Waterfront Wars: Development, Conservation, and Cultural Memory on the South Fork Rivanna Reservoir, 1865–1981

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Abstract

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"Waterfront Wars: Land Use, Conservation, and Race on the Banks of the South Fork Rivanna River, 1865–1981"

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This thesis unpacks a contentious episode involving a development debate and ensuing racial tensions that unfolded between 1974–1981 in the city of Charlottesville and Albemarle County, Virginia. In 1973, a local Black real estate developer named James Fleming inherited land which had formerly been part of the historic River View Farm situated adjacent to the city and county's primary water supply at the South Fork Rivanna River. The next year Fleming proposed a high-density housing development on his parcel. He called it "Evergreen" and announced he planned to market the residences to African American families affected by the local urban housing shortage. The vitriol of the public debate that followed over the possibility of Evergreen's development made headlines for the next five years.

Fleming inherited his parcel from Mary Carr Greer, a career educator and community leader in the local African American community. Mary Greer's father, Hugh Carr, had been enslaved prior to the Civil War and established River View Farm during Reconstruction, eventually amassing one of the largest Black-owned farms in the county. Carr's farm was located near the heart of the old village of Hydraulic Mills, the center of local Black agricultural life after the Civil War and during the Jim Crow era of racial segregation. As happened elsewhere, however, this tight-knit community began dispersing during the mid-twentieth century in response to combined forces of racial terror, the Great Depression, and World War II. As African Americans moved away from Hydraulic Mills, suburbanization in Albemarle County was increasing as were

the numbers of wealthy urbanites relocating to the area, drawn by the Jeffersonian image it projected as a landscape of Anglophone country estates and horse farms, all of which erased the history of plantations. The racial demographics of Hydraulic Mills subsequently shifted and the Black working landscape was gradually subsumed by a largely white-owned, exurban landscape of hobby farms.

The evolution of the Hydraulic Mills cultural landscape was also shaped by the construction, at the confluence of Ivy Creek and the south fork of the Rivanna River, of the South Fork Rivanna Reservoir in 1966 to meet the city and county's growing water supply needs. By the time Fleming proposed Evergreen, the suburbanization of the county upstream within the watershed negatively impacted the water quality of the reservoir. As a result, local concern about eutrophication was growing. In dialogue with the maturation of the modern American environmental movement marked by the Wilderness Act of 1966 and the celebration of the first Earth Day in April of 1970, enthusiasm for unchecked growth in Albemarle County was also waning as rural land was disappearing under suburban sprawl. Slow- and no-growth advocates were gaining traction in Albemarle County and in localities across the country. This set the stage for a contentious public debate that pitted slow-growth, conservation, historic preservation, and environmental interests against Fleming, who characterized this resistance as part of entrenched legacies of racism in land use policy and the environmental movement.

This project uses the Ivy Creek Foundation's archives, among other primary and secondary sources, to tell the story of Evergreen while integrating environmental history, civil rights history, and historic preservation history to place the story into a broader context of land use, real estate, civic infrastructure, and displacement, thus complicating the narrative about the transformation of the property into a nature preserve. Using a cultural landscape approach to

understand the contested significance of the site today, I understand the story as one with no clear moral or ethical protagonists or antagonists. Thus, in this project I attempt to examine the proverbial murky middle to unpack what happened in the story, but also what may have been the systemic, institutional, and historic factors converging at this time and place to inform the conflict and influence its eventual outcome.

Acknowledgments

There are many people who have supported me and this project in myriad ways over the course of what has been a long and sometimes bumpy road through this graduate degree. To them all I owe enormous thanks. This is an attempt to put my gratitude into just a few words. My brevity here does not even begin reflect how grateful I am for the generosity and kindness these people have shown me during the past three and a half years. I take none of it for granted. The experience has been a huge privilege and I am a better person for the parts that each of these people have played in it.

Erin Putalik has been an exceptional thesis advisor. Her comments have consistently shown an uncanny recognition of why Fleming's story interested me and, as I repeatedly came up against the limits of my own knowledge and understanding, her insights and recommendations for how to make the research, writing, and thinking better challenged and enriched me anew with each meeting. As a professor in "The American House" and "WOOD/lands" she has exposed me to the texts, thinkers, historical contexts, and ideas I wanted to discover. In her classes I found what I had been looking for when I decided I wanted to go back to school in middle age to educate myself in a particular field. That is a gift I will cherish for the rest of my life.

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Dede Smith was open and candid, providing important background about Ivy Creek's history. She was also instrumental in facilitating access to the Ivy Creek archives, to current Ivy Creek staff, and to descendants of the Carr Greer family. Sue Erhardt and Rochelle Garwood at the Ivy Creek Foundation were welcoming and flexible as I gathered materials from their archives in the middle of a pandemic.

Talking with Mary Carr Greer's grandson Manfred Greer Jones offered important insights into how his family remembered the passing of River View Farm out of his family's hands after a century on that land. I am grateful, too, to his sister Theodosia Lemons for considering an

interview, although she ultimately declined. Likewise I am grateful to James Fleming's daughter Virtlee Anderson and his granddaughter Aisha Anderson for considering interviews.

Much of this project is informed by readings assigned in classes I took over the course of my time at the Architecture School. In particular, courses I took with Andy Johnston, Tony Perry, Louis Nelson, Michael Lee, and Jessica Sewell provided exposure to essential ideas, theories, histories, facts, and scholarly lineages. Barbara Brown Wilson also recommended important contextual readings and gave appreciated personal advice. Rebecca Cooper-Coleman was an academic research librarian and more. Her willingness to help with research was seemingly endless and beyond the call of duty.

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would have been able to otherwise and that this was a path pointing in that direction. None of this—not a single word— would exist without my husband, Jordy Yager. As I sit here eating a dinner he brought me at our office so that I can work into the early hours of the morning to complete this paper, he is at home putting our son to bed and taking care of the life we are building together and without which none of this would mean a thing. I know that to try to even begin to enumerate what he has done to make this project possible would be to diminish and cheapen the enormity of his presence in the pages that follow. His steadfast belief and support and love do nothing less than make me whole.

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Introduction

About four miles as the crow flies from downtown Charlottesville, Virginia, and just over a mile to the west and northwest of the multiplexes and big box chain stores that line the congested 29 North corridor into the city, the Ivy Creek Natural Area (ICNA) operated by the Ivy Creek Foundation (ICF) sits on 215 bucolic acres on the banks of the South Fork Rivanna River. To get there, visitors make a left off Earlysville Road before reaching the bridge across the water, park in a gravel lot, and enter a world that feels as distant from commercial development as it is proximate to it: an old farmhouse and barn hint at a rural history, woods border grassy pastures populated with pollinator species, and trails lead off in various directions, inviting walkers to venture forth into the trees.

Headed towards the large white barn with green trim, visitors encounter a modest kiosk sheltering a series of interpretive panels describing the "diversity of natural habitats" and articulating a mission to serve as "[a] center for education" on topics of cultural and natural history. One panel also features a photograph of the aforementioned barn with an inset sepia-toned archival photograph of a white-haired African American man dressed in formal clothes looking directly at the camera. The accompanying text reads: "River View Farm: Once home to the Carr/Greer family and now a site on the African Americans in Albemarle Heritage Trail,"[1] offering an introduction that suggests the site's significance as a center of African American rural life prior to its current incarnation. Additional panels elaborate on the history of River View Farm, exploring particulars, introducing members of the Carr-Greer family who owned it, and providing context about the village of Hydraulic Mills that had flourished in the neighborhood after the Civil War. The final interpretive panel recounts an abbreviated version of Ivy Creek Natural Area's founding. It describes how the idea for the preserve emerged in 1975 when local

[1] "Welcome to Ivy Creek Natural Area and Historic Riverview Farm." Interpretive Panel. Ivy Creek Foundation and the Albemarle County and Charlottesville Departments of Recreation. Visited September 2021.

environmentalist Elizabeth "Babs" Conant was canoeing on the adjacent South Fork Rivanna Reservoir and noticed survey stakes along its shoreline. This precipitated concerns for Conant "that a new housing development would soon destroy this peaceful oasis", so she jumped into action, partnering with The Nature Conservancy to turn River View Farm into a nature preserve.[2] It is a simple foundation story in part because the interpretive panels do not have the space to tell the more complicated one. This means that, as with most histories, the more complicated version does not get told and is largely forgotten.

That complicated backstory of Ivy Creek's founding, the issues it illustrates, and the questions it raises, are the focus of this thesis project. Indeed, Conant's concerns about development encroaching along the reservoir had been correct. When Conant canoed passed in 1975, the African American woman who had lived at and owned River View Farm for decades, Mary Carr Greer, had recently died. A portion of her land was then for sale and another portion had been inherited by a local African American real estate investor and developer named James Fleming who had plans for a high-density residential planned community. Conant and The Nature Conservancy jumped to purchase the first parcel and establish a fledgling nature preserve on it. The second parcel, however, proved a stickier challenge. In the ensuing years Conant and other local environmental advocates confronted Fleming in public meetings, behind the scenes, and in the courts to prevent his development, "Evergreen," from coming to fruition. The effort resolved in 1981 when the City of Charlottesville and Albemarle County, in partnership with The Nature Conservancy, acquired Fleming's tract and expanded the nature preserve Conant had helped establish six years prior, officially inaugurating Ivy Creek Natural Area.

The public fight to prevent the development of James Fleming's Evergreen pitted local

[2] "The Origins of Ivy Creek Natural Area." Interpretive Panel. Ivy Creek Foundation and the Albemarle County and Charlottesville Departments of Recreation. Visited September 2021.

environmental and preservation activists, who were white, against Fleming, who interpreted their resistance to his project as coded expressions of racism. Both the environmentalists and Fleming made legitimate points. The environmentalists argued that high-density development so close to the South Fork Rivanna Reservoir would threaten the city and county's primary and already endangered water source that had already been suffering from eutrophication issues for years. They maintained that strict land use policies and zoning would protect the critical watershed from further damage. They were not necessarily all wrong, and land use policy is often designed to accomplish precisely such environmental protections. Fleming, for his part, argued that land use policy was often wielded with racially exclusionary intent and that white developers in Albemarle County did not experience the same resistance to projects that he had. Fleming was not wrong, either. Furthermore, in this local clash of environmental interests with questions of race is a microcosm of a larger 20th-century discourse operating at the intersection of the modern conservation and civil rights movements in the United States, the former of which had reached full maturity in the 1970s as the Evergreen debate was unfolding and the latter of which remained a significant cultural force.

Environmental and conservation interests and concerns have a long history in this country of being at once legitimate while simultaneously being weaponized by the white power elite against more politically and economically vulnerable populations. Is the story of James Fleming and Evergreen an example of this broader national history and context? Was latent racism a motivating factor for local white environmentalists mobilized against the prospect of Evergreen's construction near a reservoir that was valued as a recreational place and positioned as a natural environment and refuge close to the city? Taking John McPhee's 1971 book *Encounters with the Archdruid*, in which the author explores a trio of environmental dilemmas from both sides of the

ideological battlefield, as a philosophical model and guide, the object of this project is not to retroactively litigate right and wrong on the question of Evergreen.[3] The goal instead is to illustrate and argue for the story's contemporary relevance, to unpack the local, regional, and national circumstances that provoked this clash of values and to position that clash as instructive to land use debates unfolding today. Moreover, I argue that what got lost amidst the Evergreen debate was the historical significance of the cultural landscape around the reservoir, that the reservoir's 1966 construction was an extension of urban renewal practices unfolding in the city, and that this was representative of a systematic devaluation of historic Black landscapes that also continues to today.

The major narrative moments within this story arc that unfolds over more than a century illustrate the Trojan horse element of how acknowledged ideas of progress and protection — efficiency and rationalized farming practices, dam infrastructure, and environmental conservation—are more complicated than rhetoric around them often suggests and, in reality, are often misused towards the ends of disabling and erasure.

Methods

To tell and frame this story I made examined numerous primary and secondary sources. Primary sources included numerous sources related to city and county planning and infrastructure. To understand the political and development context of the area in the 1970s I looked at comprehensive plans and zoning maps and read through meeting minutes of the Albemarle County Board of Supervisors and the Charlottesville City Council. To connect the South Fork Rivanna Reservoir to the razing of the Vinegar Hill neighborhood I looked at

[3] John McPhee, *Encounters with the Archdruid: Narratives about a conservationist and three of his natural enemies* (New York, NY: Farrar, Straus, & Giroux, 1971).

feasibility studies done by the consulting firm that was engaged to oversee site selection for both projects. To learn about Evergreen, I looked at Fleming's drawings of his project and examined County-produced memos about it. Parcel and real estate maps, too, provided critical insight for how Evergreen was positioned in relation to its unhappy neighbors. Court filings and opinions offered insight into litigation around Evergreen. Photographs were also important. Aerial images of the landscape around River View Farm showed how it changed over the years as tree lines, agricultural land, and shorelines evolved; and newspaper and other documentary photography provided insight into the mediated positioning of the landscape around River View Farm and the reservoir. Invaluable to understanding the backroom negotiations were a trove of letters Babs Conant had kept in her files. The archive included correspondence between Conant and representatives from The Nature Conservancy, Conant and local government officials and representatives, and Conant and Fleming himself. The letters were often conversational in tone and went a long way towards humanizing the people involved in the controversy, including Fleming. Fleming's voice was also heard in essays and open letters he published in the press. While it was my hope to conduct more interviews with those people involved in the founding of Ivy Creek who are still alive, only two agreed to formal interviews: former director of Ivy Creek Natural Area Dede Smith and Mary Carr Greer's grandson Manfred Greer Jones. While I reached out to a number of other people, they either declined to be interviewed about the subject or never responded to my inquiries. This reluctance may be attributable to the pandemic during which much of this research was being conducted and/or a sense of public fatigue related to racial reckoning that has dominated public discourse for the past six years. Importantly, visiting and engaging with actual landscape of River View Farm, Ivy Creek Natural Area, and the broader neighborhood of Hydraulic Mills was imperative to the work of this project. Doing so

illustrated the physical relationships among the various places that constitute the settings of this narrative and articulated some of the material stakes in a way that reading about, or looking at photographs of, the landscape never could on their own. Secondary sources supplemented the primary sources with important scholarly and historical context. I consulted many academic articles and books, as well as a handful of unpublished theses and dissertations, to grasp the scholarly debates and interpretations of the subjects involved. Popular magazines, tourism materials, and National Register of Historic Places nomination forms provided information on how the story of River View Farm is positioned as local public history. Finally, local newspaper reporting covering the Evergreen debate also informed a lot of the research. Reading through these articles at once offered a chronology and summary of the events as they unfolded over years while also providing texts to interpret with regards to the newspaper's biases and how those might have been communicated to and influenced its reading public.

Literature Review

Because the Fleming story involves questions of environmentalism, historic preservation, land use policy, race, and cultural landscapes, this literature review provides a brief overview of these subjects and some of the ways in which they intersect or overlap. It attempts to cover background on discourse relating to the intersection of race and the environment and how historic preservation practice and theory fit into that dialogue. It also establishes the basic history of land use and zoning in the United States, and how that history has been interpreted as exclusionary. Finally, it establishes the idea of cultural landscapes as a framework or approach for interpreting place, articulating the benefits of this framework as well as its shortcomings under present professional practices.

