

FES 99-14

MARSH-BILLINGS
ROCKEFELLER
National Historical Park

WOODSTOCK, VERMONT

FINAL ENVIRONMENTAL

IMPACT STATEMENT

THE FIRST NATIONAL PARK TO FOCUS
ON THE THEME OF CONSERVATION HISTORY
AND THE CHANGING NATURE OF
LAND STEWARDSHIP IN AMERICA

PLEASE RETURN TO:
RECREATION INFORMATION CENTER
RENNET SERVICE CENTER
NATIONAL PARK SERVICE

May 1999



United States Department of the Interior

NATIONAL PARK SERVICE
Marsh-Billings-Rockefeller National Historical Park
54 Elm Street
P.O. Box 178
Woodstock, VT 05091

IN REPLY REFER TO:

D18(MABI)

Dear Interested Citizen:

I am pleased to send you a copy of the Final Environmental Impact Statement for the Marsh-Billings-Rockefeller National Historical Park Final General Management Plan. As you'll see, this document is presented in an abbreviated format. This format was chosen because the comments received during the public review period for the draft plan were minimal, resulting in few changes to the draft. The changes were confined primarily to factual corrections that did not alter the analysis. Therefore, reprinting the draft document as a final was not necessary.

I'd like to thank everyone that contributed to planning for the park. Please let us know if you have comments on the enclosed document.

Sincerely,

Rolf Diamant
Superintendent

**FINAL ENVIRONMENTAL IMPACT STATEMENT for the
MARSH-BILLINGS-ROCKEFELLER NATIONAL HISTORICAL PARK
FINAL GENERAL MANAGEMENT PLAN**

WOODSTOCK, VERMONT

This Final Environmental Impact Statement describes and analyzes two scenarios proposed by the National Park Service to manage Marsh-Billings-Rockefeller National Historical Park in Woodstock, Vermont. The responsible official is the National Park Service Director of the Northeast Region. For further information, please contact the Superintendent, Marsh-Billings-Rockefeller National Historical Park, P.O. Box 178, Woodstock, Vermont, 05091, (802) 457-3368.

Department of the Interior
National Park Service

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FOREWORD

This Final Environmental Impact Statement for the Marsh-Billings-Rockefeller National Historical Park Final General Management Plan is presented in an abbreviated format. It must be integrated with the Marsh-Billings National Historical Park Draft General Management Plan / Draft Environmental Impact Statement issued in April 1998, to be considered a complete document reflecting two management scenarios and all significant environmental impacts. The two documents together compose the complete Final Environmental Impact Statement.

The abbreviated format has been used for the Final Environmental Impact Statement because the changes to the draft document are minor and confined primarily to factual corrections, which do not modify the analysis. Use of this format is in compliance with the 1978 implementing regulations (40 CFR 1503.4[c]) for the National Environmental Policy Act of 1969.

This abbreviated Final Environmental Impact Statement is composed of five parts: the cover sheet, foreword, summary, errata, and comments and responses. The cover sheet lists the responsible agencies and contact persons, and designates the status of the statement (final, draft, etc.). The foreword describes the elements of the abbreviated Final Environmental Impact Statement. The summary provides an overview of the park and its resources, and briefly describes the proposal and alternative that were presented in the draft plan. The errata section identifies and corrects any errors and shows any necessary revisions to the Draft General Management Plan / Draft Environmental Impact Statement. The comments and responses address or otherwise respond to all substantive comments received during the public review period.

SUMMARY

Stewardship

Marsh-Billings-Rockefeller National Historical Park is the only national park to focus on conservation history and the evolving nature of land stewardship in America. Opened in June of 1998, Vermont's first national park preserves and interprets the historic Marsh-Billings-Rockefeller property in Woodstock. The park is named for George Perkins Marsh one of the nation's first global environmental thinkers (who grew up on the property) and for Frederick Billings, an early conservationist who established a progressive dairy farm and professionally managed forest on the former Marsh farm. Frederick Billings's granddaughter, Mary French Rockefeller, and her husband, conservationist Laurance S. Rockefeller came to own property in the 1950s. Since that time they sustained Billings's mindful land management practices over the latter half of the twentieth century. In 1983, they established the Billings Farm & Museum to continue the farm's working dairy and to interpret rural Vermont life and agricultural history. The Billings Farm & Museum is operated by the Woodstock Foundation, Inc. as a private nonprofit educational institution.

Marsh-Billings-Rockefeller National Historical Park was created in 1992 when the Rockefellers gave the estate's residential and forest lands to the people of the United States. Today, the park interprets the history of conservation with tours of the Marsh-Billings-Rockefeller mansion and the surrounding 550-acre forest—one of the oldest planned and continuously managed woodlands in America. Working in partnership, the park and the museum present historic and contemporary examples of conservation stewardship and interpret the lives and contributions of George Perkins Marsh, Frederick Billings and his descendants, and Mary and Laurance S. Rockefeller.

Park Overview

Marsh-Billings-Rockefeller National Historical Park is located in Woodstock, among the rolling hills and pastures of eastern Vermont. Incorporated in 1772, Woodstock was renowned in the late 1800s and early 1900s as one of New England's most beautiful villages. It has been a resort town for over a century.

The boundary of the national park includes Mount Tom forest land and pastures as well as the Marsh-Billings-Rockefeller Mansion and surrounding residential buildings and grounds. Within the park's boundary, in a "protection zone," is Billings Farm & Museum, which is privately owned and operated by the Woodstock Foundation, Inc.

Forest

The national historical park includes 550 acres of forest on the slopes of Mount Tom. Beginning in the 1870s, Frederick Billings developed what he considered to be his crowning achievement in Woodstock—the forest, with its tree plantations and networks of trails and carriage roads. Encompassing some 50 different forest stands, the Marsh-Billings-Rockefeller forest includes plantations of single and mixed species as well as former farm fields now in various stages of forest succession. Of those tree plantations set out by Billings in the 1800s, 11 survive today. One of the oldest continuously managed woodlands in North America, this forest still produces saw logs and firewood. At the same time, it is managed with a strong emphasis on aesthetics, education, and recreation.

Ever since Billings constructed his network of footpaths and carriage roads to showcase the managed forest and picturesque views of the countryside, the community has been welcome in the Mount Tom woodland. Today the trails and carriage roads are also a major component of a wider network of cross-country skiing trails, operated under an easement by the Woodstock Ski Touring Center. To preserve the tranquil character of the forest and opportunities for these recreational uses, the deed of gift

by which the National Park Service accepted the property prohibits the use of mountain bicycles, snowmobiles or other motorized vehicles (except those needed to manage the property and trails); camping and camp fires; hunting; fishing; and swimming in the pond called the Pogue.

Residential Complex

The mansion, a large three-story brick residence sited on a promontory at the head of Elm and River streets, is the centerpiece of the residential complex. The mansion was originally built for George Perkins Marsh's parents and their growing family, in 1805-07. After Billings purchased it in 1869, the mansion was thoroughly renovated twice. It was remodeled a final time after it became the residence of Mary F. and Laurance S. Rockefeller in 1954. Collections belonging to the Billings and Rockefeller families include more than 500 paintings and prints—works by such artists as Thomas Cole, Albert Bierstadt, John Frederick Kensett, and Asher B. Durand. Together these works shed light on changing environmental perceptions and suggest the influence of art and artists on the conservation movement in the mid- to late-19th century. The residential complex also includes a two-and-a-half-story belvedere reminiscent of a Swiss cottage and a three-story Queen Anne-style carriage barn.

