stewardship Assistance Act, 235–237
Forest Legacy Program, 236
Forest Stewardship Program, 236
Rural Forestry, 236
Urban and Community Forestry Assistance, 237
Foster, J.D., 129
Four Corners/Kaiparowits Project, 164
Bryce Canyon, 155
Canyon de Chelly, 165
Colorado River, 165
Grand Canyon, 165
Lake Mead, 165
Lake Powell, 165
Mesa Verde, 165
native American, traditional ways, 165
Zion, 165
Fourteenth Amendment, 48
Fox Point, Wisconsin, 75
Frazzman, C.A., 223
Frome, E., 127
Gaidula, P., 234
Gallatin National Forest, Montana, 223
Garcia, E., 141
Gardner, G.K., 84
Gates, 143
General Mining law of 1872, 216–218
access to public lands, 217
hardrock mining, 216
non-exempted
Goosebump Wilderness, 217
River-of-No-Return Wilderness, 217
nonferrous metals, 216
reservation of public lands, 217
Admiralty Island Monument, 217
Boundary Waters Canoe Area, 217
Hells Canyon Wilderness Area, 217
Misty Fjord Monument, 217
Sawtooth Wilderness Area, 217
general welfare, 52
Georgetown, Colorado, 73
Georgia, 30, 87, 136, 139, 213
Gibson, F., 45
Gila National Forest, New Mexico, 127
Glacier National Park, 166
Glacier Peak Wilderness, Washington, 159, 212
Glaciers, C.J., 277
Glasford, P., 92, 240
Goldstone, H., 85
Gould, L.L., 84
Goukas, M., 92
Grand Central Terminal, 68, 69
Grasskamp, J.A., 143, 145
Gray, B.A., 282
Greco, M., 234
Greeley, W.B., 127
Green Springs National Historic District, Virginia, 70, 223
Green, P.E., 155
growth management programs, 50
Guberman, T., 50
Haggard, J.J., 209, 221, 222
Haight, K., 128–129, 131
Hammond, 168–169
Hartford Commission, 46
Hathaway, Gov., 213
Hawaii, 30, 87, 185
Hazelton, P., 230, 233
health, safety and morals, 82
height restrictions, 63
New York, 78, 63
Henning, D.H., 139
Heritage Conservation and Recreation Service, 192
National Heritage Program, 132
Heyman, L., 230
Highway Beautification Act, legal requirements, 84–87
cash compensation, 85
commercial & industrial zones, 86
local laws, compliance with, 85
nonconforming signs, 85
size and spacing standards, 86
tree cutting, 87
unzoned areas, 85
hillside protection, 162
Cincinnati, Ohio, 162, 239
Scottsdale, Arizona, 162
historic sites, 52
Hong Kong, 84
Honolul, Hawaii
Diamond Head, 99
overlay zone, 99
Housing and Urban development, 137, 199
Hubbard, K.D., 209
Hubei, D.J., 230, 233
Hudman, L.E., 252
Hudson, D.A., 257
icons, 68
Idaho, 30, 139, 213, 235
ideal wilderness, 129
Illinois, 30, 82, 99, 213
Indiana, 31, 82, 185, 213
integral vistas, 166
Intermountain Power Project, 165
Capitol Reef National Park, 165
Escalante River, 165
Fremont River, 165
Iowa, 31, 82, 87, 99, 136, 213
Jackson, R.H., 252
Jethra, N., 252
Johnson, J.B., 84
Johnson, Lady Bird, 84
Jones and Jones, 250, 252
Jones, G., et al., 252
Judy, G.P., 133
just compensation, 14, 85
Kansas, 31, 83
Karp, J.T., 45
Keiter, P., 103
Kell, G.W., 243
Kentucky, 32, 139, 213, 252
Kidd, D.T., 209
Kier, 143
Kite, M.S., 215
Klyman, E., 45
Kuehne, R.R., 155
Kusler, J., 136, 159