1) The American Environmental Movement and Race

Because this thesis engages a story that centers the ways in which space, including wilderness, natural, and exurban areas, have been racialized, it is useful to review some of the literature that explores the history of that racialization, its legacies, and lasting implications. It is especially useful to look at the ways in which wilderness and natural landscapes have been culturally constructed as white spaces, how that association has been interpreted in the dominant cultural imagination, and what it has meant for the perceived relationship of African Americans to the natural world. Furthermore, the close relationship of the environmental movement to the historic preservation movement warrants discussion as historic preservation concerns were expressed alongside environmental ones in the story of Fleming and Evergreen.

The American environmental movement and the struggle for civil rights, especially for African Americans share parallel timelines beginning in the mid-nineteenth century and building through the early twentieth century to reach maturity in the mid-twentieth century. The modern environmental movement first emerged as an "intellectual response" to rapid industrialization, spurring an interest among the cultural elite in sustainable resource management and romantic notions of wilderness as a source of character and morality.[4] Spurred by escalating concern about land loss as a result of westward expansion and the theorized closing of the frontier, seminal conservation-related federal legislation began passing in the years following the Civil War, and epitomized by the 1872 establishment of Yellowstone National Park in Wyoming and Montana.[5] Within the environmental movement two ideologies emerged at the end of the nineteenth century that divided environmentalists into two camps: conservationists who subscribed to an approach

[4] For an exploration of how environmental anxieties were being expressed among the literary elite of the time see Leo Marx, *The Machine in the Garden: Technology and the Pastoral Ideal in America* (New York, NY: Oxford University Press, 1964) and Roderick Nash, *Wilderness and the American Mind* (New Haven, CT: Yale University Press, 1967).

[5] The closing of the American frontier was first theorized in 1893 at the Chicago World's Fair by historian Frederick Jackson Turner who delivered a speech entitled "The Significance of the Frontier in American History", arguing that an essential American character emerges out of exposure with the wilderness along the frontier.

of managed resource use, especially with regards to forestry practices, championed by Gifford Pinchot, and the preservationist ethos championed by John Muir who believed in an ideal of untouched, pristinely preserved "wilderness."[6] These two camps would define environmental discourse in the coming century.

Regardless of the schism, environmental concern continued to grow into the twentieth century, exemplified by the passage of legislation like the Antiquities Act of 1906 and the formal establishment of the National Park Service in 1916. Precipitated in part by the environmental catastrophe of the Dust Bowl during the 1930s, this "first wave" of the modern environmental movement eventually gave way to a "second wave" in the 1960s and 1970s, an era that positioned environmental concern no longer as the provenance of the cultural elite, but as a mass movement, catalyzed in particular by the 1962 publication of Rachel Carson's *Silent Spring* on the toxic effects of DDT on ecosystems, and epitomized by the passage of the 1964 Wilderness Act and the celebration of the first Earth Day in 1970.[7]

The field of historic preservation is closely related to the modern environmental movement and some scholars trace both movements' origins in the United States to the same text: George Perkins Marsh's *Man and Nature* (1864).[8] Others date it slightly earlier, to the years leading up to the Civil War when anxieties that the union was crumbling prompted efforts to a national symbol around which all Americans could rally, culminating in 1859 when Mount Vernon became the first historic house saved as a historical shrine. By the end of the century, genealogical and historical societies had popped up around the country; by 1910 there were 100

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[6] See Roderick Frazier Nash, *Wilderness and the American Mind* (New Haven, CT: Yale University Press, 1973): 134–138.
[7] For a general periodization of the modern environmental movement see Ramachandra Guha, *Environmentalism: A Global History* (London, UK: Longman, 1999). For a timeline of the modern environmental movement see Roderick Nash, "A Chronology of Important Events" in *The American Environment: Readings in the History of Conservation*, ed. Roderick Nash (Boston, MA: Addison-Wesley Publishing Co., 1968). Also see Donald Worster, *Nature's Economy: The roots of ecology* (New York, NY: Doubleday, 1979).
[8] David Lowenthal, *The Past Is a Foreign Country* (Cambridge, UK: Cambridge University Press, 1985), xviii.

historic house museums nationwide and counting. As with the environmental movement, too, historic preservation also experienced its own sea change in the 1960s and 1970s when the quasi-official past that venerated colonial Williamsburg and Mount Vernon was challenged for "reflect[ing] and reinforc[ing] agendas of established power".[9] That sea change signaled a growing concern with the preservation of vernacular architecture and emerging interest in the framework of cultural landscapes. Furthermore, catalyzed in part by the destruction of urban fabric as a result urban renewal projects, the National Historic Preservation Act passed in 1966.

Similarly, the movement for civil rights emerged during Reconstruction and gained momentum through much of the twentieth century. While its timeline is not as clearly progressive as that of the environmental movement, with major setbacks precipitated by the end of Reconstruction and the institutionalization of Jim Crow segregation laws, critical moments align uncannily with equivalent moments in the environmental movement. The Fourteenth Amendment, for example, was ratified just four years before the establishment of Yellowstone, and W.E.B. DuBois's seminal work *The Souls of Black Folk* was published for the first time three years before the passage of the Antiquities Act. The Civil Rights Act of 1964, the most significant such legislation since Reconstruction, passed the same year as the Wilderness Act and two years before the National Historic Preservation Act.

Environmentalism, historic preservation, and civil rights align temporally. They also intersect ideologically. As scholars have increasingly noted, environmentalism has historically been wielded as a tool for nation building in a process by which "Nature was nationalized and nation naturalized".[10] In doing so, it has proved a force informed by systems of white supremacy

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[9] Mike Wallace, *Mickey Mouse History and Other Essays on American Memory* (Philadelphia, PA: Temple University Press, 1996), xii, 5–7. Also see Nash, "A Chronology of Important Events".

[10] Karen Jones, "Unpacking Yellowstone," in *Civilizing Nature: National Parks in Global Historical Perspective,* eds. Bernhard Gissibl, Sabine Höhler, Patrick Kupper (New York, NY: Berghahn Books, 2012): 35.

and oppression that has resulted in the marginalization and erasure for non-white people and communities.[11] As scholar Dina Gilio-Whitaker notes, "Born from the Manifest Destiny ideologies of western expansion, the preservation movement was deeply influenced by a national fixation on the imagined pre-Columbian pristine American wilderness and the social Darwinist values of white superiority."[12] Gilio-Whitaker ties this directly to the systematic and continued dispossession of Indigenous Americans from their lands. Settler-colonial ideology is also tied related to what Dorceta Taylor has identified as the "cult of true manhood"[13] in which elevated outdoor risk taking is positioned as a test of modern masculinity. Taylor also contends that with the theorized closure of the frontier, the cult of true manhood gave rise to "business environmentalism"[14] in which open space is understood as a boon for capitalism through leisure activities and tourism. Perhaps most importantly, Taylor identifies power-elite theory as relevant to the conservation movement in that "environmental discourses and polices were conceptualized and orchestrated by elites in accordance to upper- and middle-class values and interests."[15] This was, in part, because those were the values espoused by the people making, participating in, and enforcing related policy decisions.

These values have shaped the creation of wilderness spaces and parks in the United States, which have, in turn, become racialized spaces, both in the cultural imagination and in reality. As Carolyn Merchant has pointed out, by the early twentieth century, the nineteenth

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[11] The turning point in this discourse can largely be traced to William Cronon, "The Trouble with Wilderness," in *Uncommon Ground*, ed. William Cronon (New York, NY: WW Norton & Co., 1995). Also see Mark David Spence, *Dispossessing the Wilderness: Indian Removal and the Making of the National Park* (New York, NY: Oxford University Press, 1999); and Jeffery Romm, "The Coincidental Order of Environmental Justice," in *Justice and Natural Resources: Concepts, Strategies, and Applications*, ed. Kathryn M. Mutz, Gary C. Bryner, and Douglas S. Kenny (Washington, DC: Island Press, 2002).

[12] Dina Gilio-Whitaker, "Strange Bedfellows" in *As Long as Grass Grows: The Indigenous Fight for Environmental Justice, from Colonization to Standing Rock* (Boston, MA: Beacon Press, 2019): 92.

[13] Dorceta Taylor, "Key Concepts in Conservation" in *The Rise of the American Conservation Movement: Power, Privilege, and Environmental Protection, (*Durham, NC: Duke University Press, 2016): 22.

[14] Ibid., 27.

[15] Ibid., 28.

century feeling of wilderness as a dangerous unknown place tamed only through colonization and agrarianism increasingly gave way to a sense that:

> The city had become a dark, negatively charged wilderness filled with blacks and southern European immigrants, while mountains, forests, waterfalls, and canyons were viewed as sublime places of white light….Dark, smoke-filled cities contrasted with the purity of mountain air and the clarity of whitewater rivers, waterfalls, and lakes. Sublime nature was white and benign, available to white tourists; cities were portrayed as black and malign, the home of the unclean and the undesirable.[16]

The association of African Americans with sanitation concerns after the Civil War when northern women employed by the Freedmen's Bureau traveled to the former Confederate states intending to "narrow the cultural gap and improve the lot of former slaves by teaching them how to read and write and how to be thrifty, industrious, disciplined, and clean," thus linking hygiene with civic responsibility. Particular emphasis was placed by these volunteers on the cleanliness of the former slaves' houses.[17] The association grew during the Progressive Era which centered concerns of personal health and hygiene as matters of social responsibility. Booker T. Washington took up the mantle of improving the supposed poor hygiene of African Americans by preaching the "gospel of the toothbrush" as an important tool for Black social advancement.[18] The stigma persisted well into the twentieth century as the Great Migration brought rural African Americans and with them rural habits like animal husbandry into northern and western cities acclimated to a clear divide between rural and urban lifestyles.

Furthermore, the racializing of wilderness and nature as pure and white was underscored through Jim Crow segregation laws that extended to wilderness areas and parks. Before integration, shut out of many camps, beaches, and other leisure outdoor activities, African Americans developed their own, private opportunities for outdoor recreation.[19] Futhermore,

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[16] Carolyn Merchant, "Shades of Darkness", *Environmental History* 8, No. 3 (July 2003), 385.
[17] Suellen Hoy, *Chasing Dirt:The American Pursuit of Cleanliness* (New York, NY: Oxford University Press, 1996), 54.
[18] Ibid., 89.
[19] See Brian Katen, "Parks Apart," in *Public Nature: Scenery, History, and Park Design*, ed. Ethan Carr, Shaun Eyring, and Richard Guy Wilson (Charlottesville, VA: University of Virginia Press, 2013), 156–169; and Andrew Kahrl, " 'The Slightest Semblence of Unruliness': Steamboat Excursions, Pleasure Resorts, and the Emergence of Segregation Culture on the Potomac River," *The*

separate public parks, often scenically inferior, were established for Black tourists. In parks open to both Black and white visitors, recreational facilities like picnic areas for Black Americans were often relegated to marginal, out-of-the-way locations, leaving the bulk of the scenic areas exclusively for white visitors.[20] Black recreational engagement with the natural world was thus rendered largely invisible in the hegemonic, white cultural imagination.

The history equating whiteness and wilderness or nature creates the assumption that "nature is for white people", which perhaps creates a self-fulfilling prophecy supported by the evidence that African Americans rarely visit national parks and are almost never featured in outdoor recreational advertisements.[21] That assumption, however, obscures the more complex relationship to the natural world that African Americans have historically experienced, one in which the natural world has been at once a place of enslavement, a place of protection, a place of subjugation, a place of sustenance, and a place of freedom.[22] That said, this framing positions black wilderness as "everything a white wilderness is not" and thus it is important to also make room for the possibility that Black and white experiences of wilderness are not so easily placed into a categorical binary and to consider the possibilities of "hybrids of black and white, wild and cultivated."[23] The binary framing is also one which erroneously assumes that dominant conceptions of environmental protection and engagement articulated by white conservationists have little to learn from African American experiences of the environment and care for the

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Journal of American History, March 2008, 1108–1136; and Andrew Kahrl, "Fear of an Open Beach: Public Rights and Private Interests in 1970s Coastal Connecticut," *The Journal of American History*, September 2015, 433–462.

[20] See William E. O'Brien, "State Parks and Jim Crow in the Decade Before Brown v. Board of Education," *Geographical Review* 102, No. 2, 166–179.

[21] Perry L. Carter, "Coloured Places and Pigmented Holidays: Racialized Leisure Travel," *Tourism Geographies* 10, No. 3 (2008), 265–284, 267.

[22] See bell hooks, "Earthbound: On solid ground" in *Colors of Nature: Culture, Identity, and the Natural World,* eds. Alison H. Deming and Lauret E. Savoy (Minneapolis, MN: Milkweed Press, 2011); and Kimberley K. Smith, *African American Environmental Thought* (Lawrence, KS: University of Kansas Press, 2007).