Billings Farm & Museum

The Billings Farm & Museum includes pastures, hay meadows, cropland, and small portions of lowland woods, along with a herd of registered Jersey cows, Southdown sheep, draft horses, oxen, chickens, and other farm animals. An active dairy, which grows its own feed and sells milk, is a major component of the outdoor museum that is operated on the farm.

A living museum of Vermont's rural heritage, Billings Farm & Museum interprets significant themes of the national historical park. There, permanent exhibits portray the values of 1890s farm families of east-central Vermont and explore the relevance of those values to today's culture. The restored 1890 Farm House expands on the museum's interpretation of rural farm culture, addressing the historical role of the Billings Farm. The operating dairy farm, where championship Jersey cows have been raised since 1871, conducts and interprets responsible agricultural land stewardship. Museum programs interpret the progressive agricultural interests of Frederick Billings as well as the relationships between rural farm culture and the stewardship of working landscapes in an agricultural countryside.

The Significance of the Park

Marsh-Billings-Rockefeller National Historical Park has an important place in the history of conservation stewardship. Its significance lies in both people and practices—several prominent American conservationists and more than a century of continuous, careful stewardship, evident in the park's landscape, buildings, and museum collections.

Before the park was established, the mansion and its environs were determined to be of such national significance that they were listed as a National Historic Landmark. In addition, as part of the Woodstock Village Historic District, the residential complex and much of the farmland were listed in the National Register of Historic Places.

Management Scenarios

The Proposal: National Park Partnership

Marsh-Billings-Rockefeller National Historical Park will be managed in partnership by the National Park Service and the Woodstock Foundation, which operates Billings Farm & Museum. By building upon the audience, program, infrastructure, and facilities of the existing Farm & Museum, the Proposal can achieve several economies of scale. The expertise, experience, and capabilities of both the National Park

Service and the Woodstock Foundation will be linked as the staffs of the two organizations work in cooperation to manage and interpret this working cultural landscape. Such a relationship will also reflect George Perkins Marsh's view that government should operate in the interests of the common good, just as private landowners should manage their property as good stewards.

Billings Farm & Museum's established audience will, most likely, be a major component of the national historical park's anticipated audience. People who currently enjoy visiting Billings Farm & Museum will probably be inclined to visit the park as well, although some visitors might be more interested in a particular area—the forest, perhaps, or the residential complex, or the farm.

Conservation and stewardship of the land were vitally important to the Billings and the Rockefeller families, following in the wake of George Perkins Marsh—who is considered to be the nation's first ecological thinker. Accordingly, the National Park Service will develop interpretive materials, exhibits, and programs to enhance visitors' understanding of the forest, the farm, and the successive owners' contributions. On scheduled guided tours of the residential complex as well, park managers can explore with visitors these essential values and visions.

Billings Farm & Museum will continue to be privately owned and operated in partnership with the park. The museum experience will become a major component of the interpretive program for the whole park. The museum's continuing emphasis on agriculture and the era of Frederick Billings will fully embrace important aspects of the park's central theme of conservation stewardship. Historical and contemporary examples of agricultural land stewardship will enhance current programming and interpretation.

To many people in Vermont and across the country, it is clear that Marsh-Billings-Rockefeller National Historical Park, with its theme of responsible stewardship, is being established at a particularly auspicious time and place. The Woodstock Foundation and the National Park Service will work in partnership to develop a *Stewardship Initiative* that will encourage effective, innovative thinking and practice in conservation stewardship. Although national in scope, this initiative will also focus on the needs of Vermont and the role of stewardship in shaping the future of Vermont's communities and landscapes. As part of this effort the National Park Service has established the *Conservation Study Institute* to further the park's educational and outreach initiatives and to enhance the National Park Service's leadership in conservation. The *Conservation Study Institute* operates in collaboration with the University of Vermont, School of Natural Resources and associates with nonprofit partners, including Shelburne Farms and the Quebec Labrador Foundation/Atlantic Center for the Environment. The *Institute* contributes to the stewardship of landscapes and communities by creating opportunities for dialogue, inquiry, and lifelong learning in conservation history, contemporary conservation issues and practice, and future directions in the field.

On arrival, visitors will park their cars at Billings Farm & Museum. They will be greeted at the Billings Farm & Museum entry building, which will be modestly expanded by the Woodstock Foundation to serve as a joint orientation center for Marsh-Billings-Rockefeller National Historical Park and Billings Farm & Museum. This center will feature an introductory film and a display that will orient visitors to the park and its programs. Also available at this center will be basic services—restrooms, a museum shop, ticket sales—and information about activities. Fees will be charged for admission to Billings Farm & Museum as well as for scheduled tours of the residential complex.

Walking from Billings Farm & Museum to the mansion and forest areas, visitors will cross Vermont Route 12 at a controlled crosswalk to be established with the Village. The park managers will work with the Village to have a uniformed crossing guard—ideally employed by the Woodstock Village Police and funded by the national historical park—supervise the crosswalk during the highest periods of visitation.

For guided tours of the mansion and gardens, people will assemble at the carriage barn. Once rehabilitated, this building will display in-depth exhibits on George Perkins Marsh, the evolution of conservation stewardship and a rotating exhibit about place-based conservation efforts around the country. The building will also house park administrative offices and curatorial storage for museum collections.

This Proposal will achieve programmatic benefits and economies of scale through an operational partnership between the National Park Service and the Woodstock Foundation (Billings Farm & Museum). Federally funded staffing and capital construction needs will be reduced through staff collaboration and sharing of facilities between the partner organizations. The park's historic setting and environment will also be preserved from unnecessary encroachments, as new construction will be kept to a minimum. Most maintenance activities will be contracted with local trades and service providers, thereby reducing the need for National Park Service maintenance infrastructure. The Woodstock Foundation endowment will provide funds for preservation maintenance and conservation activities.

To implement this Proposal it will require a federal annual operating base budget of about \$1.2 million. Carriage barn renovations will require \$2.4 million. Without the active partnership of the Woodstock Foundation, however, the cost of developing and operating the park would be considerably higher for the National Park Service. Under the Proposal, the Woodstock Foundation's participation in operating resources and construction capital (for the expanded orientation center) will be comparable to federal expenditures. These expenditures will be over and above the endowment fund for the preservation maintenance of the park.

The Alternative: Independent Coordinated Park Management

The Proposal and the Alternative differ in their approaches to management. To manage the park, the Proposal calls for a strong partnership between the Woodstock Foundation and the National Park Service. The Alternative assumes that these two organizations would work independently—not in collaboration.

Under the Alternative, visitors would experience the park as two distinct units: Marsh-Billings-Rockefeller National Historical Park and Billings Farm & Museum. There would be some duplication of basic functions and facilities; preservation maintenance, conservation practices, and other management activities would be carried out independently. The National Park Service would rehabilitate the carriage barn as an orientation center separate from the visitor center at Billings Farm & Museum. In the residential complex and the forest, the National Park Service would conduct its own interpretive programs. Visitors would still park at Billings Farm & Museum and walk to the carriage barn via a supervised crosswalk. Although Billings Farm & Museum programs might not be integrated with National Park Service interpretations, visitors to areas administered by the National Park Service would be encouraged to visit Billings Farm & Museum. In turn, museum visitors would be directed to the National Park Service carriage barn.

Near the woodshed the National Park Service would construct a new maintenance facility and parking spaces for maintenance vehicles. Operating independently, the National Park Service would conduct its own maintenance activities rather than contracting for them.

