

USDAC Bulletin:

Why your community should require a Cultural Impact Study as a precondition for approval of projects that affect community cultural life, and how to do it.

How would your community be different if new construction and development projects had to pass a Cultural Impact Study (CIS)—analogous to an Environmental Impact Study—before approval?

Since the passage of the National Environmental Policy Act (NEPA) of 1969, federal projects require an environmental assessment—and if that shows possible negative environmental impact, an Environmental Impact Study to be prepared and considered before approval, modification, or rejection of the proposed project. This is one of the most powerful and influential tools of environmental policy, because it forces us to consider the impact of our actions on the environment before we take steps that might do damage.

Right now, for example, if a local authority is asked to approve the destruction of homes, parks, and businesses in a long-lived neighborhood so that a sports stadium or freeway can be built there, NEPA mandates research into environmental harm such as possible destruction of endangered species habitat or potential pollution, and if negative impact is found, disallowing the project or requiring steps to mitigate the impact before anything can be approved.

But what about the impact on cultural fabric? What about the sense of belonging, the sites of public memory, the gathering-places, the expressions and embodiments of heritage cultures that would also be destroyed? Every community should be authorized to assess, study, and act on these too. The purpose of a CIS is to help public officials make informed decisions that reflect a deep understanding of negative cultural consequences and the positive alternatives available.

The movement to institute a Cultural Impact Study isn't beginning with federal legislation: there just isn't the demand or representation right now to make that possible. Instead, forward-thinking communities across the United States can act to adopt their own requirements.

Below is model text for a resolution by a board of trustees or directors, a city council, county board of supervisors, state legislature or other authority adopting a CIS as official policy.

USDAC Model Resolution Adopting a Cultural Impact Study

Whereas our cultural landscape is a rich and varied tapestry of heritage and new creation; and

Whereas the right to culture—to honor those who came before, express ourselves and take part in community life—is a core human right; and

Whereas we cherish equal opportunity to contribute to and benefit from cultural life for all community members, whether our families are indigenous to this land, have lived here for many decades or just arrived, whether we live in cities or the countryside, and regardless of color, creed, orientation or physical ability; and

Whereas equity, fairness and inclusion are the hallmarks of our support, protection and promotion of culture; and

Whereas we recognize that every community's cultural fabric is made of shared places, customs, values and creative acts and strengthening that fabric makes it more likely that children will stay in school, businesses will thrive, neighbors will celebrate and learn from each other; and

Whereas, when we forget to value cultural fabric in these ways, communities pay a price in loss of culture and conviviality;

Therefore be it resolved that (the City of, County of, etc. or organization) _____ hereby adopts a policy requiring a Cultural Impact Study (CIS) for every project with potential negative cultural impact, including each of the sections and procedures described below.

Section 1. "Negative cultural impact" describes those actions that damage or destroy sites of public memory such as elements of buildings, streets, natural lands, and parks that commemorate events of significance to local communities, that disrupt long-lived patterns of association and communication such as open markets, plazas, and other gathering-places of significance to local communities, that damage or destroy embodiments of cultural heritage such as murals, concert venues, or festival sites, that disrupt existing community members' practice of their beliefs, that destroy or damage aesthetic assets of the existing community, or that displace populations that have contributed to the community's cultural richness and development, making it difficult or impossible for existing local residents to pursue longstanding and valued patterns of cultural preservations and participation.

Section 2. "Cultural Impact Study" describes an authoritative report on the potential negative cultural impacts of a proposed action involving the removal, construction, rezoning, or other significant alteration of buildings, streets, roadways, public parks, natural lands, and/or other gathering-places or thoroughfares.

Section 3. A Cultural Impact Study shall be required for any proposed action that (the City of, County of, etc. or organization) _____ finds may entail negative cultural impact, mandating further investigation.

Section 3a. Any costs associated with preparing and submitting a Cultural Impact Study will be borne by the originator (or authorized representative) of the proposed action.

Section 4. In requiring a Cultural Impact Study, (the City of, County of, etc. or organization) _____ will set a deadline at least sixty (60) days in advance for submission of the CIS, will provide the originator (or authorized representative) of the proposed action with notice of that deadline and the required contents of the CIS, and will post public notice of these actions to invite public comment on the day and time set forth for consideration of the CIS. If sixty days is deemed insufficient in any case, a later deadline may be set, providing it is no more than 180 days.

Section 5. Each Cultural Impact Study shall include the sections enumerated below.

Section 5a. An Introduction including a statement of the purpose and need of the proposed action.

Section 5b. A description of the affected cultural environment, including demographic information; a cultural history of the affected community(ies) noting past and present contributions to cultural fabric; and a list of the natural land(s) and water(s), building(s), park(s), monument(s), thoroughfare(s) and other features of the affected cultural environment. This section may cite Census data, ethnographic interviews and oral histories, ethnographic, historical, anthropological, sociological, and other culturally related documentary research, primary source materials such as vital statistics records, family histories and genealogies, community studies, maps and photographs, and other archival documents, including correspondence, newspaper or almanac articles, and visitor journals, as well as video and audio recordings and any other material relevant to a comprehensive description.

Section 5c. A range of alternatives to the proposed action in order of likely negative cultural impact.

Section 5d. An analysis of the negative cultural impacts of the proposed action and each of the possible alternatives, including but not limited to the elements enumerated in Section 1 above.

Section 5e. A cost analysis for each alternative, including costs to mitigate expected impacts, used to determine if the proposed action is an allowable use of (the City of, County of, etc. or organization) _____ resources.

Section 6. (the City of, County of, etc. or organization) _____ will review each Cultural Impact Study in a timely fashion, rendering a response no later than sixty (60) days following the conclusion of public comment on the day set forth for consideration of the CIS. If sixty days is deemed insufficient with respect to a particular CIS, a later deadline may be set, providing it is no more than 180 days. Each response will either: reject the proposed action for negative cultural impact; recommend one or more of the alternatives set out in the CIS, indicating approval if the recommended alternative is substituted for the original proposed action; describe mitigating action necessary for resubmission of the proposed action for approval; or approve the action as proposed.

Passed and adopted by (the City of, County of, etc. or organization) _____ at a duly noticed and adjourned meeting held on (day, month, year) _____ at (location) _____.

(Authorizing signature/name/date)

Attest: (City clerk or equivalent authorizing signature/name/date)