Lake Charles, Louisiana, 87, 240
Lake Forest, Illinois, 67, 71
Lam, R.D., 84
Lambe, R., 103
landscape analysis, 8
applications, 8
scales, 8
scenic corridor, 9
landscape planning, 240
Maine, 240
Law, 211
legal philosophical dilemmas, 277
elitism, 277
stability v shifting values, 277
uniform precedent v contextualism, 277
legislation, roles of, 5, 5
Leopold, Aldo, 24, 126, 275
Lewis, G., 105
Lewis, P.H., et al., 250, 252
Lincoln, Nebraska, 100
Linder, D.O., 187
Litton, R.H., Jr., 168, 234
local sign regulation, 87
local tree protection, 238
legal challenges, 239
trees on private property, 240
California, 240
Fairfax County, Virginia, 240
Sanibel, Florida, 240
trees on public property, 239
urban greenery functions, 238
local wetland regulation, 159–160
special protection bylaws ordinances, 160
zoning regulations, 160
Lofin, J.J., 65, 70
Los Padres National Forest, California, 223
Louisiana, 32, 82, 131, 136, 235
Louisiana State University, 136
Lu, Weming, 75
Lucking, J.T., 84, 88
Lundmark, T., 235
Luridine, W., 126
Lynch, K., 54
Macotte, J.G., 250
McDonald, R., 252
McCabe, J.M., 128–129
McClokey, M., 125, 127, 129, 212
McMillan, R.R., 65, 66, 71
McNutt, K.S., 81
Maine, 82, 82, 87, 136, 139, 159, 214, 252
major progressions and trends, 276
Mandelker, D.R., 8, 92, 93
Mann, R., 202
Marcus, N., 69
Maryland, 33, 99, 136, 154, 169, 185, 213, 235, 261
Martin, J.B., 218–221
Martin, W.J., 90
Marah, G.P., 125
Masa, A.K., 252
Masotti, L.H., 50, 51, 52
Massachusetts, 33, 87, 101, 136, 139, 185, 235
master plan, 46
Mather, 125
Mertes, J.D., 257
Meyers, C.J., 168
Michigan, 33, 83, 99, 136, 139, 154, 159, 185, 213
Miller, A.D., 267
Miller, C., 252
Miller, J.N., 86
Minano, D.R., 52, 53
Mining and NEPA, 220
discretion, 221
exemptions, 220
ministerial functions, 221
Mining in wilderness, 218
economic tests, 219
exemptions, 219
restrictions, 219
Mining Leasing Act, 218
Bureau of Land Management, 218
Interior Board of Appeals, 218
non-hard rock minerals, 218
Secretary of the Interior, 218
recent disputes
phosphate mining Oceola National Forest, 218
oil and gas leases, 218
Mintz, D., 209, 214
Minnesota, 34, 82, 99, 133, 139, 159, 186, 213
Mississippi, 34, 83, 131, 154, 159, 213, 235
Missouri, 34, 214
Mono Lake
Los Angeles, California, 169
perceived water level changes, 169
Montana, 35, 99, 186, 214
Moon, Least Heat, 102
Mosier, J., 199
Muir, J., 125
Murry T.J., 250, 261, 263, 267
Murtha, P., 254
Nash, Ogden, 36
Nash, R., 277
National Council for Historic Sites and buildings section, 106, 64
National Environmental Policy Act, 184
legal issues, 186
Mississippi River barge case
north of St. Louis, 187
Pow Wow Cedar Swamp, 186
minimize adverse conditions, 186
re-routing conditions, 186
thorough consideration, 186
national monuments, 132
Dinosaur National Monument, 132
Grand Canyon, 132
Katmai National Monument, 132
National Natural landmarks, 132
National Park Service, 192, 221, 223, 230, 247, 250
Cumberland Gap National Historical Park, 98
George Washington Memorial Parkway, 98
Merrywood Estate, 98
Monasses National Battlefield Park, 98
Piscataway Park, 98
National Register of Historic Places, 64
National Technical Advisory Committee, 167
National Trails Systems Act (NTSA), 137–139
connecting trails, 137
recreation trails, 137
scenic trails, 137
trail legal issues, 139
Fifth Amendment, 139
trail right-of-way, 137
trail protection, 139
National Trust for Historic Preservation, 64
Pittsburgh, Pennsylvania, 100
Monongahela River, 101
planning boards, 46
Poland, S.P., 134
police power, 14, 16, 47
Pollard, O.A., 89
Poole, S.E., 65, 66, 67, 70, 71, 73
Portland, Oregon, 100
power plant litigation, 245
Bodega Head, 245, 246
Pacific Gas & Electric Company, 245, 246
San Andreas Fault, 246, 247
Diablo Canyon, 247
Greene County Nuclear Power Plant, 247
Nipomo Dunes, 247
Sierra Club, 247
Storm King mountain, 245
Consolidated Edison Co., 245
Hudson River, 245
Hudson River Fisherman's Association, 245
Scenic Preservation Conference, 245
precedents, 222
preemption, 4
preservation, 125
preservation themes, 65–66
architectural merit, 66
community, 66
inspiration, 65
procedural law, 4
Profit, H.W., 84
project review, 182–201
project review, history, 182–184
esthetic injury, 183
esthetic interests, 183
standing, 182
proof of use, 183
property rights, 45
property value, depreciation of, 53
public health, safety and welfare, 14, 16
public purpose, 14
public trust doctrine, 184
public use, 14
public welfare, 17
Puerto Rico, 186
Rankin, J.L., 65, 70
reasonable alternative methods, 5
Rees, R., 277
regulatory situations, 9
regulatory standards, 7
consideration, 7
performance, 7–8
specification, 7–8
Reich, R., 230
Renkey, L.E., 209
Rhode Island, 39, 82, 101, 154, 158
riverscape aesthetic analysis, 136–137
Hells Canyon Recreation Area, 137, 142
North River, Massachusetts, 137
roadless areas, 126, 130
roadless area review, 130
roadless area review & evaluation program (RARE), 130
Rob Mimbres Adjudication, 169