It would require a federal annual operating base budget of about \$1.4 million to implement the Alternative. An additional \$4 million in line-item construction funds would be needed to renovate the carriage barn and construct the new maintenance facility. Under the Alternative, the Woodstock Foundation would manage a preservation maintenance endowment for the park, just as it would under the Proposal. However, the federal expenditures would be significantly greater than the federal costs of the Proposal for two main reasons: (1) the limited private participation by the Woodstock Foundation and (2) the costs of maintenance activities.

ERRATA

Following the public review of the Draft General Management Plan / Draft Environmental Impact Statement, some errors were discovered. This section identifies those errors, notes where they occur in the document, and presents any necessary corrections.

Throughout document: Replace, "Marsh-Billings National Historical Park" with, "Marsh-Billings-Rockefeller National Historical Park," and "Marsh-Billings," with, "Marsh-Billings-Rockefeller," due to the legislated change in the name of the park.

Page ii, Column 1, Paragraph 1, Sentence 3: Add "some" before "50".

Page ii, Column 1, Paragraph 2, Sentence 1: Delete "20-mile" before "network".

Page 2, Column 2, Paragraph 2, Sentence 2: Add "national forests," before "science and natural history centers".

Page 2, Column 2, Paragraph 3, Sentence 4: Delete "public" before "property".

Page 2, Column 2, Paragraph 3, Last Sentence: Add ",which is listed in the National Register of Historic Places," after, "The 154-acre property".

Page 4, Column 2, Paragraph 2, Sentence 3: Add a hyphen between "1805" and "1807".

Page 32, Column 2, Paragraph 3, Sentence 3: Replace "ownership" with "tenures".

Page 42, Column 2, Paragraph 1, Sentence 2: Delete ",and adder's tongue".

Page 42, Column 2, Paragraph 2, Sentence 2: Replace "buying" with "acquiring".

Page 52, Column 1, Paragraph 4, Sentence 3: Replace "10" with "20".

Page 53, Column 2, Paragraph 1, Sentence 2: Replace "maintains" with "maintained (but has discontinued)".

Page 53, Column 2, Paragraph 1, Sentence 3: Delete "also" before "been" and replace "dieback" with "canker".

Page 53, Column 2, Paragraph 1, Sentence 5: Add "with the exception of the butternut canker," after "characterized as serious".

Page 53, Column 2, Paragraph 2, Sentence 2: Replace "Gulf Stream" with "Barnard Brook".

Page 90, as second to last entry: Add, "1996, Woodstock Town and Village, Master Plan".

COMMENTS AND RESPONSES ON THE DRAFT PLAN / STATEMENT

Introduction

The National Park Service consulted with the general public and various organizations and agencies in developing the draft and final plans for the park. The National Park Service prepared two newsletters for the general public, and conducted small group meetings with park neighbors, local merchants, schoolchildren, and senior citizens. In collaboration with the Town and Village Planner, the University of Vermont, the Vermont Folklife Center, and the community liaisons, the planning team administered a "community survey" to solicit the thoughts and opinions of Woodstock residents. A more in-depth community survey was conducted by the Vermont Folklife Center and involved interviews with longtime residents of Woodstock. Issue-oriented focus groups were held with historic preservation professionals, natural resource managers, foresters, and land conservation groups, among others. The National Park Service consulted with state and local government officials, the regional planning commission, the State Historic Preservation Office, the Vermont Land Trust, and the Vermont Institute of Natural Science during the course of the planning process. Also, the planning team worked with the staff of *The Vermont Standard* to publish 4,000 copies of a planning summary that was distributed as a special supplement to that newspaper.

In January 1993, National Park Service staff corresponded with various local officials and boards to announce the planning process. In July 1993, the National Park Service contacted the Vermont Agency of Natural Resources, the Vermont Natural Resources Council, the Office of Senator Jeffords, the Office of Senator Leahy, and the Office of Representative Sanders to provide background information on the park and the planning process. In August 1993, the National Park Service contacted the Director, Vermont Division of Historic Preservation and the Advisory Council for Historic Preservation (ACHP) to begin the consultation process required by the programmatic agreement (revised in October 1995) among the National Conference of State Historic Preservation Officers, the ACHP, and the National Park Service. In addition, representatives of the Vermont Division of Historic Preservation participated in the Conservation Stewardship Workshop and hosted one of the focus groups described below. A description of specific public involvement activities follows.

Community Liaisons

Town selectmen and Village trustees designated two community people to represent the community on park planning issues. The community liaisons have provided insight into community issues, acted as liaison between the National Park Service and Town and Village officials, helped schedule local meetings, and identified local people for oral history interviews. In addition, they occasionally published articles in the local newspaper to keep the public informed about the park and the progress of planning.

Community Survey

In July 1994, a community survey was administered in collaboration with the Town and Village Planner, the University of Vermont, the Vermont Folklife Center, and the community liaisons. The survey included both multiple-choice and open-ended questions.

Focus Group Meetings

At all of the following meetings, National Park Service staff described the park and the planning process, and then invited attendees to ask questions and/or comment.

North Street Neighbors (March 25, 1994): This meeting was hosted by local residents and was attended by about 10 residents.

Land Conservation Community (April 27, 1994): The Vermont Land Trust hosted this meeting at the King Farm in Woodstock; about nine conservation professionals attended.

Regional Planning Community (April 27, 1994): This meeting was hosted by Two Rivers-Ottawaquechee Regional Commission at the King Farm in Woodstock with about five people from the greater Woodstock area in attendance.

Historic Preservation Community (May 18, 1994): This meeting was held at Billings Farm & Museum and was attended by about 19 historic preservation professionals from across the state.

Local Merchants (May 18, 1994): This meeting was hosted by the Woodstock Historical Society and was attended by 20 representatives of the local business community.

Woodstock Elementary School Children (May 19, 1994): The National Park Service met with a group of about 15 students at the Woodstock Elementary School.

Mountain Avenue Neighbors (May 23, 1994): This meeting was held at a local residence and was attended by about 15 residents.

Edwin J. Thompson Senior Center (June 2, 1994): This meeting was held at the Edwin J. Thompson Senior Center. National Park Service staff met with about 10 senior citizens for a lunchtime informational presentation.

In-depth Interviews

In the summer of 1994, the Vermont Folklife Center conducted 29 in-depth interviews involving a total of 46 people, most of them natives or longtime residents of Woodstock.

Newsletters

Newsletter No. 1 (Winter, 1993) was mailed to about 1,500 households and several hundred copies were delivered to Woodstock for informal distribution at town offices. The newsletter described basic information about the establishment of the park and introduced the public to the planning process.

Newsletter No.2 (Spring, 1994) contained the "community survey," and was therefore broadly distributed. It was mailed to approximately 4,000 individuals and several hundred copies were delivered to Woodstock for informal distribution at town offices. The newsletter also reported on the progress of data collection for the plan.

A planning summary was published as a supplement to *The Vermont Standard* in April, 1998. About 4,000 copies were distributed.

Public Review of Draft General Management Plan / Draft Environmental Impact Statement

About 380 copies of the Draft General Management Plan / Draft Environmental Impact Statement were distributed to agencies, organizations, and individuals on May 8, 1998. The National Park Service conducted two public forums in May 1998 to solicit comments regarding the draft plan. Representatives from the National Park Service, Marsh-Billings-Rockefeller National Historical Park, and the Boston Support Office met with interested parties at Billings Farm & Museum's entry building from 5:30 P.M. to 8:30 P.M. on Thursday, May 21 and from 3:00 P.M. to 6:00 P.M. on Friday, May 22. The public was informed of the meeting locations and times through notices published in local media outlets.