[23] Daegan Miller, "At Home in the Great Northern Wilderness: African Americans and Freedom's Ecology in the Adirondacks, 18491859," *Environmental Humanities* 2, 2013, 117–146, 119.

natural world, a conception that scholarship has been working to shift.[24]

A nationalization/naturalization process shaped by white supremacist hegemonic systems that marginalized and erased the histories and visibilities of nonwhite peoples and communities occurred around growing interest in the preservation of historic sites as well. The construction of history is "the interplay between power and memory" and historic sites became stages where that drama unfolded.[25] Historian Mike Wallace identifies the 1880s, when the Haymarket affair and labor strikes led by immigrant workers, as the decade when the historic preservation movement truly coalesced in the United States as elites became "[c]onvinced that immigrant aliens with subversive ideologies were destroying the Republic…[and] fashioned a new collective identity for themselves. They believed that there was such a thing as the American inheritance and that they were its legitimate custodians."[26] This inaugurated the American historic preservation movement's capacity for grandiosity and its work towards the production of a "glorious heritage" as represented by the country's extant historic architectural fabric associated with those persons who figured into said glorious heritage (i.e. Presidents, Revolutionary and Civil War generals, etc.).[27]

This process of cultural production is what Eric Hobsbawm has termed an "invented tradition", or a practice "governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behavior by repetition, which automatically implies continuity with the past."[28] This process freezes particular understandings of history at particular moments in time when instead, as Kevin Lynch has argued, history should

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[24] Carolyn Finney, *Black Faces, White Spaces: Reimagining the Relationship of African Americans to the Great Outdoors* (Chapel Hill, NC: University of North Carolina Press, 2014), 4; Also see Diane Glave and Mark Stoll, eds., *To Love the Wind and Rain: African Americans and Environmental History* (Pittsburgh, PA: University of Pittsburgh Press, 2005).
[25] Wallace, *Mickey Mouse History*, viii.
[26] Ibid., 7.
[27] Lowenthal, *The Past Is a Foreign Country*, xx.
[28] Eric Hobsbawm, *The Invention of Tradition* (Cambridge, UK: Cambridge University Press, 1983), 1.

evolve as a society's understandings of it evolve and values change.[29]

The invented tradition of America's glorious past, in turn, has produced in this country what Laurajane Smith has identified elsewhere as an "authorized heritage discourse" which "naturalizes the practices of rounding up the usual suspects to conserve and 'pass on' to future generations, and in doing so promotes a certain set of Western elite cultural values as being universally applicable."[30] The material consequences of this bias are evident in the United States in the fact that, as of 2019, 700 Confederate monuments remained standing across the United States and, as of 2020, only 2 percent of the more than 95,000 entries on the National Register of Historic Places were associated with African American history.[31]

The recognition of this bias has prompted scrutiny within the discipline and related fields among practitioners on how to change accepted institutional metrics for evaluating historic sites in order to compensate for a long history that has undervalued the tangible heritage (in particular the architectural heritage) of non-white people and communities in the United States. Accepted standards practiced by the National Park Service that determine the "significance" of sites privilege extant fabric. This means that these practices thus privilege those communities and people who have historically had the means, access, and political power to keep and maintain that fabric over time. It also advantages those people and communities adept at navigating the complicated bureaucracy of the nomination process.[32] The increasingly accepted belief is that an

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[29] Kevin Lynch, *What Time Is This Place?* (Boston, MA: MIT Press, 1972), 53.
[30] Laurajane Smith, *Uses of Heritage* (New York, NY: Routledge, 2006), 11.
[31] *Engaging Descendant Communities in the Interpretation of Slavery at Museums and Historic Sites: A Rubric of Best Practices Established by the National Summit on Teaching Slavery,* National Trust for Historic Preservation African American Heritage Fund and James Madison's Montpelier, November 2019, 1; Casey Cep, "The Fight to Preserve African American History," *The New Yorker*, January 27, 2020, https://www.newyorker.com/magazine/2020/02/03/the-fight-to-preserve-african-american-history.
[32] See Andrea Roberts, " 'Until the Lord Come Get Me, It Burn Down, Or the Next Storm Blow It Away': The Aesthetics of Freedom in African American Vernacular Homestead Preservation," *Buildings and Landscapes* 26, No. 2, Fall 2019; Randall Mason. "Fixing Historic Preservation: A Constructive Critique of Significance." *Places: Forum of Design for the Public Realm* 16, no. 1 (September 2003): 64-71; Tim Cresswell and Gareth Hoskins. "Place, Persistence, and Practice: Evaluating Historical Significance at Angel Island, San Francisco, and Maxwell Street, Chicago." *Annals of the Association of American Geographers* 98, no. 2 (June 2008): 392-413.

awakening to the importance of Black landscapes is overdue. As landscape architect Walter Hood writes in the "Introduction" to the collected volume *Black Landscapes Matter,* and summarizing this current shift around conceiving how historic American landscapes are evaluated and the attendant necessity in recognizing, preserving, and interpreting these places:

> …tell the truth of the struggles and the victories of African Americans in North America…and [bear] the detritus of diverse origins: from the plantation landscape of slavery, to freedman villages and new towns, to agrarian indentured servitude. To northern and western migrations for freedom, to segregated urban landscapes, and to an integrated pluralist society…These landscapes are the prophecy of America: they tell us our future. Their constant erasure is a call to arms against concealment of the truth that some people don't want to know. Erasure is a call to arms to remember. Erasure allows people to forget, particularly those whose lives and actions are complicit.[33]

2) Discriminatory Land Use

If land preservation and conservation concerns are one side of the proverbial coin, development is the other. Racial biases in land use policy are no less potent historical, social, and cultural forces than the identification of wilderness and natural areas as white spaces. The emergence of land use as a tool for instituting racial segregation follows a similar temporal trajectory as the environmental movement: land planning and policy gained traction after the Civil War as the country was tipping towards an urban majority and becoming more racially and ethnically diverse. Formerly enslaved people were migrating to cities and European immigrants were pouring into Ellis Island, then dispersing out across the country in a vast diaspora. At the core of James Fleming's arguments for why his Evergreen planned community was not approved for development by Albemarle County and why public outcry against it was so vitriolic were accusations of land use policy being a facially neutral tool wielded to racially discriminatory ends. It is therefore useful to have an overview of how land use policy has historically been weaponized against racial minority groups in the United States and how those tools have been interpreted and determined continuing contemporary patterns of residential segregation along

[33] Walter Hood, *Black Landscapes Matter* (Charlottesville, VA: University of Virginia Press, 2020).

racial lines.

The ascendance of the suburb as an American landscape typology and the growing veneration of the single-family house during the nineteenth century are essential to the development and institutionalization of discriminatory land use policy in the United States during the twentieth. Influenced by the nascent environmental movement's aestheticizing of nature as well as picturesque and gardenesque landscape theory coming out of England, early figures like Andrew Jackson Downing and Alexander Jackson Davis, in popular pattern books that promoted the material, physical, and spiritual benefits of an idealized semi-rural lifestyle, equated nature with nationalism and "the personalized, arcadian dwelling" with virtues of domesticity and the stability of family life.[34] The American single-family home in these texts thus became a moralizing force while also fostering a growing inclination towards privacy. Later protéges of, and those influenced by, Downing and Davis such as Frederick Law Olmsted and Calvert Vaux helped formalize these earlier theories of domesticity in a new landscape typology: the suburb. The suburbs, situated between rural and urban contexts "promised the felicitous unity of urban comforts and rustic simplicity, progress and nostalgia that characterized the ideal American community."[35] Initially developed as the enclaves for the very wealthy, by 1870 they increasingly came within reach of the expanding American white middle class which sought escape from growing cities and related shifts in the social order as African Americans and immigrants settled in urban centers. By then, "separateness had become essential to the identity of the suburban house". This separation applied not only to relative proximity to urban centers, but proximity to neighbors as well: the yard became a barrier or "verdant moat" acting as a transition from the "public street to the very private house," mediating activities of inside and

[34] Gwendolyn Wright, *Building the Dream: A Social History of Housing in America* (Boston, MA: MIT Press, 1981), 97.
[35] Ibid., 104.

outside.[36] At the beginning of the twentieth century, the single-family American house perched in solitude in the middle of a manicured lawn had become the visual symbol of white American middle-class success. Moreover, landscape architects like the Olmsted Brothers played a critical role in the creation of racially segregated neighborhoods complete with deed restrictions. These private actors worked parallel to and reinforced national policies that encouraged single-family homeownership.[37]

Limited lending and mortgage opportunities in the first decades of the twentieth century meant that suburban growth was tempered by economic constraints for many would-be homebuyers. That changed, however, following World War I and, more explosively, after World War II when pent-up demand for housing as veterans returned to domestic life placed unprecedented strains on the national market. During this era, the federal government began implementing policies designed to expand homeownership, believing that supporting the construction industry would strengthen the economy and that increased homeownership among white Americans would equate to increased social stability. Starting in the 1920s, then-Secretary of Commerce Herbert Hoover asserted homeownership as a national objective.[38] He disseminated his ideas to the American public via thousands of pamphlets entitled "How to Own Your Own Home" and, by the middle of the decade, new housing starts had reached record highs. Interestingly, Hoover characterized the drive to own one's own home as an American trait in language provocatively similar to the language used by Turner in describing the effect of the frontier on the American psyche. "To own one's own home is a physical expression of

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[36] Kenneth T. Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (New York, NY: Oxford University Press, 1985), 56; Wright, *Building the Dream*, 99.
[37] See Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (New York, NY: Liveright, 2018).
[38] Adam Rome, *The Bulldozer in the Countryside: The Rise of the Suburban Industrial Complex* (Cambridge, UK: Cambridge University Press, 2001), 20.

individualism, of enterprise, of independence, and of freedom of spirit," Hoover asserted in an address. He then connected the impulse to ideas of domesticity, continuing, "This aspiration penetrates the heart of our national well-being. It makes for happier married life, it makes for better children, it makes for confidence and security, it makes for courage to meet the battle of life, it makes for better citizenship. There can be no fear for democracy or self-government or for liberty or freedom from home owners no matter how humble they may be."[39] The momentum catalyzed by Hoover's housing fervor was slowed by the Great Depression, but the federal government was by then committed to homeownership as an American aspiration.[40] Landmark legislation in the Federal Housing Act of 1934 set up the Federal Housing Administration (FHA), establishing a framework low-interest, long-term mortgages to aspiring homebuyers; the GI Bill of 1944 allowed veterans to secure loans to cover the appraised cost of a house without providing a down payment; and the 1949 Federal Housing Act expanded federal mortgage insurance assistance established in 1934.[41]

These acts had enormous impacts on land use and residential racial segregation. First, they "associated healthy family life with non urban settings" thus privileging the home buying and development in the suburbs over the cities.[42] Second, and related, the FHA espoused concerns for "neighborhood stability", refusing to underwrite loans for houses often in largely urban neighborhoods where African Americans lived or where Black people might move in the future. Issuing maps that color-coded neighborhoods as supposedly good or bad investments, the FHA identified Black communities in red, denoting the poorest investments and signifying homes within those boundaries ineligible for federal loans; hence the term "red-lining." Marked with

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[39] Quoted in Rome, *The Bulldozer in the Countryside,* 24.
[40] Rome, *The Bulldozer in the Countryside*, 23–24.
[41] For a comprehensive overview of how federal policy contributed to mass suburbanization see "The New Suburban Expansion and the American Dream" in Wright, *Building the Dream.*
[42] Wright, *Building the Dream*, 246.

this scarlet lettering, red-lined neighborhoods suffered further deterioration and disinvestment.[43] The practice also exacerbated fears among property owners that African American neighbors would decrease white homeowners' property values. As one Levittown resident said of a potential Black neighbor as integration efforts roiled the famous suburb during the late 1950s, "[He] is probably a nice guy, but every time I look at him I see $2,000 drop off the value of my house."[44] As with natural or wilderness areas and further buoyed by federal lending policies favoring white Americans, the suburbs had long been culturally constructed as definitively white spaces by that time.[45] In cities too small to receive FHA redlining maps as well as privately developed suburbs, deed restrictions known as racial covenants often prevented nonwhites from owning particular properties, further limiting residential options for would-be African American homebuyers. While deemed unenforceable by the Supreme Court in the 1948 Shelley v. Kraemer opinion, racial covenants often remained on the deeds, enforced by less blatant avenues such which homes real estate professionals chose to show to which potential buyers.

The FHA also supported zoning against multi-family housing in an effort to protect its investments in single-family residential neighborhoods. By the mid-twentieth century zoning had become a powerful means of determining both the shape of the built environment and the inhabitants therein. The first racial zoning ordinance was enacted in San Francisco in 1882 and targeted the city's Chinese immigrant population by limiting the locations of laundry

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[43] For a comprehensive account of how federal policies facilitated residential racial segregation, see Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America*.

[44] Thomas Sugrue, "Jim Crow's Last Stand: The Struggle to Integrate Levittown" in *Second Suburb: Levittown, Pennsylvania*, ed. Diane Harris (Pittsburgh, PA: University of Pittsburgh Press, 2010), 190.

[45] Diane Harris, "Modeling Race and Class: Architectural Photography and the US Gypsum Research Village, 1952–1955" in *Race and Modern Architecture,* ed. Irene Cheng, Charles L. Davis, and Mabel O. Wilson (Pittsburgh, PA: University of Pittsburgh Press, 2020), 218–218, 221; Also see Diane Harris, *Little White Houses: How the Postwar Home Constructed Race in America* (Minneapolis, MN: University of Minnesota Press, 2012). The reality of this association is more complicated, however. In fact, African Americans participated in the mid-twentieth century suburban migration out of urban center as well as demonstrated by Andrew Weise in his book *Places of Their Own: African American Suburbanization the Twentieth Century* (2004). Also see Christopher Sellers, "Nature and Blackness in Suburban Passage," in *To Love the Wind and Rain: African Americans and Environmental History*, eds. Diane D. Gave and Mark Still (Pittsburgh, PA: University of Pittsburgh Press, 2005).

establishments which were overwhelmingly owned and run by Chinese residents. The first use-based zoning was implemented in Los Angeles in 1908 and identified certain residential and certain industrial districts. New York City, however, was the origin of the country's first comprehensive zoning plan that combined use-based districts with social engineering and was ostensibly born of Progressive Era anxieties over public health and safety.

The movement for comprehensive zoning emerged in Manhattan in 1910. Merchants along Fifth Avenue became concerned that workers in the high-end retail district's garment factories were inhibiting pedestrian traffic, contributing to the fashionable street's generally poor condition, and began lobbying for building height limits under the logic that such restrictions would keep factories from operating in the neighborhood. Following the Triangle Shirtwaist Factory Fire in 1911 that killed more than one hundred people, the merchants pushed for limits on the number of people working in the industrial lofts, thereby also advancing their goal of eliminating from the streetscape visual evidence of the labor force that sustained it.[46] While the justification for the eventual removal of the workers to less expensive downtown Manhattan neighborhoods was framed as separating industry from retail uses for reasons of public health and safety, it was also a move that "wanted to maintain the racial and class exclusivity".[47]

The success of the Fifth Avenue merchants' campaign spurred the passage of the city's 1916 city-wide zoning resolution, the first in the country, and one that has shaped land use policy in the more than one hundred years since. That ordinance worked to separate residential and industrial areas, and divided the city into zones, each of which had different height and mass limitations for buildings. It established a formalized framework for use-based zoning that

[46] Dorceta Taylor, "Land Use and Zoning in American Cities," 381, 390.
[47] Ibid., 381.

determined land uses for "designated areas within a local jurisdiction."[48] By 1922, Manhattan's approach was used to draft the Standard State Zoning Enabling Act to provide a ready-made model for land-use regulation nationwide. All 50 states eventually adopted it and it became the accepted method of determining land use development patterns in communities across the country.

Around the same time, cities like Baltimore, Maryland, Richmond, Virginia, and Lexington, Kentucky, were applying the idea of zoning to divide cities along racial lines. This approach was soon struck down as unconstitutional, however, and use-based "zoning masquerading as an economic measure" was recognized as a legal and reasonable way to implement racial segregation without explicitly identifying race as the justification, most especially through the establishment of single-family residential districts populated overwhelmingly by white Americans who had accrued the generational wealth to afford such housing.[49] As Jessica Trounstine has pointed out, the Standard State Zoning Enabling Act imbued individual localities with broad and largely unchecked decision-making power to mold their communities which were then left to be shaped by the negotiations of local power brokers.[50] Applied to smaller cities and towns, especially, zoning became a powerful means of establishing legacy single-family residential neighborhoods that effectively substituted class for race as a justification for discrimination in a practice today understood as exclusionary zoning.