protection of in-stream flows, 169
Robins, M.L., 143, 145–146
Rochester, New York, 100
Eastman Theater, 100
Rocky Mountains, front range, 99
Rohlf, D., 131
Roosevelt, T., 222
Rose, S.E., 65, 66, 71, 73
Rose, M., 50
rule making powers, 6
rules, 3
Runte, A., 125

Sabattier, P.A., 152
Sacramento, California, 100
San Francisco, 48, 78, 87, 245
San Francisco Bay Conservation and Development Commission, 152
Santa Barbara, California, 75, 151
Sawtooth National Recreation Area, Idaho, 223
Sawtooth Wilderness Area, Idaho, 129, 142
Sex, J., 103, 128
scenic byways, 102
scenic amenity, 125
Scenic America, 87
scenic easements, 97–98
formula, 97
difficulties, 97
eminent domain, 98
scenic inventories, 54
scenic parkways, 97
Blue Ridge Parkway, 97
Great River Road, 98
Natchez Trace Parkway, 97
Skyline Drive, 97
Winchester County, 97
Schaumaan, S., 261
Scott, N.R., 128
Scottsdale, Arizona, 165
Mc Dowell Mountains, 105
Seattle, Washington, 100, 103
Elliott Bay, 100
Olympic Mountains, 100
Section 404 analysis/statement, 187–189
Foothills Freeway, California, 189
Overton Park, Memphis, 188
Seddon, J., 211
Selfon, B.D., 50, 51, 52
Shaffer, E.L., 234
Shannon, S., 107
Sheppard, S.R.J., 201–202, 264, 267
Shivia, H., 76
shoreline regulation, 151
Shultz, J.P., 134
"sights and sounds doctrine", 130
sign control, 81
sign regulation Constitutional and legal issues, 88–90
easement of view, 90
easement appurtenant, 90
"Vermont doctrine", 90
Fifth Amendment, 89
compensation formulas, 89
police power, 89
sign regulation Constitutional and legal issues (continued)
First Amendment, 88
First Amendment guidelines, 89
sign regulation, history, 81–85
signage alternatives, 90–92
local measures, 92
logo, 91
sign plazas, 91
state-designated signs, 91
tourist information centers, 92
Sive, D., 261
Smardon, R.C., 8, 9, 10, 54, 92, 136, 154,
173, 182, 185, 187, 192, 195,
199–200, 207, 239
Smardon, R.C., et al., 250
Smith, P.M., 128
Sokol, J.D., 129
South Carolina, 39, 86, 136, 214
South Dakota, 39, 83, 86, 186, 214
Southern Pine Beetle control, 131
sovereign, powers inherent, 14
sovereignty, 3
special consideration/contextual criteria,
167–168
Biscayne Bay, 167
Crater Lake, 167
Lake Tahoe, 167
specific land management, 140
California Desert Conservation Area, 140
King Range National Conservation
Area, California, 140
Spruce Knob–Seneca Rocks National
Recreation Area, West Virginia, 140
Whiskeytown-Shasta-Trinity National
Recreation Area, 140
Specific statutes/specific lands, 221
Coronado National Monument, Arizona,
221, 223
Custer National Forest, 222
Custer State Park Game Sanctuary, South Dakota, 222
Death Valley National Monument, Calif. & Nevada, 221, 223
Zabriskie Point, 223
Glacier Bay National Monument, Alaska, 221, 223
Mount McKinley National Park, Alaska, 221, 223
Organ Pipe Cactus National Monument,
Arizona, 221, 223
St. Lawrence–Eastern Ontario
Commission, 107
St. Lawrence River–Thousand Islands, 103
standing alone, 17
Stanford Research Institute, 156
state billboard legislation, 87
state coastal management programs, 154
state courts, role of, 6
state forest practice laws, 235
state legislation, 15
state mini-NNEP’s, 185
state natural area programs, 133
state preservation, 63
state surface mining statutes, 212–214
state trail programs, 139
state wetland protection, 158–159
state wild & scenic rivers acts, 136