Public comments were received by a variety of methods. At the open house sessions, the public was invited to discuss the various alternatives with NPS staff and submit written comments on comment forms. These comment forms could also be filled out and mailed back to the park at a later time. Individuals could also write their ideas and comments on a separate flip chart set up as a comment board. Attendance at both public forums was light. Six persons attended the Thursday session and seven people attended the Friday session.

A 60-day review period (May 8 to July 7, 1998) was designated for receiving comments from agencies, organizations, and the general public. A total of eight letters were received during the review period. At the end of the review period, all comments were reviewed and the substantive comments were identified. Substantive comments are those which (1) question the accuracy of the information/data presented, (2) question the adequacy of the environmental analysis, (3) present a reasonable alternative other than those presented in the draft document, or (4) cause changes or revisions in the proposal. Responses to the substantive comments were prepared, and those responses are presented in the following text. The letters are reproduced with the substantive comments underlined. The corresponding responses are presented on the pages following each letter.

Responses to Letters

The following are the letters received commenting on the draft plan and NPS responses to the substantive comments.



Woodstock, Vermont *The Shire Town of Windsor County*

TOWN-VILLAGE MANAGER GOVERNMENT

Town Hall • P.O. Box 488 • Woodstock, Vermont 05091 • 802/457-3456

July 30, 1998

Rolf Diamant
Marsh Billings NPS
Woodstock, VT 05091

RE: Route 12 Path

Dear Rolf:

The Town of Woodstock is asking for your support of a pathway that will run along the west side of Route 12 from River Road north to the Mt. Tom crosswalk.

After reading your General Management Plan, I feel the plan should be amended to include a path along the west side of Route 12. There is an existing pathway along the stone wall that needs to be upgraded and extended to the Mt. Tom crosswalk.

Route 12 is difficult for pedestrians as it is very narrow. The Village section does not have the warning stripe on the side of the road. The Town portion has a minimal shoulder of two feet, less in some places.

Reviving the pathway would benefit both the National Park and the Town of Woodstock.

Enclosed is an orthophoto map of the area with a conceptual pathway. The path will run north from River Road to the Mt. Tom crosswalk. The path will cross the triangular lawn created by the River Road and Route 12 intersection onto the Eagle property, run along the east edge Route 12 for 300 feet, cross to the west side of Route 12 at the pond, then follow the existing path between the wall and the tall pines north. The existing path runs +/- 700 feet along the NPS stone wall. At the end of the NPS stone wall is another Eagle property, we envision running the path along the stone wall until the Allen property where it would run along the road the rest of the way to the crosswalk.

Please contact me as to the possibility of participating in the Route 12 pathway.

Sincerely,


Michael Brands, AICP
Town/Village Planner



Mt. Tom

Route 12

NPS

Michael Brands, Town/Village Planner

The pathway proposed is consistent with the general management plan, and is scheduled to be built in the year 2000. Park managers look forward to continuing to work with the Town, Village, and others to link the park physically and programmatically with other places and entities.



VERMONT LAND TRUST

May 27, 1998

Rolf Diamant, Superintendent
Marsh-Billings National Historical Park
P.O. Box 178
Woodstock, VT 05091

David A. Donath, Director
Billings Farm & Museum
P.O. Box 489
Woodstock, VT 05091

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NORTHEAST KINGDOM
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SOUTHWEST VERMONT
& METTOWEE VALLEY
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Pawlet, VT 05761
[802] 325-3701

CONSERVATION
STEWARDSHIP
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[802] 457-2369

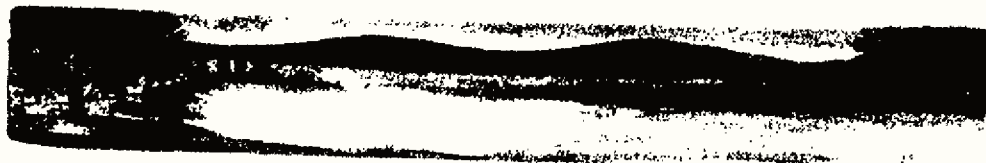
Dear Rolf and David:

With the release of the Draft General Management Plan for the Marsh-Billings Park and the invitation – which I appreciated and enjoyed – to speak last week with the seasonal Park interpretive staff about the Vermont Land Trust and conservation easements, I am inspired to put my views on conservation easements and their role in the activities and future of the Park and the Billings Farm & Museum in writing.

First, I am increasingly convinced that conservation easements should be an element of the Park's message and outreach to interpret the history and evolution of conservation stewardship in America. Conservation easements are a valuable tool which can be used to ensure that generations of good stewardship will not be broken by one owner in time who, through greed or ignorance or necessity, might bespoil the property, subdivide it, develop it, or otherwise irreparably destroy years of care invested in the land. This is an important message, and one which this Park is uniquely suited to offer by virtue of its stated mission, and for at least the following added reasons:

- ❑ The National Park Service has a long, perhaps pioneering history in the use of easements in such places as the Blue Ridge Parkway and Acadia.
- ❑ Mrs. David (Peggy) Rockefeller was an early champion of the use of conservation easements in her work with the Maine Coast Heritage Trust.
- ❑ The Vermont Land Trust, one of the most successful and innovative land trusts in the country, fits the Park objective to convey principles through a Vermont focus that are relevant on a national scale.

Second, if conservation easements are to become an element of the Park message, a conservation easement on the 88-acre protection zone that embraces the Billings Farm & Museum should be conveyed to the National Park Service, in addition to the scenic easements already conveyed to the Park Service on the 300-acre scenic zones on Mount Peg and Blake Hill. A well-crafted conservation easement would preserve the character of the historic Billings Farm in perpetuity, and provide at least the following added benefits:



Letter to Diamont and Donath

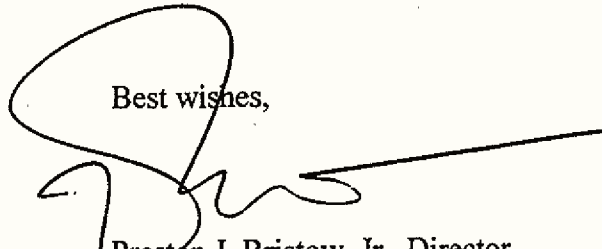
May 27, 1998

Page 2

- ⓧ A clearer mutual understanding and a reduced potential for conflict over future uses which might be contemplated on the protection zone within the boundaries of the Park.
- ⓧ An interpretive platform to establish an outreach program that would use the conservation easement concept to conserve important landscapes far beyond the boundaries of the Park.
- ⓧ Another valuable legacy from Mr. Lawrence Rockefeller demonstrating a practical means to protect open space from unwise development and provide a bridge between conservation and commerce.

It all seems perfectly clear and logical and compelling to me! Thank you for your consideration of the thoughts behind this letter, and you know that you have in me a strong supporter of the Park and Farm.

Best wishes,



Preston J. Bristow, Jr., Director
Conservation Stewardship Office

Preston Bristow, Vermont Land Trust

The park endorses the idea of including conservation easements, their monitoring, and their importance as a conservation tool in the park's message. Park managers will work in collaboration with the Vermont Land Trust and other organizations to include interpretation of conservation easements as a component of the park's programming and exhibitry.

The second concept regarding a conservation easement on Billings Farm & Museum property has been shared with the property owner for consideration.

The support of Marsh-Billings-Rockefeller National Historical Park is greatly appreciated.