Challenged in court, single-family residential zoning was upheld by the landmark 1926 Supreme Court decision in Village of Euclid v. Ambler Realty Co., which gave "Euclidean" zoning theory its moniker. The decision famously opined on the perceived disadvantages of

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[48] Michael N. Danielson, "Zoning for Fewer People" in *The Politics of Exclusion* (New York, NY: Columbia University Press, 1976).
[49] Richard Rothstein, *The Color of Law,* New York, NY: WW Norton and Co, 2017, 52.
[50] See Jessica Trounstine, *Segregation By Design: Local Politics and Inequality in American Cities* (Cambridge, UK: Cambridge University Press, 2018).

multifamily housing within single-family residential districts. Writing a passage in which stated concern about public health and safety was almost drowned out by overtones of class prejudice, the judge asserted that:

> [T]he apartment house is a mere parasite," the decision read, "constructed in order to take advantage of the open spaces and attractive surrounding created by the residential character of the district. Moreover, the coming of one apartment house is followed by others, interfering by their height and bulk with the free circulation of air and monopolizing the rays of the sun which otherwise would fall upon the smaller homes, and bringing, as their necessary accompaniments, the disturbing noises incident to increased traffic and business, and the occupation, by means of moving and parked automobiles, of larger portions of the streets, thus detracting from their safety and depriving children of the privilege of quiet and open spaces for play….until, finally, the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed.[51]

The long-term affect in localities with experiencing population growth has been that limited housing options drive up the cost of land. This in turn has made home ownership an increasingly unattainable privilege available to an increasingly smaller percentage of the population at the highest end of the wealth spectrum, and it has worked most especially to the disadvantage of Black Americans and others who have been systematically shut out of the housing market. In the suburbs and exurbs, single-family zoning often translates to minimum lot sizes of two acres or more and "is probably the most popular means of limiting inexpensive single-family residential development."[52] With less land available for building high-density housing, the value of that land rises. Between the end of World War II and the middle of the 1970s, land costs for single-family dwellings rose 25 percent[53]. This, combined with rising mortgage rates and lower average incomes, priced 89 percent of Black Americans in 1972 out of the new housing market, compared with 76 percent of the white Americans.[54]

Operating at the intersection of land use policy, environmental awareness, and racial tension, the no- or slow-growth movement that emerged in response to suburban sprawl and

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[51] Village of Euclid v. Ambler Realty Company, 272 US 265 (1926).
[52] Danielson, "Zoning for Fewer People," 59
[53] Ibid., 74–75.
[54] Ibid., 78.

rapid growth in the 1960s and 1970s was a coalition of "conservationist, opponents of higher local taxes, and suburbanites seeking to exclude lower-income and minority groups from their communities". It was also a coalition that "provide[d]…political clout."[55] In their study of the upscale community of Bedford, New York, *Landscapes of Privilege,* British geographers James and Nancy Duncan effectively explore this ideology and its complicated web of zoning, preservation, conservation, and race that has defined the aesthetics of the town and their observations synthesize these threads in manner that is an especially useful lens through which to approach the Evergreen controversy in Charlottesville and Albemarle County. The Duncans argue "that the celebration of the natural environment, historic preservation, and the claimed uniqueness of a local landscape has often diverted attention away from the interrelatedness of issues of aesthetics and identity on the one hand and social justice on the other…"[56] and "that certain unquestioned goods, such as environmental conservation and historic preservation, may have unintended negative consequences for which individuals may not be accountable quo individuals but with which they can be seen as complicit."[57] They characterize Bedford, one of the wealthiest and most expensive communities in the United States, as a place that marries the images of the English country gentleman with that of the independent Jeffersonian agrarian to produce romanticized conceptions of countryside and wilderness.[58] To these were added a sense of ecological consciousness and scientific environmentalism which re-emphasized the necessity of strict zoning. By the 1970s, the Duncans learned, Bedford's antidevelopment activists understood that rhetoric engaging ideas of biodiversity and wetlands was their most potent

[55] Ibid., 59.
[56] James Duncan and Nancy Duncan. *Landscapes of Privilege*: *The politics of the aesthetic in an American suburb* (London, United Kingdom: Routledge, 2003): 7.
[57] Ibid., 8.
[58] Ibid., 43.

argument.[59]

Mid-twentieth century urban renewal projects constitute another significant chapter in the discourse of discriminatory land use in the United States. The federal Housing Act of 1949 not only expanded FHA mortgage lending programs for white Americans, it also provided funding for urban renewal projects intended to revive cities by then suffering from urban disinvestment and the exodus of largely white Americans to the suburbs and ensuing decline in city tax bases.[60] Its professed goal was "the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas" as well as "a decent home and suitable living environment for every American family."[61] In urban contexts, the act encouraged the implementation of urban renewal projects that subsequently became the go-to approach for remaking disinvested urban landscapes during the 1950s and 1960s. These projects were granted federal funds and mandated to invoke eminent domain privileges in order to seize private property deemed "substandard" and redevelop the sites for a variety of public or private purposes ranging from arts infrastructure like Lincoln Center in New York City to public housing to department stores to roads. Federal funds for public housing were channeled through local housing authorities that had been enabled by the Housing Act of 1937 which had established federal involvement in low income housing. Urban renewal projects impacted communities across the country between 1950 and 1974.[62] By then, the federal government had allocated more than $13 billion to more than 1,200 localities for urban renewal projects. Six hundred of those municipalities displaced at least 330,000 families,

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[59] Ibid., 110. A somewhat similar episode is described by Christopher Sellers in "Suburban Nature, Class, and Environmentalism in Levittown" in *Second Suburb: Levittown, PA ,* ed. Diane Harris (Pittsburgh, PA: University of Pittsburgh Press, 2010). In that chapter, Sellers recounts how, in an episode rife with class prejudices, exurbanites in Bucks County, PA resisted the development of Levittown "lashing out against suburbicide" (300) and lobbying for strict land use controls that would prevent Levittown's development.

[60] See "The New Suburban Expansion and the American Dream" in Wright, *Building the Dream.*

[61] US Housing Act of 1949, Section II, Title V.

[62] In 1974 community block grants became the primary means of federal investment in local community development. The 1966 "Model Cities" program, however, had shifted approaches to urban renewal away from slum clearance, making 1966 the end of urban renewal's most destructive effects on communities.

who were often two-thirds or more people of color.[63]

Urban renewal era then is not interpreted as racially neutral. Even more so because it unfolded against the backdrop of school integration which had begun following the 1954 Supreme Court decision in Brown v. Board of Education overturning the "separate but equal" doctrine. The same year the court decided the Brown case, it issued an influential decision in Berman v. Parker that paved the way for urban renewal at the massive scale on which it was exacted during the 1950s and 1960s. In Berman, Washington, D.C. had targeted its southwest area for urban renewal and two business owners whose establishments were demonstrably not "substandard" but slated for razing nevertheless brought suit against the city. The plaintiffs' lawyers argued that the takings had no public use since private interests were tapped to take over land development in the area and, furthermore, that the takings were unnecessary for slum clearance as they were not blighted. The court disagreed, ruling in favor of the District of Columbia. The majority opinion stated that, "The concept of the public welfare is broad and inclusive…It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled." Nor, the Court determined, was it within their purview to determine whether the goals of slum clearance were better met by the government or private interests.[64] In other words, it was a matter of local judgement to determine what was and how to address blight at the local level. As with zoning policy, urban renewal projects were largely the purview of local powerbrokers with minimal oversight.

Environmentalism, land use issues like zoning and urban renewal, and civil rights all

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[63] "Mapping Inequality", *American Panorama*, University of Richmond, accessed March 23, 2022, https://dsl.richmond.edu/panorama/renewal/#view=-6956.59/-2104.18/11.13&viz=map

[64] Berman v. Parker, 348 U.S. 26 (1954).

overlap in the recognition and identification of environmental justice, a topic that is front and center in the current discourse. Environmental justice issues often arise from what is pejoratively framed as NIMBYism (Not In My Back Yard), which describes the ways in which people of means and political and social capital wield their influence and privilege to prevent undesirable development projects from affecting their homes and real estate values. While preventing projects from proceeding in some neighborhoods, the projects are often relocated to other sites where there is less resistance from neighboring communities. This cause-and-effect phenomenon has disproportionately and negatively affected communities of color with a dearth of political and social capital articulating a practice of environmental (in)justice.[65] Environmental justice issues are how Cancer Alley became Cancer Alley; they explains, too, historical patterns of racialized topographies in which African American communities tend to be relegated to low ground prone to flooding while white people and communities claim high grounds with views, breezes, and lower risk from water.[66]

3) Cultural Landscapes

Because I argue that the landscape at the center of this thesis qualifies as such, it is important to briefly explain and unpack the evolution of the cultural landscape framework, as well some of the divergent approaches within the discipline, as a way of looking at and trying to interpret the seen and unseen stories of a place. Broadly speaking, a cultural landscape describes a way of understanding a place that accounts for the ways in which it has been shaped by a relationship with human culture. It is also an essential form of heritage, and every cultural landscape contains a multiplicity of heritages.[67] A cultural landscape can span the spectrum of

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[65] For the definitive work on environmental justice, see Robert Bullard, *Dumping in Dixie: Race, Class, and Environmental Quality* (Boulder, CO: Westview Press, 2000).

[66] See Jeff Ueland and Barney Warf, "Racialized Topographies: Altitude and Race in Southern Cities," *Geographical Review* 96, No. 1 (January 2006): 50–78.

[67] David Lowenthal, "Introduction" in *Our Past Before Us: Why Do We Save It?* eds., David Lowenthal and Marcus Binney (London,

landscape typologies. It can be a city block; it can also be the designed "wilderness" of American national parks which, "as works of art, directly express the value society invests in preserving and appreciating natural areas" and which operate as "[n]either pure wilderness nor mere artifact."[68] For my purposes the focus here will be on the cultural landscape discourse as shaped by scholars who have lived or practiced primarily in the United States.[69]

The term "cultural landscape" itself was first articulated in 1925 in the essay "The Morphology of Landscape" by the geographer Carl Sauer. Pushing against the scientific methodology of his discipline, he argued that to practice geography by collecting data on the "constituent parts" of a landscape and analyzing them separately failed to comprehend the reality of landscape as a system "exist[ing] in interrelation."[70] Going further, he contended that the "natural landscape is being subjected to transformation at the hands of man"; this, he wrote, was a "cultural landscape,"[71] one where "Culture is the agent, the natural area is the medium…."[72] With this thesis, Sauer inaugurated the field of cultural geography and the idea of cultural landscapes, privileging from the outset material features as well as the agency of the human over the nonhuman. Using an evaluatory system that heavily relies on hard data and visual evidence, the current National Park Service standards for determining the eligibility of cultural landscapes for the National Register of Historic Places traces its lineage as a methodology directly to Sauer's thesis.[73]

UK: Temple Smith, 1975), 9–16.

[68] Ethan Carr, *Wilderness By Design: Landscape Architecture and the National Park Service* (Lincoln, NB: University of Nebraska Press, 1998), 9.

[69] For a comprehensive overview of the cultural landscapes literature in the US and Great Britain see John Wylie, *Landscape* (London, UK: Routledge, 2007); for a more international perspective see Maggie Roe and Ken Taylor, eds. *New Cultural Landscapes* (London, UK: Routledge, 2014).

[70] Carl Sauer, "The Morphology of Landscape" in *Land and Life: A Selection of Carl Ortwin Sauer* (Berkeley, CA: University of California Press, 1967), 321.

[71] Ibid., 341.

[72] Ibid., 343.

[73] Robert Melzick, *Cultural Landscapes: Rural Historic Districts in the National Park System* (Washington, DC: US Department of the Interior, National Park Service, 1984); J. Timothy Keller and Genevieve Keller, *National Register Bulletin 18: How to Evaluate*

John Brinckerhoff Jackson took Sauer's idea of a cultural landscape, adapted his methods, and applied them as a lens through which to study American vernacular landscapes. Jackson emphasized the "synthetic" qualities of a place as a product of a community and landscape, thus as "a space deliberately created to speed up or slow down the process of nature."[74] Jackson thus articulated that in its visual qualities a landscape reflected the values of the culture that inhabited it and thus could be read like a book.[75] Jackson's influence was monumental, doing much to both popularize and institutionalize the idea of cultural landscapes. His emphasis on the visual and the vernacular was also a defining directive for many who came after.[76]

In the decades following Jackson's ascendancy, however, and as traced and argued by Diane Harris, the study of cultural landscapes became increasingly interdisciplinary and difficult to identify as a "topic" so much so that it was better understood as an "approach" and which "signified an inseparable condition, a belief that the landscape is both the product of cultural forces and a powerful agent in the production of culture. The landscape appears as the intersecting medium, the place where everything comes together rather than a site of differentiation. Cultural landscape studies, then, seek to join and bring together where other disciplines have sometimes tended to fragment and separate."[77] British geographer Denis

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and Nominate Designed Historic Landscapes (Washington, DC: US Department of the Interior, National Park Service, 1988); Patricia L. Parker and Thomas F. King, *National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Cultural Properties* (Washington, DC: US Department of the Interior, National Park Service, 1992); Charles A. Birnbaum, *National Register Bulletin 36: Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes* (Washington, DC: US Department of the Interior, National Park Service, 1995).

[74] John Brinckerhoff Jackson, "The Word Itself" in *Discovering the Vernacular Landscape* (New Haven, CT: Yale University Press, 1984), 8; also see Ervin H. Zube, ed., *Landscapes: Selected Writings of J.B. Jackson* (Boston, MA: MIT Press, 1970); Jackson was extremely prolific and his publications span the 1950s–1980s.

[75] For an ecologist's take on this methodology see Mae Theilgaard Watts, *Reading the Landscape of America* (New York, NY: McMillan, 1975).

[76] See, especially, Peirce F. Lewis, "Axioms for Reading the Landscape: Some Guides to the American Scene" and D.W. Meinig, "The Beholding Eye: Ten Versions of the Same Scene" in *The Interpretation of Ordinary Landscapes: Geographical Essays*, D.W. Meinig, ed. (New York, NY: Oxford University Press, 1979).

[77] Diane Harris, "The Postmodernization of Landscape: A Critical Historiograhy," *Journal of the Society of Architectural Historians* 58, No. 3 (September 1999), 435.