California Water Resources Control
Board, 136
“cooperative Federalism”, 136
incompatible development, 136
New Melones Dam, 136
Steblins, T., 256
Steinitz, C., 137
Stevens, J.S., 171
Stocks, J., 209
Stone, C., 184
Stone, L.B., 252
Strong, D.H., 125
Stuart, N.H., 103, 261
subdivision regulations, 47
substantive law, 5
supremacy clause, 4
surface mining, 209–214
aesthetic problems, 209
types of: area, 210
augur, 211
contour, 209
dredge, 211
hydraulic, 209
open pit, 211
strip, 109
underground, 211
visual management problems, 211
Surface Mining and Control Act of 1977,
214–216
approximate original contour, 214
legal issues, 215
Fifth amendment, 216
Tenth amendment, 216
repeatability, 215
Swietlik, J., 52

Tahoe Regional Planning Agency, 141
Tahoe Regional Planning Compact, 152
taking, 14
Tallahassee, Florida, 100
Tarlock, A.D., 134
Tennessee, 38, 87, 133, 138, 139, 159, 214
Tetlow, R., 211
Texas, 38–40, 138, 159, 214
Thoreau, H.D., 36
timber harvesting, 230–235
Monongahela decision, 230
National Forest Management Act, 230
timber harvesting, 230–232
clearcutting, 232
intermediate cutting, 232
regeneration cutting, 232
salvage cutting, 232
shelterwood cutting, 232
logging systems, 232–233
balloon, 233
helicopter, 233
highhead, 232
skyline, 232–233
tractor, 232
Timber harvesting laws for specific areas,
237
judicially enforceable public trust, 238
Redwood National Park, 237
Tippy, R., 134–135

Toffenenti, K., 217–219
Tongass National Forest, Alaska, 130
tourism, 52
Tremain, E.P. et al., 252
Turner, R.C., 134, 136
Twiss, R., 130, 230
Twombly, A., 234, 243

Udall, S., 125
US Corps of Engineers, 185, 199, 202, 207,
249–250
US Department of Energy, 185
US Environmental Protection Agency,
164, 167, 185, 250
US Fish and Wildlife Service, 202, 250
US General Accounting Office, 85
US Senate “Church subcommittee,” 230
US Solicitor General, 169
USDA, Forest Service, 9, 136, 137, 185,
194–195, 198, 209, 216, 217, 219,
230, 233, 241, 249
special-interest areas, 132
USDA Soil Conservation Service, 54, 185,
195, 249
USDI Bureau of Land Management, 185,
194–195, 196, 216, 217, 230, 250
Outstanding Natural Areas, 132
Bureau of Outdoor Recreation, 132,
134, 137
USDOT, FHWA, 102, 199
urban entryways, 102
Utah, 40, 82, 165, 186, 214
Utter, J.C., 134
validity of mining claims, 222
Vaughn, A.V., 252
Vaux, C., 256
Vavigne, P., 40
Vermont, 40, 83, 87, 90, 91, 101, 103, 133,
158, 235 vernacular design, 7
Vette!, S.L., 75, 76, 78, 79
view protection, 100
capitol view, 100
cultural amenity, 100
hillside protection, 100
mountain vistas, 100
river views, 100
view corridors, 100
view protection history, 97–100
height restriction ordinances, 97
state capitol, 97
view protection issues, 103
Washington, D.C., 103
National Park Service, 103
Potomac River Greenway, 103
Prince Georges County Maryland, 103
view protection, legal issues, 103–105
eminent domain, 103
Fifth Amendment, 106
Fourteenth Amendment, 106
public occupancy, 106
taking issues, 103
view protection mechanisms, 100–103
architectural review, 100
bulk controls, 100
massing controls, 100
environmental project review, 101
scenic easements, 101
special districts/zoning, 100
building height cap, 100
overlay zone, 100
view corridor zones, 100
Virginia, 40-41, 133, 136, 154, 159, 186, 214, 235
visual impact assessment, 182
visual water quality criteria, 167
National Federal Advisory Committee, 167
US Environmental Protection Agency, 167
Vogelman, H.W., 133