Charles H.W. Foster

May 18, 1998

Mr. Rolf Diamant, Superintendent
Marsh-Billings National Historical Park
P.O. Box 178
Woodstock, VT 05091

Dear Rolf:

Someone (probably you) was kind enough to send me a copy of your new draft General Management Plan and EIS. It is a thorough and handsome document. Knowing how many others were looking over your shoulders, it is truly a fine piece of work.

The details about the physical dimensions of the park, its historical context, and the proposed method of operation were all vintage Park Service. Less precise, however, were the programmatic aspects of the park. I was reminded of the comments I prepared earlier for Sarah Peskin seeking a more precise definition for things like "sustainable natural resources management" and "conservation stewardship", and how the Park Service will carry out its mission vis a vis the similar responsibilities of agencies like the Natural Resources Conservation and Forest Services. In fact, the whole national aspect of your program is much less defined in the GMP than your relationship and role in the state of Vermont.

Perhaps the most intriguing of all your ideas is the possible conservation study institute. When the time arrives, I would like to be among those advising on methods of implementation. There is a real opportunity to be innovative here. For example, rather than affiliating with a single academic institution, you may want to experiment with a kind of university-without-walls, secured by cooperative agreements with a number of participants. This approach would have the dual advantage of increasing your conservation study outreach, and avoiding the necessity of sizable expenditures for fixed facilities and residential program staff.

Many thanks for continuing to think of me.

All best wishes,



Charles H.W. Foster

Charles H. W. Foster

The Marsh-Billings-Rockefeller forest will serve as an interpretive tool used to enhance public understanding of conservation history and sustainable forestry practices. Although the general management plan is complete and provides a framework within which the park can operate to this end, the scope of park programming continues to evolve; much work needs to be done before the park's potential can be understood, not to mention realized. Park managers continue to work in collaboration with other organizations to define the park's role, including making more precise definitions of "conservation stewardship" and "resource management" that are appropriate to interpretation at Marsh-Billings-Rockefeller. The *Conservation Study Institute* has definitely a national scope and mission.

Author: "Elsa Gilbertson" <elgilbertson@dca.state.vt.us> at NP--INTERNET
Date: 8/20/98 3:38 PM
Priority: Normal
TO: Marjorie Smith at NP-NARO
CC: ergilbertson@dca.state.vt.us at NP--INTERNET
Subject: marsh-billings

----- Message Contents -----

Marjorie--

The Vermont Division for Historic Preservation's comments on the draft general management plan for Marsh-Billings National Historical Park are woefully late. We do apologize. It has been a very busy summer.

We want to congratulate you on the draft plan. Overall it looks terrific! We wish you much success with your efforts. We hope you will be able to adapt the "Proposal" rather than the alternative; we find in a small state like ours partnerships work best and work for an even greater good.

If it is not too late, I have some small comments to make about some of the details in the plan. Most are not substantive in the least.

p. 2, col. 2--King Farm. This doesn't make any difference to the discussion, but it is interesting that the Regional Planning Commission for this area also has its offices at the King Farm. The King Farm is listed in the National Register.

p.3--The plan does talk more about significance later, but since this is the first real introduction to the resources of the property it would be nice to see here dates attached to all the other buildings. Since this document is in a public realm now, it will be used by researchers in the future. Quick references to building dates will give the reader or researcher something to picture in their mind's eye. There is a date to go with the farm manager's house, if you could do that for the other buildings people would know quickly if we're looking at an entirely historic complex or if there are some newer buildings in the mix. Knowing about newer buildings doesn't lessen the impact.

p. 4, col 2, paragraph 2--hyphen missing between 1805 and 07. Here and on the previous page it also might be nice to briefly mention the names of the architects and landscape architects who worked here. You do have it later, but I missed seeing it here. It would make an impact because otherwise the description of the property is quite impersonal. The land and the buildings are the works of significant "artists," just as the paintings are works of significant artists and those artists are mentioned by name.

pp.7, 8--This discussion is very interesting but seems so male oriented. One wonders reading it how Mr. Rockefeller entered the picture. Need to make clear that he married into the Billings/French family. I know very little about Mrs. Rockefeller but surely she must have had some influence. It was her family's property and her husband, who married into the clan, had to have been inspired by her and her family heritage. She must have had something to say about it and must have supported her husband in all his conservation interests. Please add Mrs. Rockefeller to this discussion.

of his writings he said behind every powerful man there was/is a loving woman--mother or wife or both who makes it all possible. It must be true in this case too! Maybe you should insert Julia Billings' name in the Frederick Billings' section while you are at it, since later on you show how she and her daughters continued the legacy.

p. 9, col. 1, under Special Recognition--it says the new park was entered on the National Register in 1992. This is the first I've heard of it. Unless NPS did something we don't know about, this is an error. The NPS database makes no mention of the new park being put on the National Register in 1992. I see on page 28 that it is "administratively listed in the National Register." Is that what happened in 1992? What does that mean? Shouldn't we have known about it? Was it a DOE? We do agree it is a good idea someday to amend the Woodstock Village Historic District nomination to add whatever of the Billings property is excluded.

pp. 13-14--The discussion on signage is interesting. NPS might want to contact Sally Cavanagh, Deputy Commissioner, Vermont Department of Tourism & Marketing, 6 Baldwin St., Montpelier, VT 05633 (802-828-5210) to support the need for better roadside signage opportunities for historic and cultural sites. She is also chair of the Vermont Travel Information Council, which commissioned a study a few years ago to address signage concerns and other issues for travelers. They need support to take to the state legislature to encourage some changes for the better for our signage and wayfinding system.

p. 30--Heritage Tourism--The National Trust listed Vermont as one of the 11 most endangered places in 1993. If you want to be more specific than the "State of Vermont" establishing the development of heritage tourism as being important, you could add Agency of Commerce and Community Development. The Vt. Div. for Historic Preservation and the Vt. Dept. of Tourism and Marketing are both in that agency and in 1995 we started working together, through the initiative of our SHPO at the time (Towny Anderson), on developing heritage tourism.

pp. 38-39--I'm appalled that there is no mention of Mrs. Rockefeller in the discussion of Laurance Rockefeller--just a picture and short caption. How on earth did he get this property anyway; would he have been interested in buying it if he hadn't married into the family? Later it looks like Mrs. Rockefeller's mother and aunt did a lot during the time period devoted to Mr. Rockefeller. It's not very clear when Mr. Rockefeller got involved with this property. Can you put that in here? The question is begged (I see that it is answered much later, on p. 43, but one wants to know this now). Julia Billings at least gets mentioned in the previous section. Mr. and Mrs. Rockefeller were married for how many years and she isn't even mentioned? Eric Gilbertson said at the opening this June there was a lot of credit given to Mrs. Rockefeller and we know from others that that is the way Mr. Rockefeller wants it. Clearly he's important

p. 40--last paragraph. The patent for potash manufacture was given in the late 1700s, I think, to Samuel Hopkins of Pittsford, VT. This doesn't really matter but I don't think you really need to note that Meeks says that--it is true.

would look outward a bit--a little more than the immediate Woodstock area. How is it going to interact with other cultural and historic institutions in the county, region, state? How can they work cooperatively on programming, cross-promotion and the like? We understand someone has been hired to look at some of those issues, but it would be nice to have it addressed briefly in this plan.

Again, we're very sorry for the delay. We wish you good luck and hope everything proceeds smoothly!