Cosgrove perhaps anticipated Harris's argument for "approach" by defining landscape as a "way of seeing" that took into account historical forces such as the transition in Europe from feudalism to capitalism that shifted land appraisal from use value to exchange value. This shift, Cosgrove argued, impacted the ways in which Europeans looked at, understood, engaged with, and depicted their environments, so that landscape came to represent a method by which members of the privileged classes communicated their privilege to — and over— others, as well as the natural world, making landscape a fundamentally ideological practice.[78] Dell Upton, too, and within architectural history, made the case for cultural landscapes as an approach, appealing to his peers to look beyond both a building and its immediate context to a site's contested contexts, both visible and invisible, and in doing so marking a watershed moment for his field.[79] Race, particularly in the American context, has also been a critical theme of cultural landscapes as both ethos and materiality. Indeed for some, that question is too binary. Richard Schein writes that "*all* American landscapes can be seen through a lens of race, *all* American landscapes are racialized."[80] He positions cultural landscapes as both material evidence understands the concept as a way of approaching the world, visually and symbolically. That tension between physical presence and conceptual framing, he argues, means that "Cultural landscapes are not innocent, and the duplicity of cultural landscapes means that we can at once, study cultural landscapes as material artifacts, with traceable and documentable empirical histories and geographies, and simultaneously use cultural landscapes to ask questions about societal ideas about and ideals of…race in American life."[81]

Three central developments in landscape were critical to this shift towards "approach" and

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[78] Denis Cosgrove, *Social Formation and Symbolic Landscape*, (Madison, WI: University of Wisconsin Press, 1998), 13–15.
[79] Dell Upton, "Architectural History or Landscape History?" *Journal of Architectural Education* 44, No. 4 (August 1991), 195–199.
[80] Richard H. Schein, "Introduction" in *Landscape and Race in the United States*, ed. Richard H. Schein (New York, NY: Routledge, 2006): 4.
[81] Schein, "Introduction," 5.

interdisciplinary practices. First, was the acceptance that not every cultural element that contributes to the production of a landscape is visible (i.e. accounting for the critical importance of intangible heritage). As significant was the aforementioned acknowledgment of contested landscapes and the fact that a landscape never tells a single story of a single culture, but rather many stories of a multiplicity of cultures. Finally, there was the recognition of landscape's agency to shape people and culture and the realization that cultural landscapes are not limited to the interpretation of human ability to shape landscape. This last development has been the focus of recent interesting heritage work engaged with the idea of how to interpret largely abandoned cultural landscapes that are being taken over by nature. This work poses the question of how the human and nonhuman can work together to interpret a landscape that they both produce and suggests new avenues for cultural landscapes as an approach and method to work not just across disciplines but across species.[82]

Chapter Summary

This project is broken up into four chapters, this introduction, and a conclusion. The first chapter establishes Hydraulic Mills, the African American agricultural community that emerged in the wake of the Civil War. The chapter positions River View Farm and the Carr-Greer family as important players in this neighborhood and its history while also attempt to illustrate the elements of the landscape that have since been lost to the development of the South Fork Rivanna Reservoir and suburban and exurban sprawl. The second chapter narrates the creation of the South Fork Rivanna Reservoir as contemporaneous with the razing of Charlottesville's African-American neighborhood of Vinegar Hill under urban renewal. In doing so, the chapter situates dam building and reservoir creation as under-explored rural articulations of urban

[82] Caitlin DeSilvey, *Curating Decay: Heritage Beyond Saving* (Minneapolis, MN: University of Minnesota Press, 2017).

renewal in their capacities for displacement and the erasure of material evidence of that displacement. The chapter also explains the process of eutrophication, how it posed an existential threat to the reservoir, and in what ways eutrophication is a result of human development. The third chapter introduces James Fleming and places him in a local and national lineage of Black wealth creation achieved through real estate investment and ownership. It also provides background on the development climate in Albemarle County and explains the emergence of local preservation and conservation community groups that promoted slow- or no-growth agendas in contrast to the permissive land use approaches that had fostered rapid growth and suburbanization in the county during the 1960s and early 1970s. The fourth chapter narrates the controversy that erupted when Fleming proposed his high-density Evergreen development on the parcel of land near the reservoir that he had inherited from Mary Carr Greer. Tracing the debate from Fleming's first presentation to the Albemarle County Planning Commission in December 1974 through the episode's resolution in 1981 with the establishment of Ivy Creek Natural Area, the chapter attempts to illustrate and synthesize the ways in which local furor over land use prompted by Fleming and Evergreen reflected a national context. The conclusion operates largely as a post-script, summarizing what happened to the various players after the drama's ostensible end. It also attempts to connect the four-decade-old Evergreen debate to current—and often vitriolic—rhetoric surrounding the comprehensive plan rewrite and related tensions between affordable housing and walkability and bike-ability in Charlottesville.

Chapter One: The Land and the Landscape, 1867–1966

In November 1965 the local newspaper for the city of Charlottesville and Albemarle County, Virginia, *The Daily Progress*, published two photographs under the headline, "Houses at

Hydraulic Being Razed to Make Way for City Reservoir" [Fig. 1.1].[83] The first photograph was of a home situated between two bridges and amidst a pile of rubble. The second showed a modest, two-story white frame house with a shingled gable roof and a brick chimney. A dump truck, ready to haul debris away, was backed up to a hole in the façade of the white house where a door once fit. The photographs' caption explained that the house was part of an 18th-century lumber mill and commercial complex that, prior to the Civil War, had been run by a wealthy white property owner but in 1870 had been purchased by an African American and subsequently become the economic heart of the African American agricultural village of Hydraulic Mills.[84] The mill house and its associated structures were being dismantled, the caption reported, with no known plans to be rebuilt elsewhere, having been sold to a local demolition firm. *The Daily Progress* photograph is their last known documentation.

The bulldozers were preparing the land for the construction of the South Fork Rivanna Reservoir.[85] The destruction of the mill complex was conducted alongside the demolition of other nearby buildings, the submersion of a bridge, and the relocation of a road that had once run through the center of the Hydraulic Mills community and connected its various neighborhoods to one another. The loss of this fabric meant that the heart of the historic village, as it had been developed by freedmen and African Americans under Jim Crow was fast disappearing from the visible landscape. Furthermore, the submersion as the reservoir filled meant that even "the site of the mills vanished" and thus the composition of the landscape itself as it had been known to the people of that community was fundamentally altered.[86]

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[83] "Houses at Hydraulic Being Razed to Make Way for City Reservoir," *The Daily Progress*, November 1965, Charlottesville-Albemarle Historical Society.
[84] "Hydraulic Plantation: background information," Central Virginia History Researchers, accessed December 8, 2021, http://www.centralvirginiahistory.org/hydraulic.shtml
[85] "Houses at Hydraulic Being Razed to Make Way for City Reservoir."
[86] Central Virginia History Researchers, "Hydraulic Plantation: background information."

In the decades after emancipation and continuing into the 20th century under Jim Crow, Hydraulic Mills had been home to many of Albemarle County's largest Black landowners and most prominent community leaders. In addition to the mill complex, the community had been anchored by an influential Black church and a school that, for many years, was the only educational facility for African American children within five counties.[87] Indeed, between the end of the Civil War and the onset of the Great Depression, Hydraulic Mills flourished as a cultural landscape in central Virginia, where generations of Black residents were born, came of age, and spent their lives. These people were teachers, entrepreneurs and, most significantly, farmers who, as bell hooks has argued about the rural Black farmers more broadly, developed an intimate relationship to land, understanding it as a "concrete place of hope".[88] "This relationship to the earth," she wrote, "meant that southern black folk, whether they were impoverished or not, knew firsthand that white supremacy, with its systemic dehumanization of blackness, was not a form of absolute power."[89]

This chapter explores the evolution of the Hydraulic Mills cultural landscape from the 1870s through the submersion of its historic center in the 1960s. It pays particular attention to the Carr-Greer family and their home at River View Farm, one of the few remaining extant features of this chapter of Hydraulic Mills' history today. A portion of River View Farm would eventually become, in 1974, the proposed site of James Fleming's contested Evergreen development. As the chapter will demonstrate, River View Farm was not a benign property with a sparse cultural history, but a community landmark in that corner of the county. Beyond that, the chapter attempts to describe the significance of the Hydraulic Mills cultural landscape during this period.

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[87] Jefferson School African American Heritage Center, *Heritage Trails: African Americans in Albemarle, Union Ridge* (Charlottesville, VA: Jefferson School African American Heritage Center, undated pamphlet).
[88] bell hooks, "Earthbound: On Solid Ground," in *Belonging: A Culture of Place* (New York, NY: Routledge, 2009): 119.
[89] Ibid., 118.

Adopting Andrea Roberts' concept of the "homeplace aesthetic" or the "aesthetics of freedom," I want to argue that the loss of the Black Hydraulic Mills cultural landscape was also the loss of a generational home for the descendants of the community's residents beyond the Carr Greers.[90] In her book on urban renewal, Mindy Thompson Fullilove writes that "we cannot understand the losses unless we first appreciate what was there."[91] The same could be said for African American communities in the rural south that sprouted during Reconstruction and persisted under Jim Crow, before declining in the middle of the twentieth century as a result of myriad socio-political and economic factors. This chapter is an attempt to characterize the depth and breadth of one such rural cultural landscape and to chart the critical moments in its decline, while placing its story arc also into a broader historical context.

The Establishment and Growth of Hydraulic Mills, 1867–1920

The Black agricultural hub at Hydraulic Mills emerged in the period following the Civil War with a few entrepreneurial farmers and landowners who together established the foundations of what would expand over the next decades into a vibrant community and home to some of Albemarle County's most prominent African American landowners and civic leaders. Social life revolved around the commercial center of the mills as well as the church and school, and the community, which shared many characteristics with other such rural Black communities across the South, eventually comprised more than 150 landowners who together claimed more than 1,000 acres of land at its peak ca. 1910. This enormous success of land accrual demonstrated the extent to which Hydraulic Mills was representative of land ownership nationwide as "an

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[90] See Andrea Roberts, "Until the Lord Come Get Me, It Burn Down, Or the Next Storm Blow It Away: The Aesthetics of Freedom in African American Vernacular Homestead Preservation," *Buildings and Landscapes Journal of the Vernacular Architecture Forum* 26, No. 2, December 2019, 73.

[91] Mindy Thompson Fullilove, *Root Shock: How Tearing Up City Neighborhoods Hurts America, and What We Can Do About It"* (New York, NY: Ballantine, Inc., 2005): 20.

ideological imperative of black thought" at the time.[92]

The commercial center of what would become the village was situated about five miles north of Charlottesville at the confluence of Ivy Creek and the South Fork of the Rivanna River. Contractor John Perry, who produced the lumber for the construction of the University of Virginia, established the mill there in 1818.[93] After Perry sold the property to former saddler and tavern keeper Nathaniel Burnley in 1829, Burnley expanded the site to a comprise a veritable complex that included not only the mill and miller's house, but a cooper's shop, grist and merchant mill, a store house, post office, a country store, and a blacksmith's shop.[94] Thus, by the middle of the 19th century the site had emerged as a critical navigation point along the Rivanna River, a place where farmers from across the county brought wheat and tobacco which would be shipped downriver to markets in Richmond and elsewhere.[95] Identifying the location of Hydraulic Mills in a font equal in size to that of other established towns in the area such as Earlysville to the north and Scottsville to the south, an 1867 map of Albemarle County illustrates the centrality of the burgeoning village to the larger regional economy and social landscape [Fig. 1.2].[96]

As was then typical of extensive rural swaths of the county, the area around Hydraulic Mills was also a landscape of plantations. By the time he died in 1860, Burnley owned 800 acres in the area, including the mill complex, the plantation of Hydraulic, and its house.[97] The other prominent landholders in the immediate vicinity were members of the Wingfield family, who

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[92] Manning Marable, "The Politics of Black Land Tenure: 1877–1915," *Agricultural History* 53, No.1 (January 1979): 145.
[93] Ivy Creek Foundation, "Hydraulic Mills/Union Ridge Communities," Ivy Creek Foundation, accessed online October 2021, https://ivycreekfoundation.org/hydraulic-mills-union-ridge-communities; K. Edward Lay, "Charlottesville's Architectural Legacy", *The Magazine of Albemarle County History*, Vol. 46 (Charlottesville, Virginia: Albemarle Charlottesville Historical Society, May, 1988): 29–95.
[94] Central Virginia History Researchers, "Hydraulic Plantation: background information."
[95] Ivy Creek Foundation, "Hydraulic Mills/Union Ridge Communities".
[96] Jedediah Hotchkiss, "Albemarle County, Virginia." 1:126,720. Staunton, VA, 1867.
[97] Central Virginia History Researchers, "Hydraulic Plantation: background information."

owned the Woodlands plantation, built by patriarch, attorney, and state senator Richard Wingfield in the 1840s. In the years leading up to the Civil War, Richard Wingfield enslaved around 27 people and in the decades following the war, and well into the twentieth century, his heirs and descendants maintained ongoing relationships with the descendants of those formerly enslaved by Wingfield at Woodlands. This was a generational social intimacy that would shape the emergence and development of the African American Hydraulic Mills community.[98]

Immediately after the Civil War, the future of the neighborhood was uncertain. That changed at the end of September 1870 when torrential rains hit Virginia and prompted massive flooding, bringing the era of river navigation in Albemarle County to a close.[99] National coverage in described "heartrending" accounts of loss of life and property damage.[100] But loss for some offered opportunities for others. With the flood, the door to Black landownership cracked open and the African American chapter of Hydraulic Mills began. Two years later, and resulting from post-Civil War litigation around the Burnley estate that hastened its dismantlement, one of Burnley's former millers, an African American man named Rollins Sammons purchased part-ownership of the mill, turning it from a lumber mill into flour and grist mills; he bought it outright in 1893.[101]

Born in 1815, Sammons had been among the 600 free Blacks living in Albemarle County prior to the Civil War, when African Americans outnumbered white residents 14,500 to 12,000,

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[98] Jeffrey M. O'Dell, "Woodlands", National Register of Historic Places Nomination Form (Washington, D.C.: Department of the Interior, National Park Service, March 1989): Section 8; Liz Sargent and Steve Thompson, "River View Farm," National Register of Historic Places Nomination Form (Washington, D.C.: Department of the Interior, National Park Service, 2020): Section 8.
[99] Ivy Creek Foundation, "Hydraulic Mills/Union Ridge Communities".
[100] "The Virginia Floods," *The New York Times,* Thursday, October 6, 1870, accessed online October 12, 2021, https://timesmachine.nytimes.com/timesmachine/1870/10/06/83474784.html?pageNumber=1.
[101] Sandra DeChard and Ellen Brady, Cultural Resources, Inc., "Documentary Research for the Sammon Cemetery Albemarle County, Virginia," (Fredericksburg, VA: Department of Transportation): 29, http://s3.amazonaws.com/cville/cm%2Fmutlimedia%2F20130325-CRI-Revised-Report.pdf; Sargent and Thompson, "River View Farm," Section 8, 36.

and in the postwar period his family played a pivotal role in the growth of the mill village.[102] In addition to the mill, Sammons' deed included a store house and the circa 1800, one-and-a-half-story, frame house constructed atop a raised stone foundation.[103] Sammons' purchase marked a critical moment for African Americans and Hydraulic Mills. At the mills he helped produce thousands of bushels of wheat and corn. More significantly for community-building, however, the complex offered a commercial center at which the formerly enslaved African American farmers who had begun purchasing property area and establishing working farmsteads in the area could congregate and conduct business [Fig. 1.3].[104]

The desire for landownership and the acquisition of land among formerly enslaved African Americans in Hydraulic Mills and across the South after the Civil War meant more to them than wealth accrual. Land became a means to "civil membership, political autonomy and personality and community integrity", it was "an important source of the collective experiences that create a common consciousness" and owning it demonstrated "overcoming the segregation, poverty, and injustice that destroy the bonds of community and alienate the oppressed from their physical environment."[105] Desire for land was driven in part by the unfulfilled promise made by General William T. Sherman in November and December of 1864. Following his March to the Sea, Sherman issued his Special Field Order No. 15 mandating that redistribution of 400,000 acres of confiscated Confederate lands as a way to supply arable land for the proposed "Forty Acres and a Mule." After Lincoln's assassination, however, Andrew Johnson rescinded the order and