Wadsworth, S., 216
Wagar, A., 234
Waites, M.D., 9, 191
Walston, R.E., 171
Washington, D.C., 100
Washington, 41, 83, 87, 139, 154, 159, 186, 214, 255, 261
Washington State Dept. of Ecology, 155
water development, 135
Bureau of Reclamation, 155
Federal Power Commission, 135
US Army Corps of Engineers, 135
water quantity, 168-169
low flow, 168
reserved rights doctrine, 168
Water Resources Abstracts, 191
Water Resources Council, 249
Waters, R.A., 215
watertrail wilderness, 126
Watson, R.A., 128
West Virginia, 41, 136, 214
wetland values, 155
Lake Buena Vista Florida, 155
Wickens, M., 92, 103
Wilcox, C.J., 50, 53
Wild and Scenic Rivers, 133
wilderness, 125
Wilderness Act, 127-131
definitions, 127-129
management protection, 127
meaning, 128
problem areas
compatibility, 130
exclusiveness, 129
purists' controversy, 130
values, 127
Wilderness administration
US Department of Defense, 129
USDA Forest Service, 129, 132, 133, 140, 142, 169
USDA Bureau of Land Management, 129, 132, 133, 140
USDA Fish and Wildlife Service, 129, 132, 133, 140
USDI National Park Service, 129, 132, 133, 138, 140, 169
wilderness creation
administrative recommendation, 129
congressional, 129
wilderness management
minimum tool, 131
wildlife resources, 172
Williams, E.A., 252
Williams, Hatfield and Stoner, 92
Williams, N.Jr., 75, 99, 190
Wilmott, G.J., 54
Wilson, P.E., 64
Wilson, R.L., 90
Winberg, E., 166
Winkler, J., 64
Wisconsin, 41, 83, 98, 101, 154, 159, 186
Wolcott, E.S., 129
Wyoming, 41, 214

Yasinow, S.K., 84
Yim, G., 50
Yellowstone National Park, 125
Yosemite Valley California, 125
Zeigler, E., Jr., 20
Zeigler, E.H., 87
zoning, land use, 45
Zabe, E.H., 56, 123, 253

Court Case/Law Index

Adirondack Park Agency Act, 142
Administrative Procedures Act, 182-183
Airport and Airway Development Act of 1964, 250
Alabama Power v. Castle, 164
Alpine Lakes Management Act of 1976, 143
Antiquities Act of 1906, 132, 171, 223
Arizona v. California, 168
Association of Data Processing, 182
A-S-P Associates v. City of Raleigh, 23