ElGilbertson@gate.dca.state.vt.us
Elsa Gilbertson
National Register Specialist
Vermont Division for Historic Preservation
National Life Building, Drawer 20
Montpelier, VT 05620-0501
Direct phone: 802-828-3046

Check out the VDHP's web site:
<http://www.state.vt.us/dca/> and click on Division for Historic Preservation

Elsa Gilbertson, Vermont Division for Historic Preservation

In addition to the response below, several comments were addressed in the "Errata" section.

When writing the document, the planning team had little information about the role of Mary French Rockefeller and the other women involved in the management of the property. Since publishing the draft, more has been discovered about the roles of the women. This information will be included in interpretive programming and exhibitry. Below is an excerpt from David A. Donath's Introductory Exhibit Narrative that explains the roles of the heirs of Frederick Billings and the heyday of Billings Farm. More must still be uncovered about the role of Mary French Rockefeller.

With Frederick Billings's death in September 1890, direction, control, and development of the farm devolved upon his widow Julia and his daughter Laura, greatly assisted by his principal managers Samuel E. Kilner and George Aitken. Laura, the eldest of Frederick's surviving children, was twenty-six. The others: Frederick Jr. ("Fritz"), Mary Montagu, Elizabeth, and Richard, were not yet twenty-five, which was considered to be the age of responsible adulthood. Accordingly, Billings's will noted, "I have consulted freely and fully with my wife and daughter Laura, who give it their hearty approval.... It should turn out well and enable them to do much good in the world."

Through the decade after her father's death, Laura would be closely involved in the management and development of the farm as it achieved its greatest extent and successes. The activities of these turn-of-the-century years of heyday are recorded in an extensive set of letters and reports between Laura and George Aitken, the farm manager. Samuel Kilner, the business manager who had served Frederick Billings as private secretary, completed the triumvirate which saw the farm grow to its maximum acreage and its ultimate success at the World's Colombian Exposition. At the 1893(-4) Chicago World's Fair, the Billings dairy herd achieved national prominence, winning top honors for its Jersey cattle.

The division of responsibilities between Laura Billings, George Aitken, and Samuel Kilner was typical of gentleman farms of the era. Laura represented the interests of the owner which were the ultimate authority, Aitken was the expert agriculturist and manager, and Kilner was comptroller. Far from replicating a family farm, the Billings operation was an agricultural business in the progressive era of capital and the industrial revolution.

As the 20th century unfolded, the children of Frederick and Julia Billings came into adulthood, Mary Montagu and Elizabeth took important roles in the management and development of the Billings Farm. Following the death of their mother in 1914 (Frederick Jr. had died the year before), Mary (married to John French) and Elizabeth (never married) inherited the mansion, forest, and core of the farm; Laura (married to Frederick Lee) and Richard (married to Mary Merrill) inherited the properties split off from the northeast side of the estate. Mary Montagu Billings French ultimately would see the farm through years of decline and the Great Depression and resurgence at the end of World War II. Elizabeth Billings would make a major horticultural contribution, developing a herbarium of the property and region, working with the renowned horticulturist Elsie Kittredge. Laura Billings Lee and Richard Billings developed their own properties, with Richard building his own farm on Barnard Brook.

The heyday of the Billing Farm as a model of progressive excellence was short lived. It did not recover from the death of George Aitken, which was followed by the death of Julia Billings and the marriages of Laura and Mary Montagu Billings, the two children most capable of leading the farm.

National historic sites and national historical parks are administratively and automatically listed in the National Register of Historic Places upon establishment without further review. The documentation for such areas requires State Historic Preservation Office review and comment, but, although the documentation is prepared on a National Register form, it is "documentation" for the already-listed area, and not a nomination. The NPS did neglect to list the park in the National Register upon the park's establishment, however, this error has been corrected.

The *Stewardship Initiative* and *Conservation Study Institute* are intended to be major components of the park's outreach efforts. While the draft plan identifies these programs and provides some explanation as to their nature, their exact scope is still evolving.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203-0001

June 15, 1998

Rolf Diamant, Superintendent
National Park Service
Marsh-Billings National Historic Park
P.O. Box 178
Woodstock, Vermont 05091

OFFICE OF THE
REGIONAL ADMINISTRATOR

Re: Marsh Billings National Historic Park Draft General Management Plan Draft Environmental
Impact Statement (ERP Number D-NPS-B65007-VT)

Dear Mr. Diamant:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA)
and Section 309 of the Clean Air Act, we have reviewed the Draft Environmental Impact
Statement (DEIS)/ Draft General Management Plan for the Marsh Billings National Historic Park
in Woodstock, Vermont.

Based on our review of the DEIS we have no objections to the project as described and we rate
this EIS "LO-1 - Lack of Objections-Adequate" in accordance with EPA's national rating
system, a description of which is attached to this letter. Please feel free to contact me or Timothy
Timmermann at 617/565-3279 if you wish to discuss these comments further.

Sincerely,

Elizabeth Higgins
Director, Office of Environmental Review

Attachment



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 75% recycled fiber

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO--Lack of Objections

The EPA review has not identified any potential impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC--Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU--Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1--Adequate

EPA believes that draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3--Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

Elizabeth Higgins, United States Environmental Protection Agency

Evaluation noted.

5 July 1998

Rolf Diamant

Dear Mr. Diamont :

These comments pertain to the Marsh-Billings National Historical Park .While I live only 24 miles from the Marsh-Billings site, I have found it rather difficult to obtain information on the Draft General management Plan. In part this has been the fault of the local media, but in part is due to the National Park Service's too narrow understanding of what the local community is. While I am in general a strong supporter of the Marsh-Billings historical site, I am obliged to make the following observations.

The Final Management Plan should include a map of the Mt. Peg easements and their restrictions. It is unfortunate that after years of study, this important matter should be omitted from the Management Plan. As a tourist center, Woodstock is visited by many mountain bikers. They trespass wherever they wish, erode soils, kill plant life and small animals and deny any wrongdoing. The growth of mountain biking (promoted by the NPS Trails and Rivers people among others) has resulted in the closing of much private land to all recreationists. Mountain bikers will attempt to use Mt. peg and Mt. Tom. The General Management Plan should make clear that these machines are not allowed on Marsh-Billings lands or on Mt. Peg. The former is clear, the latter is not. It would be nice to know the history of landownership of the Mt. Peg lands covered by NPS easements.

I believe a copy of the Final Management Plan should be sent to the Federal Documents Center at Dartmouth's Baker Library.

Although I am not a Woodstock resident or landowner, I was very disappointed to read that the 1996 Woodstock Town and Village Master Plan was not listed in the General Management Plan's list of written references. This should have been considered essential reading by Park planners .

The Stewardship Initiative Feasibility Study seems very interesting. While not intending to dilute the involvement of the institutions mentioned in the Draft, I would like to suggest involvement by the Vermont Law School and Dartmouth College. There may also be an opportunity to collaborate with Beth Humstone's statewide anti-sprawl study .Woodstock itself, with its attractive CBD buttressed by burgeoning strip development along Rt.4 east and west of the downtown area presents an at-hand challenge .

Recently, I spoke with Van Chestnut ,the Director of Advance Transit (based in hartford, vermont). he said Advance transit bus service to Woodstock might occur in the near future. I do not believe the Final management Plan should be as dismissive of bus service as the draft is . The Draft also ignores the fact that Woodstock is a regular part of bicycle touring groups' routes. The marsh-Billings site could become a regular part of these cyclists' Vermont tours, if they are met with secure bicycle racks.