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[102] DeChard and Brady, "Documentary Research for the Sammon Cemetery Albemarle County, Virginia," 3; John Hammond Moore, *Albemarle, Jefferson's County, 1727-1976* (Charlottesville, Virginia: University of Virginia Press, 1976), 115.
[103] DeChard and Brady, "Documentary Research for the Sammon Cemetery Albemarle County, Virginia," 29.
[104] Central Virginia History Researchers, "Hydraulic Plantation: background information"; The ongoing mill operations and importance of the mill are marked on the 1875 Green Peyton map, marking the location of Sammons' mill with a star icon in keeping with the map's identification of other operational mills in the county. Green Peyton, "A map of Albemarle County, Virginia." Philadelphia, PA: Worley & Bracher, 1875.
[105] Kimberly K. Smith, *African American Environmental Thought* (Lawrence, KS: University of Kansas Press, 2007), 9.

returned the confiscated lands to their original white owners. Sherman's orders were never implemented. Instead of land redistribution, Congress focused its post-war efforts on suffrage and civil rights. "Forty Acres and a Mule" subsequently became shorthand for the "government's failure to grant African Americans full inclusion in American society."[106]

The evicted freedmen were thus left to accumulate acreage on their own and, in the post-emancipation period, they often settled and worked to purchase property in the vicinity of their former enslavers.[107] Having cultivated it prior to the war, these former plantation lands were the ones with which the formerly enslaved were most intimate and the landscapes they knew as home, even if that home was psychologically tied to the trauma of enslavement.[108] In his book on freedmen's communities in the American South, *A Right to the Land*, historian Edward Magdol describes this process of Black land acquisition as occurring in one of three ways: rental, or sharecropping; individual or family purchase; and the collective pooling of resources to enable greater purchasing power and possibility.[109] Employing these approaches freedmen propelled a process of community formation Madgol called the "American Black Village Movement" and characterized as rural villages established largely by formerly enslaved Black Americans, and anchored by schools and churches that served as the communities' gravitational centers while also serving fundamental roles of supporting and expanding literacy.[110]

For white landholders, paternalism may have facilitated a willingness to sell land to people they had formerly enslaved. An 1866 speech University of Virginia rector H.H. Stuart gave to that year's graduating class suggests as much. He told them:

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[106] Patricia Fernandez-Kelly, "Land, Race, and Property Rights in American Development" in *Race and Real Estate*, ed. Adrienne Brown and Valerie Smith (New York, NY: Oxford University Press, 2015): 73–74.
[107] Edward Magdol, *A Right to the Land: Essays on the Freedmen's Community* (Westport, CT: Praeger Publishers, 1977): 157.
[108] Ibid., 170.
[109] Ibid., 173.
[110] See Valerie Grim, "African American Rural Culture, 1900–1950", in *African American Life in the Rural South 1900–1950,* ed. Douglas Hurt (Columbia, MO: University of Missouri Press, 2003): 108–128; Magdol, *A Right to the Land,* 174.

> Let us remember that no blame attaches to the Negro. They were our nurses in childhood, our companions of our sports in boyhood, and our humble and faithful servants through life. Without any agency on their part, the ties that bound them to us have been rudely broken. Let us extend to them a helping hand in their hour of destitution. We can give them employment….Thousands who, in the first toxication of freedom, wandered from their homes, have returned to seek shelter and protection from their former masters. They should be received kindly… and we should spare no pains to improve their conditions and qualify them…for usefulness in our community.[111]

Expressions like these reframed the narrative of slavery and articulated the seeds of the Lost Cause mythology based in fantasies of benevolence.

Further informing the establishment of these post-war rural Black enclaves was the passage of federal civil rights legislation that instilled an optimism among African Americans that a new social order might emerge that welcomed them as full citizens. The Thirteenth Amendment, passed in 1865, took the first step by abolishing slavery. It was followed in 1868 by the Fourteenth Amendment, which guaranteed citizenship to all people born in the United States and established the equal protection clause to ensure African Americans equality in the eyes of the law. Two years later the Fifteenth Amendment extended voting rights to Black men. Supporting legislative measures was the occupation by federal troops of the former Confederate states, an occupation which included the opening of regional offices for the Bureau of Refugees, Freedmen, and Abandoned Lands, more commonly known as the Freedmen's Bureau. The Freedmen's Bureau oversaw social infrastructure ranging from refugee camps to food and clothing distribution to literacy education.[112] Regardless of how African Americans acquired land after the Civil War and other mitigating factors, the larger point is the overwhelming success of their project and that success was reflected in the numbers: By 1910, African Americans owned 60 million acres across the country, and in 1920, they owned 14% of the

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[111] Moore, *Albemarle,* 221.

[112] "The Freedmen's Bureau," *The National Archives.* Online. Accessed October 3, 2021, https://www.archives.gov/research/african-americans/freedmens-bureau.

arable land in the United States divided among 925,000 farmsteads.[113]

The national pattern was visible locally. By 1910 there were 581 Black-owned farms across Albemarle County versus just 56 in 1870.[114] Hydraulic Mills was emblematic of this remarkable achievement. Mill owner Sammons was among the first to embark on this project of African American land ownership in Albemarle County. Berkeley Bullock was another. In 1871, Bullock, who had purchased the freedom of himself and his mother before emancipation, bought 35-acres in Hydraulic Mills and by 1880 owned 75 acres in the vicinity.[115] Over the course of his lifetime, Bullock accrued more than a dozen properties locally. He was also among six Black men, all related and once enslaved at the nearby Dunlora plantation, who jointly purchased a 52-acre tract in the neighborhood in 1868, demonstrating the collective approach to land acquisition described by Magdol.[116] Bullock also helped established the Black-owned Piedmont Industrial and Land Improvement Company in 1889 which sought "to extend aid and assistance, financial and otherwise, to persons of limited means in purchasing homes." Referencing the company's ambitions, a regional Black newspaper wrote at the time: "Thus you see Charlottesville is blooming and it blooms with the only land Improving Co. organized by colored men…We are coming."[117]

While the Land Improvement Company was relatively short-lived, the Black landowning class of Hydraulic Mills continued to expand in the late 19th century and early 20th centuries. As it expanded, ties between land ownership and civic engagement were articulated. One of the first

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[113] Pete Daniel, *Dispossession: Discrimination Against African American Farmers in the Age of Civil Rights* (Chapel Hill, NC: University of North Carolina Press, 2013): 6.
[114] Bates, *Blurred Lines*, 49.
[115] Scot French, "UVA and the History of Race: Burkley Bullock in History's Distorting Mirror" *UVA Today*, September 4, 2019, accessed online November 11, 2021 https://news.virginia.edu/content/uva-and-history-race-burkley-bullock-historys-distorting-mirror.
[116] Sargent and Thompson, "River View Farm," Section 8; French, "Burkley Bullock in History's Distorting Mirror."
[117] French, "Burkley Bullock in History's Distorting Mirror".

local Black dentists purchased owned 82 acres between the Sammons' property and the farm belonging to school principal Rives Minor night. The publisher of the Black newspaper was also a neighbor, as was Moses Gillette, who had been born enslaved at Monticello.[118] Rollins Sammons son, Jesse Sammons [Fig. 1.4], served as an alternate for the state senate delegate seat at the 1896 Republican National Convention.[119]

By 1875, more than 250 acres around Hydraulic Mills was owned by African Americans.[120] Less than a decade later, nearly 60 Black farmers owned property in the area, most claiming five to ten acres, a handful owning between thirty and eighty acres, and a few owning even more.[121] By 1900 the community encompassed the commercial center around the Sammons mill site on the Rivanna River and extended along a ridge line northwest of Charlottesville to the associated African American neighborhoods of Webbland, Cartersburg, Hydraulic, and Allentown [Fig. 1.5].[122] Altogether, the village and its outskirts encompassed almost 700 acres.[123] And the growth continued. By 1920, 160 the Black yeomanry owned 1,100 acres in and around Hydraulic Mills.[124] Inspired by Black leaders like Booker T. Washington who preached in an 1898 lecture that "No race which fails to put its brains into agriculture can succeed," local Black land accrual aligned with national trends.[125] Indeed, the promotion of land tenure among southern African Americans across the south was substantial enough at the turn of the twentieth century that

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[118] Jefferson School African American Heritage Center, *Heritage Trails: African Americans in Albemarle, Union Ridge;* Central Virginia History Researchers, "Hydraulic Plantation: background information."
[119] DeChard and Brady, "Documentary Research for the Sammons Cemetery Albemarle County, Virginia," 30. Jesse Sammons' mother was Sarah Scott Bell, the great-granddaughter of Mary Hemings, who had been enslaved by Jefferson at Monticello before he sold her to a white mam who eventually became he common-law husband (DeChard and Brady, "Documentary Research for the Sammons Cemetery Albemarle County, Virginia," ii).
[120] Sargent and Thompson, "River View Farm", Section 8, 37–38
[121] Central Virginia History Researchers, "Hydraulic Plantation: background information."
[122] Minor Preston Educational Fund. "Rives Minor Land Map." Charlottesville, Virginia.
[123] Sargent and Thompson, "River View Farm", Section 8, 36–7.
[124] Ibid.
[125] Booker T. Washington, "How to Build a Race," quoted in Manning Marable, ""The Politics of Black Land Tenure: 1877–1915," *Agricultural History* 53, No.1 (January 1979): 146.

historian Manning Marable has argued it as "an ideological imperative of black thought" at the time.[126]

Nor could these places be properly characterized by mere statistics. About his community Hydraulic Mills resident Rives Minor wrote to his former teacher in 1910 that, "There are but few of our people who do not own their homes. There are farms all around me, ranging in size from half an acre, to one hundred and fifteen acres. Most of them are doing well."[127] The picture he paints is that of a close-knit community of Black farmers—modest, but thriving. As a community, they were growing crops like potatoes, corn, wheat, tobacco, as well as the occasional beehive and grapevine, and raising livestock like hogs, poultry, and cattle, and supplementing their incomes with additional work such as teaching, carpentry, blacksmithing, and dressmaking.[128] The hub was "undeniably the Hydraulic Mills" where, in addition to the mills themselves, a community center, post office, and country store exemplified the development of rural Black villages in central Virginia after the Civil War and in the early decades of the twentieth century.[129] Local historians have further asserted that the community was the rural equivalent of Charlottesville's Vinegar Hill, the city's African American business district and center of its post-Emancipation life.[130] That analogy might not fully account, however, for the permeability of boundaries between the two communities. Residents moved back and forth between the two neighborhoods, urban and rural, with ease. This oversight might be explained by scholarship of race during this period that has emphasized urban contexts despite

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[126] Marable, "The Politics of Black Land Tenure, 145.
[127] Rives Minor to Philena Carkin. Albemarle County, Virginia, January 31, 1910. (Minor Preston Educational Fund, *Reminiscences of Philena Carkin,* 1866-1875; online, accessed December 8, 2021, https://www.minorpreston.org/wp-content/uploads/2018/03/Letters-of-Rives-Minor-to-Philena-Carkin.pdf).
[128] Central Virginia History Researchers, "Hydraulic Plantation: background information."
[129] DeChard and Brady, "Documentary Research for the Sammons Cemetery Albemarle County, Virginia," 17; Sargent and Thompson, "River View Farm", Section 8, 36–7.
[130] Central Virginia History Researchers, "Hydraulic Plantation: background information."

the fact that "lines between country and town were never sharply drawn…[and] rural people, particularly African Americans, moved back and forth the between town and farm."[131]

As was typical of rural as well as urban African American communities, the principal community anchors beyond the commercial complex were the church and the school. Church establishment was often the first collective activity for freedmen's communities. Despite commonly working a day job and farming at night and on weekends, more than 75 percent of rural Black farm families managed to attend church at least once a month in the decades after the Civil War, illustrating the centrality of religion in these nascent Black villages and its power as a grounding community force.[132] The residents of Hydraulic Mills were no different. The Union Ridge Baptist Church [Fig. 1.6], cofounded by Bullock two years after emancipation, provided a meeting place for Black people in the neighborhoods that spanned the ridgeline well into the 1930s, and maintains an active congregation to this day.[133] The church found a permanent home in 1876 when one of the six men who had collectively purchased the 52-acres of land eight years earlier donated a parcel to the congregation a half mile from the village center.[134] On that quarter-acre plot the community collectively built the church structure that remains today near the junction of Earlysville and Hydraulic roads.

Education and literacy that had been denied African Americans under slavery also provided motivation and focus: Schools were as much community centers as conventional classrooms. Like churches, the buildings themselves were also often crowd-funded and collectively constructed, illustrating the cultural value communities placed—and belief they had—in learning

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[131] Melissa Walker, "Shifting Boundaries: Race Relations in the Rural South," in *African American Life in the Rural South 1900–1950,* ed. Douglas Hurt (Columbia, MO: University of Missouri Press, 2003), 81–82.
[132] See Lois Myers and Rebecca Sharpless, "Of the Least and the Most," in *African American Life in the Rural South, 1900–1950,* ed. R. Douglas Hurt (Columbia, MO: University of Missouri Press, 2003).
[133] Jefferson School African American Heritage Center, *Heritage Trails: African Americans in Albemarle, Union Ridge.*
[134] Central Virginia History Researchers, "Hydraulic Plantation: background information."

as a means to self-improvement and social advancement. In Hydraulic Mills, the all-Black Albemarle Training School [Fig. 1.7] was established around 1880 and community leaders served as successive principals, mentoring the younger generations. Likely the consolidation of two earlier schools in the area, it was originally called the Union Ridge School and the Union Ridge Grade School as classes were likely held in the church building before moving in 1886 to a site at the junction of Rio Mills and Hydraulic.[135] Among the prominent Hydraulic Mills residents who ensured the school's existence, Jesse Scott Sammons was the school's first teacher before being named principal around 1885.[136] After Sammons died in 1901, Rives Minor took over leadership, and was replaced two years later by John G. Shelton, who remained principal until 1930. Under Shelton, and with financial assistance from the John F. Slater Fund for the Education of Freedmen that funded vocational schools throughout the South, the school expanded from one room to three and added a two-year high school curriculum. Renamed the Albemarle Training School, it became the first high school in Albemarle County for African American students. Based on the philosophies of Washington and George Washington Carver who promoted rural life and agriculture as a way for Black people to achieve self-sufficiency, the school's pedagogical approach focused on vocational training and manual labor in subjects like Shop and Agriculture for the boys, and Home Economics for the girls. It also offered academic courses, however, teaching subjects like English, Biology, History, Math, Chemistry, Latin, and French. Modest and underfunded, the building had no running water or central heat and bus transportation to and from school was unreliable for students who were scattered across the

[135] DeChard and Brady, "Documentary Research for the Sammons Cemetery Albemarle County, Virginia," 30. One of these schools is believed to have been located a mile west of the old Hydraulic Mills and its foundation extant in the 1950s, but presumably it was submerged by the reservoir's construction.
[136] Sargent and Thompson, "River View Farm", Section 8-39.

county.[137] Nevertheless, within the community the Albemarle Training School was known as a place where the teachers cared and the children learned skills and built character[138] [Figs. 1.8–1.10]. It was also was a source of community pride and, for decades, "the only school in a five-county area to offer African American children an education beyond seventh grade."[139]

In 1920 nearly one quarter of the farms in Albemarle County were Black owned. That year a cartographer drew a map of the county that featured major landmarks: Monticello, Ash Lawn, and the University of Virginia, as well as estates like Castle Hill and Locust Hill, small towns and villages, churches, and schools. While majority of the map's sites are oriented to a white geography, the Albemarle Training School is nevertheless clearly marked [Fig. 1.11].[140] That tacit acknowledgement provides quiet but resolute evidence of the extent to which Hydraulic Mills, its surrounding community, and culture of mutual aid were essential to advancing local Black interests through property ownership. It is also evidence of the significance of that endeavor's success to the county as a whole. It was an endeavor, in other words, that constituted a small but mighty revolution in the social fabric of a southern landscape.