Barker v. Municipality of Anchorage, 25
Berman v. Parker, 17, 22, 29, 33, 34, 36, 37, 56, 62, 105
Best v. Zoning Board, 53
Board of County Commissioners v. CMC of Nevada Inc., 35
Board of Supervisors v. Rowe, 40
Bonneville Project Act of 1937, 166
Brown v. Dougherty Co., 30
Buhler v. Stone, 22, 40
Building Height Limitation Act of 1910, 100
Burrows v. City of Keene, 20, 35
California Coastal Zone Conservation Act of 1972, 152, 156
California Environmental Quality Act, 77
California Nevada Bi-State Compact, 141
California v. United States, 136
Candlestick Properties Inc. v. San Francisco Bay Conservation and Development Comm., 155
Capalbo v. Planning and Zoning Board, 28-29
Carter v. South Carolina Coastal Council, 160, 161
Cheyenne Airport Board v. Rodgers, 41
Citizens to Preserve Overton Park v. Volpe, 188
City Council of Los Angeles v. Taxpayers for Vincent, 70, 88
City of Fayetteville v. Melroy Bank and Trust Co., 21, 27
City of Houston v. Harris County Outdoor Advertising Assoc., 40
City of Houston v. Johnny Frank's Auto Parts Co., 39
City of Lake Wales v. Lamar Advertising Ass'n of Lakeland Florida, 22, 29
City of Miami Beach v. Ocean & Inland Company, 52
City of Providence v. Stephens, 39
City of Scottsdale v. Arizona Sign Assoc., 20, 27
Civello v. New Orleans, 51
Claridge v. New Hampshire Wetlands Bd., 161
Clean Air Act Amendments of 1977 section 128, 162, 165, 217, 247
Coastal Barrier Resources Act of 1988, 154
Coastal Zone Management Act of 1972, 151
Columbia River Gorge National Scenic Area Act, 141
Connecticut Public Utility Environmental Standards Act of 1971, 251
Cooperative Forestry Assistance Act of 1978, 235
Corrigan v. City of Scottsdale, 27, 105, 162
Coscan Washington, Inc. v. Maryland-National Capitol Cash and Planning Commission, 32
County of Lake v. First National Bank of Lake Forest, 30
County of Pine v. State Dept. of Natural Resources, 23, 24
County of Santa Barbara v. Hickel, 151
Crowell v. Ferrer, 23, 36

Davis v. California Coastal Zone Conservation Commission, 237
Dawson Enterprises Inc. v. Blaine County, 20, 22, 30
Death Valley National Monument et al v. Department of Interior, 184
Deimeke v. State Highway Commn', 34
Delaware’s Coastal Zone Act, 153, 186, 252
Dept. of Ecology v. Pacesetter, 195
Diamond Cove Association v. Board of Environmental Protection, 191
Dieme v. Commonwealth, 32
Donkey Communications Co. Inc. v. City of Fayetteville, 28
Dooley v. Town Planning and Zoning Commn., 160
Dunbar v. City of Spartensburg, 239
Duncan Miller, 218

Eastern Wilderness Act, 127
Electrical Consumer Protection Act of 1986, 136
Endangered American Wilderness Act of 1987, 217
Endangered Species Act of 1973, 172
Eubank v. City of Richmond, 48
Euclid v. Ambler Realty Company, 48, 49, 51
Executive Order 11593, 172

Farley v. Graney, 41
Federal-Aid Highway Act of 1960, section 4(f), 187
Federal Aid Highway Act Bonus program of 1968, 84
Federal Highway Beautification Act of 1973, 84, 89
Federal Power Act of 1920, 136, 250
Federal Power Comm. v. Oregon, 169
Finks v. Maine State Highway Comm’n, 21, 32
Fish and Wildlife Coordination Act, 136
Forest Service Organic Act of 1910, 169, 216, 230
Forest Stewardship Assistance Act of 1990, 235–237
Franchise Developers Inc. v. City of Cincinnati, 23
Franklin Builders, Inc. v. Alan Construction Co., 29
Friends of the Earth v. Armstrong, 136

Gannett Outdoor Co. of Michigan v. City of Troy, 33
General Mining Law of 1872, 216, 222, 224
General Outdoor Advertising Co. v. City of Indianapolis, 31
Gough v. City of Snellville, 30
Graham v. Estuary Props., 161
Hadcheck v. Sebastian, 48
Hawaii Constitution, 15
Hawaii Housing Authority v. Mickliff, 105
Heck v. Zoning Hearing Board, 38
High Mountain Sheep, 135
Historic American Buildings and Site Surveys, 63
Historic Sites Act of 1935, 63
Historical and Archeological Data Preservation Act of 1972, 171
Hodel v. Indiana, 216
Hodel v. Virginia Surface Mining and Reclamation Association, 216
Hubbard Broadcasting, Inc. v. City of Afton, 34
HUD Planning Assistance Program, 9

Iowa Dept. of Transportation v. Nebraska-Iowa Supply Co., 31
Izaak Walton League v. Butz (Monongahela), 230
Izaak Walton League v. St. Clair, 13

Jasper v. Commonwealth, 32, 34
John Donnelly & Sons, Inc. v. Outdoor Advertising Board, 19, 23, 33, 36
Just v. Marinette County, 155, 160