The Woodstock Master Plan (p.87) calls for walk ways along Kedron Brook and the Ottaquechee River. it would be highly desirable to build a pedestrian bridge from the mouth of Kedron Brook to the north bank of the Ottaquechee which would link to the marsh-Billings site. This would promote more walking in Woodstock and would allow Woodstock visitors to park cars near " The Jungle" and walk to the Marsh-Billings site. this would reduce traffic in downtown Woodstock and reduce parking pressure there and at the Marsh-Billings site.

Thank you for this opportunity to comment. I hope I shall receive a Final Plan.

Sincerely,

Thomas A. Linell

Thomas A. Linell

Thomas A. Linell

The Mt. Peg and Blake Hill scenic easements were not indicated on the map of the park in the draft plan because the easements—while donated to the people of the United States at the same time that the park property was donated—are technically outside of the park boundary, are located on private property, and are not open to the general public as part of the park. Originally, the areas under scenic easement were indicated on park maps. This, however, caused confusion. Even though the maps indicated that these areas were part of the “scenic zone,” people thought that these areas were open to the public as part of the park. To minimize this confusion, we removed the areas under easement from the maps in the plan. The park’s interpretive program, however, will include a description of conservation easements, and their importance as a conservation tool.

The purpose of the easements is to conserve the scenic, open and natural character of key views from park property. The easements are implemented by limiting and restricting the development and uses (e.g. industrial uses) of the properties. The deed restrictions prohibiting mountain biking on park property do not affect the lands under easement because they are not within the park boundary.

The 1996 Woodstock Town and Village Master Plan was erroneously omitted from the “References Consulted” section of the draft plan. This has been addressed in the Errata.

The draft plan considered bus service as a component of an off-site visitor center. This concept was rejected for the reasons stated in the plan.

Bicycle racks will be provided at the Billings Farm & Museum.

Park managers are working with the Town, Village, and others to develop physical link between the park and areas outside the park boundary. The first proposal being advanced is an improved connection between the park and the village center. Park managers are open to consideration of additional pedestrian linkages.

THE LYME TIMBER COMPANY

16, ON THE COMMON ♦ P.O. BOX 266

LYME, NEW HAMPSHIRE 03768

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E-mail: 74143.1551@compuserve.com

May 15, 1998

Rolf Diamant
Superintendent
Marsh-Billings National Historical Park
P.O. Box 178
Woodstock, VT 05091

Dear Mr. Diamant:

Thank you for inviting me to tour the Marsh-Billings National Historical Park. I was impressed with the General Management Plan and Environmental Impact Statement which you sent.

I am enclosing a fact sheet from the Land Trust Alliance explaining the Section 508 of the Taxpayer Relief Act outlining the benefits of conservation easement encumbered land with regard to estate tax planning.

Please let me know if I can be of help to you.

Sincerely,



Peter R. Stein

PRS/dv
Enc.

LAND TRUST ALLIANCE**American Farm and Ranch Protection Act
Section 508 of P. L. 105-34****Private, Voluntary Land Conservation Incentive. in the Taxpayer Relief Act**

The Taxpayer Relief Act, signed into law on August 5, 1997 includes the first new tax incentive for land conservation in over a decade. Section 508 of the new law is a modified version of the American Farm and Ranch Protection Act, legislation sponsored by Congressman Amo Houghton (R-NY) and Senator John Chafee (R-RJ). It provides incentives for private, voluntary land conservation through a change in estate tax law that will allow executors to exclude from Federal estate tax some of the value of certain land encumbered by a qualified conservation easement.

What is the financial incentive?

The new law allows beneficiaries to exclude from the taxable estate 40% of the value of land subject to qualifying conservation easements. (This is in addition to the reduction in the value of the land resulting from the donation of the easement.) The exclusion is limited to \$100,000 in 1998, increasing by increments to \$500,000 in 2002. The percentage of the value that can be excluded from the estate is reduced below 40% when the reduction in land value attributable to the easement falls below a certain percentage. (For additional information, see "What are the requirements for easements?") The value of retained development rights (see below) is fully subject to estate tax, but beneficiaries may extinguish these rights, and the tax on them, before the estate tax is due, or payment of estate taxes on these rights can be deferred for up to two years.

What land qualifies?

To qualify, the encumbered land must be within 25 miles of a metropolitan area (as defined by the Office of Management and Budget) or a national park or wilderness area, or within 10 miles of an urban national forest. The property must have been owned by the decedent or a member of his family for three years prior to death. Property subject to a mortgage is eligible for the exclusion only to the extent of the net equity in the property. The bill excludes the value of structures.

What retained development rights are excluded from this benefit?

Generally, the value of rights retained to use the land for commercial purposes cannot be excluded from the taxable estate. However, the value of retained rights that are "subordinate to and directly supportive of the use of land as a farm" may be excluded. Qualifying farming activities include: cultivating the soil or raising or harvesting any agricultural or horticultural commodity

(including the raising, shearing, feeding, caring for, training, and management of animals) on a farm; handling, drying, packing, or storing on a farm any agricultural or horticultural commodity in its unmanufactured state, but only if the owner, tenant or operator of the farm regularly produces more than one-half of the commodity so treated; and the planting, cultivating, caring for, or cutting of trees, or the preparation (other than milling) of trees for market.

What are the requirements for easements?

Conservation easements must qualify for a deduction under Section 170(h) of the Internal Revenue Code, except that historic preservation easements do not qualify. In order to receive the full 40% exclusion, easements must reduce the value of the land by at least 30% of the fair market value of the land minus the value of retained development rights. The benefit is gradually reduced according to the extent by which the conservation easement's value falls below 30% of the land value. The easement must prohibit all but minimal commercial recreational activities, such as hunting and fishing.

Who claims the benefit?

The benefit under this section is given at the discretion of the beneficiaries. The executor then makes an irrevocable election under this provision. Such an election can be made only if the easement was placed on the land by the decedent or his family or if the executor or beneficiaries do so before the filing of estate taxes. Land excluded from estate tax under this provision would receive a carryover basis rather than a stepped-up basis for purposes of calculating any gain on a subsequent sale of the property.

What are the other conservation provisions of Section 508?

It allows tax deductible conservation easement donations where the mineral estate has been separated from the surface estate, regardless of the date of separation, so long as the possibility of surface mining is so remote as to be negligible. (Prior to the new law, a deduction was allowed potentially only if the Separation took place on or before June 13, 1976.)

The law also provides that the donation of a conservation easement does not trigger recapture of estate taxes under Section 2032A of the tax code, which provides for special valuation of farmland for estate tax purposes.

When will it be in effect?

The new incentive applies after December 31, 1997. The estates of those dying after that date can, if qualified, elect upon the filing of estate tax to receive the benefit under this provision. The modifications to Section 2032A and to the minerals estate provision of 170(h) go into effect for easements granted after that date.

The Information above is subject to interpretation as the rules governing the new law are put in effect. This information is not intended as legal advice. Please consult your tax attorney for specific legal assistance; feel free to contact the Land Trust Alliance for any additional general information on this matter.

Peter R. Stein, The Lyme Timber Company

Comments noted.

Woodstock Area

Chamber of Commerce

July 27, 1998

P.O. Box 486
Woodstock, Vt. 05091
802/457-3555

Rolf Diamant, Superintendent
Marsh-Billings National Historical Park
P.O. Box 178
Woodstock, VT 05091

Dear Rolf:

Enclosed is a document representing the Woodstock Area Chamber of Commerce review of your Draft Management Plan and Environmental Impact Statement. While the time frame for submitting comments has passed, we feel the project we are undertaking is of sufficient importance to both the Park Service and the Woodstock Community to warrant consideration.