River View Farm

By 1890, the largest Black landholder in Hydraulic Mills—and among the largest Black landholders in Albemarle County—was a man named Hugh Carr [Fig. 1.12]. His property at River View Farm by then comprised around 125 acres, occupying the better part of the hills to the immediate southwest of a dramatic bend in the Rivanna River near its confluence with Ivy Creek, and less than half a mile from Sammons' mill complex.[141] Towards the crest of the hill,

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[137] Ibid., Section 8, 37.
[138] Ibid., Section 8, 38.
[139] Jefferson School African American Heritage Center, *Heritage Trails: African Americans in Albemarle, Union Ridge.*
[140] Carl Pitner. *Pitner's Map of Albemarle County, Virginia.* 1:128,000. Washington, D.C.: Carl Pitner. 1920.
[141] Sargent and Thompson, "River View Farm," Section 8-36.

around 1880, Carr had built for his family on cleared land a traditional frame Virginia I-House with a two-over-two floorplan, and over time added a front porch, a cross-gable roof over the front pediment, and a pair of brick chimneys flanking either side of the house [Fig. 1.13].[142] His neighbor to the north was Rollins Sammons and the mills; his neighbors to the immediate south were Sammons' son Jesse and Berkley Bullock. As his eldest daughter, Mary, later remembered the family homestead, "There stood a massive frame structure of snowy whiteness with three gables facing as many directions. Two chimneys stood at either end like strong sentinels whose duty it was to guard it. In front was an immense verandah spread like a mighty hearth which always welcomes one to its comforts…clustering vines struggling hither and thither from a network on the balustrades."[143] It's a description that illustrates just how much Hugh Carr had accomplished and overcome through farming the land for his family.

Carr was born into enslavement on the nearby Woodlands' plantation owned the Wingfield family around 1840, and he continued to work there after the Civil War in order to make payments on a 58-acre tract he had begun purchasing in September of 1870.[144] Carr farmed his acres at night while working as a farm manager for the Wingfields during the day, having signed a contract after emancipation that required him to "give his whole time & attention & bend all his energies & exercise all the forethought he can" to that job.[145] He paid off the land with interest in three years and soon began overtures to buy an adjoining 25.75-acre parcel. By the following year, he was also paying off an additional 19.5 acres to the east.[146] On his newy acquired land, he planted corn, oats, wheat, potatoes, and tobacco. He maintained an apple

[142] Ibid., Section 7-4, 7.
[143] Ibid., Section 8-40.
[144] Ibid., Section 7-4.
[145] Ibid., Section 8-33.
[146] Ibid., Section 8-33.

orchard and kept horses, cows, pigs, and chickens.[147] When he was about 40 years old, in 1883, Carr married 18-year-old Texie Mae Hawkins, who he had met while working as farm manager for the Wingfields and she as a seamstress. Their first child, Mary Louise, was born the next year, and they went on to have six more—one son and five daughters—over the following nine years.[148] And Carr continued to expand the farm's footprint, acquiring at least another 24 acres by 1890.[149]

After Texie Mae died in 1899, Mary stepped into help raise the other children while Hugh managed the farm.[150] Mary also worked teaching at the local Black school in Charlottesville until leaving around 1910 to continue her education in Petersburg at the Virginia Normal and Industrial Institute. There, she met her future husband Conly Greer. By then, however, Hugh Carr's health was failing and, before she could complete her degree, Mary, returned to River View Farm to care for her father. Before he died on May 23, 1914, Mary and Conly Greer married, and Conly assumed management of his father-in-law's operation.[151] Upon Hugh Carr's death, the couple initially inherited 18 acres of the property, including the farmhouse. Over the next decades they would purchase most of the remaining acres from Mary's siblings while also acquiring additional acreage, eventually bringing their total landholdings to more than 200 acres.[152]

Shortly after Hugh Carr's passing, the couple welcomed their only child, Louise Evangeline Greer, and Mary assumed her first teaching position at the Albemarle Training School up the road from their home.[153] There she taught for most of the next decade and a half until, in 1930,

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[147] Ibid., Section 8-34.
[148] Ibid., Section 8-35.
[149] Ibid., Section 8-36.
[150] Ibid., Section 8-40.
[151] Ibid., Section 8-41–42.
[152] Ibid., Section 8-25–26.
[153] Ibid., Section 8-43.

the school's principal retired and Mary Carr Greer was hired to take over, an unusual professional advancement for women at that time [Fig. 1.14].[154] The choice was not entirely unexpected, however, as by then Mary Carr Greer already acknowledged as a community leader engaged in all manner of clubs, and civic and social groups.[155]

Conly, too, was prominent in Albemarle County's Black community. In 1918 he became the first African American Farm Extension Agent in Albemarle County for the US Department of Agriculture, a job that tasked him with traveling across the county to demonstrate and teach the most up-to-date scientific farming methods to Black farmers.[156] He eventually developed River View Farm into a demonstration farm, building the large white barn [Fig. 1.15] that still stands today, to host his workshops in the late 1930s on everything from water usage to crop rotations. Conly Greer also "practiced what he preached": he grew cash crops like corn and wheat; he harvested hay for his livestock and maintained an orchard as well as a large kitchen garden of strawberries, watermelons, brussel sprouts, asparagus, and broccoli.[157] He also raised livestock, focussing on cattle and horses, but keeping sheep, chickens, and pigs as well.[158]

While embracing modern farming methods in his work, Conly Greer also nourished a working lineage with the farm as it had been operated under Hugh Carr.[159] For most of his life, Conly Greer tilled his land with a horse and plow, not purchasing a tractor until he was close to retirement in 1953.[160] This speaks to Conly Greer's attachment to traditional Black subsistence farming practices that relied on a more intimate knowledge of the land than did the industrialized techniques that were taking over in the mid-twentieth century. It was this intimacy that

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[154] Ibid., Section 8-44.
[155] Ibid.," Section 8-47.
[156] Ibid., Section 8-55.
[157] Ibid., Section 8-38, 57–58
[158] Ibid., Section 8-58.
[159] Ibid., Section 8-57.
[160] Ibid., Section 8-44, 58.

characterized Black agricultural communities of the early twentieth century and which must have first instilled in Greer a love for the work as a young man. In 1916, an essay published in a newspaper for Black farmers asserted,

> One must be in sympathy with the natural environment in which he finds himself. The family on the farm must have a feeling of permanency. They must believe that it is the best place for them to live, the ideal place for a home, the place where the children have the best opportunity to develop strong bodies, sound minds, and the characteristics that make for efficency. They must be open minded and try to learn whatever they can that will improve farm conditions…When they are convinced of these things and have learned to love the wind and the rain, the growing things, the birds, and all the rest, the dawn, the early morning ordor [sic], and to find each part of the day, each twilight, and each nightfall filled with wonders, they will know how to live on a farm and how to make a living on a farm will be less of a problem.[161]

Working to promote modern agricultural methods while embracing tradition illustrated the critical turning point for Black farmers through which Conly Greer lived. It must have been a balancing act, but it was one he by all accounts managed successfully. It was his role as an agricultural extension agent and Mary Carr Greer's position as principal at the Albemarle Training School which made them such significant and respected members of the Black community and River View Farm a place where that community gathered for everything farming demonstrations to social gatherings. When bus transportation was unreliable, students bunked at River View Farm in order to attend classes.[162] Today, the farmhouse— "a rare surviving example of a substantial home built by an African American farmer within Albemarle Country during the period"—[163] the family cemetery, "surviving farm roads, fencelines and walls, fields, spring boxes, plantings, and the ruins of a tenant house…barn, and other outbuildings…constitute the last remaining intact resources" of what was once the Black farming community of Hydraulic Mills.[164] It was also a portion of River View Farm that would be inherited by James Fleming,

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[161] Dianne D. Glave and Mark Stoll, "African American Environmental History: An Introduction," in *To Love the Wind and Rain: African Americans and environmental history*, eds. Dianne D. Glave and Mark Stoll (Pittsburgh, PA: University of Pittsburgh Press, 2005): 3.
[162] Sargent and Thompson, "River View Farm," Section 8, 49.
[163] Ibid., Section 8, 26.
[164] Ibid., Section 7, 4–5.

precipitating the Evergreen controversy in the mid-to-late 1970s.

The Splintering of Hydraulic Mills, 1920–1966

Following the end of Reconstruction and the prolonged re-entrenchment of white supremacy in the former Confederate states, the vibrancy of Hydraulic Mills began to falter. Its situation was further challenged by punitive tax laws, environmental considerations, and encroaching suburbanization from Charlottesville so that, by the middle of the twentieth century, the once-thriving Black cultural landscape had all but disappeared. Its geography was largely subsumed by sprawl encroaching from the south and east and the emergence to the north and west of a pastoral landscape preferred by wealthy exurbanites relocating to the countryside in search of a rural ideal.

While the Black community around Hydraulic Mills was thriving in 1920, by 1930 that vigor had begun to wane. This continued steadily through the period of the Great Depression so that, by 1940, the community was a different one than it had been a decade earlier[165]. Similar migrations away from rural communities unfolded across the Jim Crow South for similar reasons, constituting the onset of the Great Migration that was prompted by a combination of push and pull factors that included economic hardship, limited opportunity, Jim Crow laws, racial terror, and subpar rural infrastructure.[166] These factors also contributed to the steady departure of African Americans from Albemarle County.[167] A decided majority of the population prior to the Civil War, by 1880 Black residents comprised only slightly more than half; by 1920 they made up less than 30 percent[168]; 10 years later that percentage had dropped another 7

[165] Central Virginia History Researchers, "Hydraulic Plantation: background information."
[166] See Isabel Wilkerson, *The Warmth of Other Suns* (New York, NY: Random House, 2010): 8–11; Penniman, "How to Grow Change Through Black-Led Agriculture, According to Leah Penniman".
[167] Moore, *Albemarle*, 275.
[168] Ibid., 324–25.

percent to 23 percent.[169]

This decline was partly attributable to national and state government-sanctioned racial discrimination. Social support provided by the Freedmen's Bureau ended in 1872 with the withdrawal of federal troops from the South and post-Reconstruction-era state statutes that began walking back freedoms and civil rights protections. In 1896, the Supreme Court handed down its opinion in Plessy v. Ferguson, establishing the "separate but equal" doctrine and the position of African Americans as second-class citizens was locked in for the next three-quarters of a century. In Virginia, Jim Crow laws established separation along racial lines in schools and public spaces, and tools like restrictive covenants, bank lending practices, and municipal land use zoning emerged to support residential segregation. The 1901–02 state constitution effectively disenfranchised 90 percent of Black men while codifying spatial separation in public space, and the Racial Integrity Act of 1924, extended government interference along racial lines into people's private lives.[170] Largely denied the right to vote or hold political office through poll taxes and literacy tests, African Americans lost much of the political sway they had achieved in prior decades. By the 1920s, racial discrimination had evolved into an elaborate political and social system, and the vibrancy that characterized African American agricultural communities grew increasingly tenuous.

Albemarle County's declining Black population is impossible to read as unrelated to state and federal-level policy changes. It also cannot be understood outside the local escalation of explicit expressions of white supremacy. During these years the Ku Klux Klan revived itself in Albemarle County, acts of racist terror were not uncommon, and local power elites added

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[169] Ibid., 275.

[170] John Edwin Mason, "History, Mine and Ours: Charlottesville's Blue Ribbon Commission and the Terror Attacks of August 2017," in *Charlottesville, 2017: The Legacy of Race and Inequity*, ed. by Louis P. Nelson and Claudrena N. Harold, 19–36 (Charlottesville, Virginia: University of Virginia Press, 2018): 27.

features to the urban built environment that communicated racial threat. A near-lynching occurred in Charlottesville's downtown in the spring of 1917[171]. During the summer and fall of 1919, a series of thirty-eight race riots swept the country, including in Norfolk and Washington, D.C.,[172] the shockwaves of which were felt in central Virginia. In May 1924, crosses were burned across the countryside, followed soon thereafter by another spate as well as a series of bombs that were "exploded near Negro homes" in the area around Mechums River. The following summer, Klansmen paraded through Charlottesville's downtown to the celebratory fanfare of white onlookers.[173] Furthermore, between 1919 and 1924, four monumental statues honoring Revolutionary and Confederate war heroes were erected in prominent locations around Charlottesville constituting "unflinching testaments to the collapse of Reconstruction and the re-establishment of white supremacy."[174]

Hardship for African Americans under the social climate of the 1920s was exacerbated by the economic hardships of the 1930s, which were made worse for rural Black farmers by racially discriminatory federal agricultural aid and tax policies. As suggested by the modest average acreage worked by Black farmers in Hydraulic Mills, most, like many of their counterparts nationwide, tilled small farms. This lifestyle came under threat in the early 1930s when U.S. Department of Agriculture began instituting policies that pushed the industrialization of farming practices and discriminated against Black farmers for crop assistance and other loans.[175] The Farmers Home Administration, created in 1946, likewise discriminated. Increasingly, the federal government deemed hand labor obsolete and flagrantly encouraged capital-intensive agricultural practices which effectively subsidized wealthy farmers over smaller-scale and subsistence

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[171] Louis Nelson, "Object Lessons: Monuments and Memory in Charlottesville," *Buildings and Landscapes* 25, no. 2 (Fall 2018): 17.
[172] Nelson, "Object Lessons," 21–22.
[173] Moore, *Albemarle*, 368–69.
[174] Nelson, "Object Lessons," 18.
[175] Penniman, "How to Grow Change Through Black-Led Agriculture, According to Leah Penniman."

operations. Paralleling the rise of scientific forestry, generational knowledge of the land and how to farm it was discounted, while technology and formulaic methods were promoted.[176] Legislation like the Agricultural Adjustment Act of 1933 implemented programs that netted out farm loans and established a credit system that favored large landholders by providing cash payments to those who voluntarily removed designated levels of acreage from production. This ignored the needs of those farmers whose crop yields were not large enough to benefit from industrialized agriculture.[177] Thus, farmers who had built their lives around seasonal crop cycles and subsistence farming, an archetype central to the identity of Albemarle County where Jeffersonian agrarian lore of the independent yeoman was deeply lodged in the soil for Black and white residents alike, were largely overlooked the federal government. This bureaucratic neglect was compounded regionally by a series of poor growing seasons and devastating weather events, as Depression-era debt relief targeting Black farmers never even made it to the legislative agenda in either Washington, D.C. or Richmond.[178] These were challenges with material consequences that hit Black farmers around Hydraulic Mills hard: county farmland valued at $25 million in 1920, was worth only $16.2 million in 1935.[179]