Kamrowski v. State, 41, 105
Kayser v. Moton, 222

Landmark Land Co. v. City and County of Denver, 20, 28
La Raza Unida v. Volpe, 189
Lasalle National Bank v. City of Evanston, 30
Louisiana Environmental Society v. Claude Brinegar, 189, 262, 264
Lutheran Church in America v. City of New York, 63
Lynch v. Urban Redevelopment Authority of Pittsburgh, 38

McCormick v. Lawrence, 154
Maher v. City of New Orleans, 32, 34
Maine Site Location Development Law, 190–191, 252
Major Medin of the Southeast, Inc. v. City of Raleigh, 88
Marine Mammal Protection Act of 1972, 172
Massachusetts Constitution Art. 50, 15
Massachusetts Scenic and Recreational Rivers Act, 137
Mayor and City of Baltimore v. Swartz, Inc., 21, 33
Mayor and Council of New Castle v. Rollins Outdoor Advertising Inc., 29
Merritt v. Peters, 29
Metromedia Inc. v. City of San Diego, 21, 28, 32, 38, 70, 88
Metropolitan Development Comm’n v. Douglas, 31
Mineral King (Sierra Club v. Hickle), 183–184

Mineral lands Leasing Act, 218
Mineral Leasing Act for Acquired Lands, 218
Mining Claims Rights Restoration Act of 1955, 221
Minnesota Public Interest Research Group v. Butz, 131
Minnesota’s Wild and Scenic River’s Act, 19
Mississippi State Highway Comm’n v. Roberts Enterprises Inc., 34
Montana Constitution Art. II, section 3, 15
Montana Power Company, 218
Montana Reclamation of Mining Lands Act, 213
Moore v. Ward, 32
Mountain View Ordinance, Denver, 100
Muench v. Public Service Comm., 161
Multiple-use Sustained Yield Act of 1966, 169, 231
Murphy v. Town of Westport, 28

Namekagon Hydro Corp v. FPC, 135
National Advertising Co. v. City of Bridgeston, 34
National Audubon Society v. Superior Court, 171
National Environmental Policy Act of 1969, 4, 9, 64, 187, 235
National Historic Preservation Act of 1966, 70, 133
National Flood Insurance Program, 159
National Forest Management Act of 1976, 230–231
National Landmarks Program, 132
National Park Service Organic Act of 1916, 132
National Trails Systems Act, 137–139
National Used Cars, Inc. v. City of Kalamazoo, 33
National Wild and Scenic Rivers Act, 133, 142
New Jersey Coastal Area Facility Review Act, 186, 262
Newman Signs, Inc. v. Hjelle, 37
New York’s Adirondack Park Regulations, 101
New York City Landmarks Program, 71
New York Section 247 of the Municipal Law, 106
New York State Environmental Quality Review Act, 107, 196–199

Omnibus Oregon Wild and Scenic Rivers Act, 135
Open Space Act, 64
Oregon City v. Hartke, 19, 33, 35, 38
Oregon Wild and Scenic Rivers Act, 156
Organic Administration Act of 1897 (US Forest Service), 132, 216
Ouellette v. International Paper, 166
Outer Continental Shelf Lands Act, 218
Ozark National Scenic Riverway, 135
ABOUT THE AUTHORS

The co-authors are Richard C. Smardon, Ph.D., Director of the Institute for Environmental Policy and Planning at the SUNY College of Environmental Science and Forestry, and James P. Karp, Professor of Law and Public Policy with the Syracuse University School of Management. Dr. Smardon has co-edited two books—*Foundations for Visual Project Analysis* (Smardon et al., 1986) and *The Future of Wetlands: Assessing Visual-Cultural Values* (Smardon, 1983), held a national conference in landscape analysis (Elsner and Smardon, 1979), has written a number of articles on law and aesthetics, and has been an expert witness in federal court and environmental hearings. He has also taught a course in visual landscape analysis for several years at SUNY/ESF and teaches aesthetic analysis short courses to the U.S. Corps of Engineers (six courses—150 professionals) and for the New York State Public Employees Federation (two courses—70 professionals). Dr. Karp has co-written a book on land-use law, has published articles dealing with the legal aspects of the National Environmental Policy Act, land-use ethics, the regulatory “taking” issue, and law and aesthetics, and has taught courses on environmental and land use law at Syracuse University for 20 years.