The Chamber of Commerce has recently been given the opportunity to take possession of a historic building owned by the American Legion in the center of the village. We have begun discussions with the American Legion and are currently preparing a proposal for submission to the Legion in order to advance this process.

We would very much like to meet with you in order to describe our plans and discuss the options which may be available for mutual support. I will call your office shortly to establish a possible meeting.

Thank you for your consideration.

Sincerely,



Paul Wildasin
President, Woodstock Area Chamber of Commerce

**Comments Regarding Draft Management Plan and Environmental
Impact Statement for the Marsh Billings National Historic Park**

Submitted by
Woodstock Area Chamber of Commerce

**"THE LIVES OF MARSH, BILLINGS AND ROCKEFELLER ... DEMONSTRATE A
CONCERN FOR COMMUNITY. IN THE SPIRIT OF THIS TRADITION,
VISITATIONS TO THE PARK WILL BE MANAGED TO MINIMIZE IMPACTS
ON THE WOODSTOCK COMMUNITY..."**

Marsh Billings Draft Management Plan Draft Environmental Impact Statement

The Woodstock Area Chamber of Commerce, representing 181 businesses in the Woodstock region, is very pleased to welcome the Marsh Billings National Historic Park(MBNHP) to the Woodstock. We view the Park as an important asset to our community and to the larger Vermont community. We are pleased with the thoughtful approach taken in developing the Park's management plan and it's focus on respecting the natural environment and the Woodstock regional community.

However, as residents and business owners in the community we recognize that the Park also poses new challenges. We believe Park management will agree, that visitors to the Park are, in the true sense, guests of the Woodstock community. We therefore must guarantee that every visitor to our community finds their stay as well managed and enjoyable as their visit to the Park itself. Whether they hike, walk, bicycle, canoe, or fish, take a cultural tour, visit our craftspeople and heritage sites or patronize eating and lodging establishments, the Woodstock Community must make their experience a positive one. And, one that leaves them with a deeper respect for Vermont and for the rural community in which we live. As a community, we believe we have much to offer, yet we also recognize our current limitations. With this in mind, we ask the Park Service to consider including in it's plan, support for our efforts to establish a Woodstock Regional Visitors Center. The Center would maximize our ability to provide visitor services and respond to the anticipated increase in demand.

We believe the MBNHP draft plan reflects our concerns. The Plan notes both the number and length of Park visits will increase over time. It points out there are "numerous historical and recreational attractions" within 30 miles of Woodstock Village and the Park; recognizes an increased burden on Woodstock, with the need to facilitate pedestrian travel between the Park and the village; for directional signs in the village itself, and for increased traffic control at the site, and recognizes "current traffic volume and congestion" in the village and a "lack of parking?" among reasons not to establish a Park orientation center in the village.. We agree with these assessments and appreciate the Park's sensitivity to these issues.

The plan further states that "should the town, village or others develop a visitors center for the Woodstock area" the Park will "actively encourage those efforts... providing information materials and sharing tourism and visitation data..."

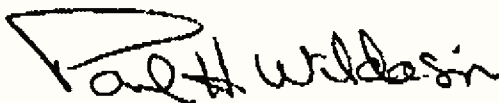
It is our goal, in fact our need, to address these concerns while best serving every visitor to the Woodstock region. We want to provide effective and efficient information services, ADA accessible rest rooms (currently unavailable in the business district) and other basic services to both day visitors and those on extended stays, as part of their Park visit. While Rest Rooms exist in Town Hall and in the Billing/MBNHP complex, visitors walking from the complex into the center of the village will not find Rest Room facilities until the Chamber's building plans are completed.

To help meet our goal, the Chamber is working, with others in the community, to purchase and renovate a building in Woodstock's historic district to establish a Woodstock Regional Visitors Center. The Center would provide visitors a comfortable and convenient location to rest and get acquainted with the region before or after their Park visit and receive tourist services, travel, lodging and food information. As a full service center, it would complement every day activities and major events at the Park and help the community plan for and better serve visitors. It would promote cultural activities, heritage tours, recreational opportunities, historic sites and other attractions and businesses in our region.

We believe the Center is in the best interests of both the Park and the Community and would strengthen the working relationship between the two, while optimizing every visitor's enjoyment of the region. For these reasons, we believe it appropriate to request support from the MBNHP and the Park Service with the initial start up costs of the project. Operational responsibilities and daily maintenance will be provided by the Board and staff of the Woodstock Area Chamber of Commerce. We request inclusion of the project in the Park plan and are available to discuss the proposal in greater detail with the MBNHP, the Park Service and other interested parties.

Thank you very much.

Sincerely:



Paul Wildasin
President, Woodstock Area Chamber of Commerce

Date July 27, 1998

Paul Wildasin, Woodstock Chamber of Commerce

When developing the management scenarios for the draft plan, the planning team did consider, but reject, a proposal for a National Park Service-operated off-site visitor center. The reasons for rejecting this proposal are outlined in the draft plan. The draft plan also states that park managers would actively support the efforts of others to develop a visitors center for the Woodstock area. To this end, park managers remain open to discussing potential collaboration should the proposal described be adopted and endorsed by the community, the Town, and the Village.

Responses to Comments Received at Public Forums

Comment: "Glad the park will be open to horseback and carriages."

Response: Comment noted.

Comment: "What about improving the sidewalk (gravel path) between the park and the iron bridge?"

Response: Improving this pedestrian pathway is consistent with the general management plan. Park managers will work with the Billing Farm & Museum and the Village towards enhancing pedestrian access to the park.

Comment: "Still worried about downtown traffic."

Response: The impact of park visitors on village traffic was studied as part of the planning process. The studies revealed that traffic resulting from park visitors would be minimal and not discernible to the average driver. Our first season of operation apparently did not cause any traffic problems in the village.

Comment: "Horses do much more damage than mountain bikes. Allow both!"

Response: The property was transferred to the US government with deed restrictions in place that prohibit the use of mountain bicycles, recreational snowmobiles or other motorized vehicles (except for those necessary for park purposes), hunting, fishing, camping and camp fires, and swimming in the Pogue (the small mountain pond). Park managers will enforce the deed restrictions.

Comment: "Good/safe/pedestrian access is important."

Response: Park managers agree and have developed a cross walk, augmented with a crossing guard stationed at peak times to manage the pedestrian crossing of Vermont Route 12. The crosswalk works extremely well and provides a low-cost, low-impact solution to the pedestrian crossing problem.

Comment: "Suspect you will have to revisit the underpass issue."

Response: Please see response above.

Comment: "Picnic and snack, light lunch facilities may be necessary. Woodstock Village is not child or family dining friendly."

Response: A dairy-related snack bar is part of the plan for Billings Farm & Museum's operation. There are many commercial lunch providers located nearby in the village center.

Comment: "Great! We like everything about the idea."

Response: Comment noted.

Comment: "We like the integrated approach: also, more cost effective and less effect on the environment."

Response: Comment noted.

Comment: "We object to snowmobiles on park tracks."

Response: Snowmobiles are prohibited on park trails. The property was transferred to the US government with deed restrictions in place that prohibit the use of recreational snowmobiles. Park managers will enforce the deed restrictions.

Comment: "Crossing is hazardous from farm to estate."

Response: Park managers have worked with the Village to establish a cross walk with a crossing guard stationed at peak times to manage the pedestrian crossing of Vermont Route 12.