In response to push factors of racial violence and rural economic hardships experienced during the 1920s and 1930s, and with the onset of World War II and subsequent post-war expansion of urban opportunities, the pace of the Great Migration of African Americans out of the countryside accelerated in the 1940s. Black servicemen coming home often chose not to return to the rural environments in which they'd been raised, opting instead to establish

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[176] Daniel, *Dispossession*, xi, 7.
[177] William P. Browne, "Benign Public Policies, Malignant Consequences, and the Demise of African American Agriculture" in *African American Life in the Rural South, 1900–1950,* ed. R. Douglas Hurt (Columbia, MO: University of Missouri Press, 2003): 138.
[178] Browne, "Benign Public Policies," 138.
[179] Moore, *Albemarle*, 377.

themselves in metropolitan areas where racial discrimination and oppression were less defining concerns of daily life. Out-migration of Black residents, however, also meant the dispossession of their land. Racial intimidation has been widely documented to have contributed to the dispossession of rural African American land as families scattered and left the countryside, abandoning their lands in response to violence, legal manipulation, or trickery.[180] Furthermore, the Black tradition of collective property ownership that had once fueled an ideology of mutual aid and buttressed community survival became a point of legal ambiguity in the American legal system. Known as heirs property, these parcels were difficult to sell or mortgage. The practice also made credit difficult to obtain, further hindering already struggling Black farmers from securing loans and often sending them further into debt.[181] As African Americans flooded into urban centers in the 1940s and 1950s, white residents began leaving them, in the phenomenon known as white flight, and helping trigger the mid-century spike in suburbanization. Land values on the outskirts of cities subsequently rose in tandem with increased tax burdens for African American landowners. This further precipitated the dispossession of Black farmers of their principal economic resource as they were increasingly pressured to buyouts from real estate developers and white exurbanites.[182] Through this web of discriminatory government policies, racial terror, and the economics of real estate and suburbanization, between 1950 and 1970, African American farmers were dispossessed of approximately 330,000 acres per year nationwide, or around 9 million acres all told, totaling more than $8 billion in today's economy.[183]

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[180] See Delores Barclay, Todd Lewan, and Bruce DeSilva, "Torn from the Land Series," Associated Press, 2001, https://theauthenticvoice.org/mainstories/tornfromtheland/.
[181] Alec Fazackerley Hickmott, "Black Land, Black Capital: Rural Development in the Shadows of the Sunbelt South, 1969–1976," *The Journal of African American History* 101, No. 4 (Fall 2016): 518–519.
[182] Ibid., 519, 528.
[183] Ibid., 504–505.

In Albemarle, as the University grew and the local population expanded, suburbanization and development encroached on rural areas. Large lot sizes and pastoral aesthetics became significant selling points. A 1948 booklet [Fig. 1.16] put out by local real estate company Roy Wheeler featured photography spreads of equestrian estates near the segregated Farmington Country Club and described a setting "where urban splendor merges into rural grandeur."[184] Indeed during these years Albemarle County gained appeal among wealthy urban transplants in search of the Jeffersonian good life of the gentleman farmer. "[R]ich men who had fled the smokestacks and grime of northern industrial centers undoubtedly pressed home their conviction that Charlottesville and its lovely countryside" were environments to be preserved and marketed to other wealthy people looking to invest in the county's real estate.[185] Fueling this interest were tax codes that further advantaged landowners with independent incomes, such as doctors and lawyers, over small farmers. As one small farmer bitterly complained in a letter to the USDA during the 1960s, "We have farmers who get their total income from farming as I do, trying to make a living to support a family and educate my family…competing with people who are farming to lose money, thereby being assisted by income tax deductions and/or participating in agricultural stabilization and conservation service program and the price support programs and making a most comfortable living from other sources."[186] Fittingly, the landholdings which the writer bemoaned became known as "farm tax havens".[187]

The image of the Jeffersonian good life projected by the county had been consciously exported and marketed as an economic development project of historic tourism. While

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[184] Roy Wheeler, *37 Real Estate Brochures of Albemarle County and the Surrounding Area* (Charlottesville, VA: Roy Wheeler and Associates, 1948). University of Virginia Special Collections.
[185] Andrew Knuppel, "Watershed Moments in a Suburbanizing County: Environmentalism, Exclusion, and Land Use in Albemarle County, 1960–1980," Master's Thesis (Charlottesville, Virginia: University of Virginia, 2021): 56–57; Moore, *Albemarle*, 367.
[186] Daniel, *Dispossession*, 11–12.
[187] Daniel, *Dispossession*, 12.

Charlottesville's white city leaders had focused earlier initiatives on attracting industry, the popularity of Colonial Williamsburg, combined with the opening of Monticello to the public in 1924 and the establishment of Farmington, prompted them to revise this strategy and begin re-imagining the city's downtown landscape in the Colonial Revival style to support the image they wanted to project.[188] The first foray into this architectural reimagining was the construction of the segregated public library in 1919, followed in 1925, by the renovation of the Court Square. The Monticello Hotel, the tallest building in the city at that time, was constructed in 1926 to match the careful aesthetic and provide accommodations for coveted tourists [Fig. 1.17].[189] Of course, the Colonial Revival style did not come ideologically unencumbered. Aesthetically it alluded to a mythological historical past of "old Virginia", a period of charm and benign gentleman farmers, erasing memories of working landscapes in favor of fantasies of pastoral ones.[190] As architectural historian Daniel Bluestone has described the Colonial Revival-era changes to Charlottesville's downtown landscape, "[T]he changes to Court square provided both the physical and the social space for recognizing certain historic narratives while obscuring other aspects of both history and contemporary society. Architectural and social diversity declined in the face of efforts to provide cohesive narratives related to Thomas Jefferson and the Confederacy."[191]

This necessitated removing or obscuring evidence to the contrary. In the urban context of Court Square this meant that an equestrian statue of Stonewall Jackson was erected on the site of a formerly majority-African American residential block that was razed to make way for the monument.[192] In the rural context, it took the form of places like Shack Mountain. Shack

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[188] Moore, *Albemarle*, 367.
[189] "500 Court Square," *Cvillepedia*, January 2017, https://www.cvillepedia.org/500_Court_Square.
[190] Nelson," Object Lessons," 29.
[191] Daniel Bluestone, "A Virginia Courthouse Square: Reviving the Colonial," in *Buildings, Landscapes, and Memory: Case Studies in Historic Preservation* (New York, NY: W.W. Norton, 2011): 233.
[192] Nelson, "Object Lessons," 18–19.

Mountain was designed and built in 1935 by Fiske Kimball, the prominent architect, scholar, and first dean of the University of Virginia's architecture program, who helped revive national interest in Jefferson's work as a designer. A neo-Jeffersonian country estate, Shack Mountain was Kimball's intended retirement home [Fig. 1.18], although he died before being able to officially assume residence.[193] His design for Shack Mountain is considered the most fully realized expression of his taste and ideas: the building is directly modeled on Jefferson's design for the plantation house at Farmington, the elite and racially-exclusionary country club to the west of Charlottesville that opened in 1929[194]. It also shares design elements with Monticello as it is sited at the crest of a hill with its façade overlooking the surrounding countryside to the west, and its servants quarters situated below-grade in the basement of the rear wing.[195]

Significantly, the site Kimball selected for his retirement villa was a large parcel immediately adjacent to the west of Mary Carr Greer's property at River View Farm, and land that had only recently passed out of Black ownership. Thus, by the mid-1930s the Hydraulic Mills area was already a destination for white exurbanites seeking pastoral charms and the trappings of gracious rural living.

Alongside the mid-century emergence of tax farm havens in Albemarle County were local pressures of suburbanization, which had contributed to the appeal of the gentleman farm image and large lot sizes as rural land became an increasingly rare commodity. Suburbanization was fueled by economic growth as well as improved infrastructure. The Piedmont Highway opened in 1933 as a north-south route between Charlottesville and Washington, D.C. Later to become Route 29, this corridor opened up the possibility of future heavy development in the vicinity of

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[193] Carolyn Pitts, "Shack Mountain," National Register of Historic Places Registration Form (Department of the Interior, National Park Service, April 1992), Section 8.
[194] Ibid.; "Club History," *Farmington Country Club*, https://www.farmingtoncc.com/club-history.
[195] Ibid.,

Hydraulic Mills.[196] Improved road access countywide also "allowed industry to locate further away from Charlotteville's warehouse districts and area served by rail," leading to a 116% increase in the area's manufacturing workforce between 1950 and 1962. An increasing county population that worked outside the city center in turn elevated the appeal of suburban shopping opportunities which arrived with the opening of the Barracks Road Shopping Center west of Charlottesville in 1957.[197] Situated at the southern end of Route 29, the shopping center encouraged suburban development to encroach further in the direction of the rural neighborhoods that had formerly comprised the larger ridge line community of Hydraulic Mills. The sale in 1941 of 144-acres of the "The Meadows," a former plantation which was by then bisected by Route 29 to a car salesman and City Councilor who subsequently sold the parcel to the navigation equipment manufacturer Sperry Rand Corporation, further opened the era north of Charlottesville to development [Fig. 1.19].[198]

A 1937 aerial photograph overlaid by local historians with plats, and including a corresponding key that identifies the owners as either "white" or "colored", illustrates the shifting demographics of Hydraulic Mills [Fig. 1.20 and Fig. 1.21]. Of the approximately 100 parcels shown, nearly half remained Black-owned at the time.[199] This changed in ensuing years, closing the door to the era of the African American-dominated enclave of Hydraulic Mills as former Black landholders, large and small, sold their land to would-be gentlemen farmers like Kimball and ambitious suburban developers. The heirs of Jesse Scott Sammons sold the family property in 1940. By 1949, a white doctor and his wife had accumulated 233 acres of land in Hydraulic Mills by purchasing small parcels over time, including land owned by the locally

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[196] Isabelle Ostertag, Robert Watkins, Alexander Master, Rajaah Alagib, Caroline Crooks, "Union Ridge Today," University of Virginia, May 21, 2021, https://storymaps.arcgis.com/stories/6c954d94648f4a1a873d7ced67ff274a.
[197] Knuppel, "Watershed Moments," 30.
[198] Ostertag, Watkins, Master, Alagib, and Crooks, "Union Ridge Today."
[199] No author. *Union Ridge 1937_BV_L_037_005*. Albemarle County, Virginia, May 1937.

prominent Tonsler family. This land was eventually given to the county for the establishment of the all-white Albemarle High School which opened in 1953. By the 1960s, 88 acres that had been accrued by the Rives family became surrounded first by the Berkeley subdivision to the east in 1957 and then a combination of residential, commercial, and industrial development.[200] They sold the land in 1977 to Charles Hurt, one of the biggest local developers, and a partner in subsequent subdivisions in the vicinity.[201]

A comparison of aerial images of the area between 1937 and 1974 [Figs. 1.22–1.25] reveals the material implications of these dramatic social and demographic changes to the cultural landscape. Over two decades the aerials show suburban development encroaching from the southeast of the former historic center of Hydraulic Mills along the Rivanna River while areas to the north and west of that center grew progressively more forested. What had been a visibly working landscape and patchwork of agricultural fields in 1937 was largely wooded less than forty years later.[202] As British geographers James and Nancy Duncan have pointed out, reforestation along these lines had contemporary implications for class and, by association, race. About a similar landscape and situation in New York they have written that,

> Over the past century, the adoption of a new aesthetic centered on the picturesque demanded a more heavily treed landscape than two centuries of farming had produced. As a consequence, fields were allowed to revert to woodland cut only to create views with eye-pleasing arrangements of pasture surrounded by woodland. Since the mid-twentieth century, open fields have been progressively decreasing, so much so that one of the things older people…tell us is how much less open the land now looks.[203]

The Duncans argue that would-be gentlemen farmers and wealthy exurbanites who transplant to rural settings are in search of a picturesque ideal informed by 18th century English landscape theory that does not always correspond to the realities of rural life and its working landscapes.

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[200] Ostertag, Watkins, Master, Alagib, and Crooks, "Union Ridge Today."
[201] Ibid.,
[202] University of Virginia Library. *Aerial Photograph of Charlottesville and Albemarle County,* 1937, 1957, 1966, 1974 [air photos]. 1:20,000. Charlottesville, Virginia, 1966. (accessed online November 10, 2021, https://guides.lib.virginia.edu/c.php?g=514854&p=3519970); University of Virginia Library.
[203] Duncan and Duncan, *Landscapes of Privilege,* 87.

This discrepancy thus necessitates for them the creation of a new cultural landscape to align more neatly with their rural ideal. To do this, they selectively allow fields and pastures to revert to woodland.[204] Indeed, as art historian Ann Bermingham has argued, the picturesque landscape aesthetic "embodied the values and worldview of the wealthy landowning class" in a way that was more pernicious than the vast geometric gardens of France because the picturesque linked the countryside and social class, effectively masking ideology with the aesthetics of nature.[205]

This thesis would appear to align with the demographics that had emerged in the area of Hydraulic Mills around the river by 1962. That year, a New York consulting firm, Polglaze and Basenburg, produced a site plan for the reservoir that identified the property owners and plats in the Hydraulic Mills area that would be affected by their inundation proposal. The map reveals that in addition to Bedford Moore and his wife Jane, who purchased Shack Mountain shortly after Kimball died, more than a few neighbors in the immediate vicinity were associated with Albemarle County's elite social circles. One rode horses with the Farmington Hunt Club and raised German Shepherds;[206] Another was the wife of the longtime publisher of *Harper's Bazaar* magazine.[207] Her property was the site of the mill once owned by Rollins Sammons. With the inundation of the South Fork Rivanna Reservoir and the associated creation of new water views (a valued commodity in picturesque landscapes), her property values stood to rise substantially with the arrival of the new, manmade landscape.[208]

Three years earlier the all-Black Albemarle Training School closed after the county schools

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[204] Ibid., 48.
[205] Ann Bermingham, *Landscape and Ideology: The English Rustic Tradition, 1740–1860* (Berkeley, CA: University of California Press, 1986): 83.
[206] "Jacquelyn Norris 'Babs' Huckle," *The Daily Progress*, December 11-12, 2007. (Accessed online December 9, 2021, https://www.legacy.com/us/obituaries/dailyprogress/name/jacquelyn-huckle-obituary?id=29073245)
[207] "Louise Harrison Gwynn Drake," *The Connecticut Post,* June 2, 2004. (Accessed online December 9, 2021, https://www.legacy.com/us/obituaries/ctpost/name/louise-drake-obituary?pid=2285653)
[208] E.J.L. David, "The Exploding Demand for Recreational Property," *Land Economics* 45, no. 2 (May 1969), 210.

integrated in 1959. Without fanfare its buildings were largely demolished.[209] The razing symbolized the near erasure of physical evidence of the former Black agricultural community around Hydraulic Mills. It also heralded the end of an era, not just for Albemarle County's Black farmers but more broadly as the economy shifted permanently away from agriculture. In a five year period in the 1960s, the number of farms in the county declined by more than two-hundred-fifty. By the beginning of the 1970s only 24 African Americans owned and operated farms in the entire county.[210]

Mary Carr Greer's Life Estate Agreement with James Fleming

Among the last land in the vicinity of Rollins Sammons' historic mill complex that remained in African American hands as of the the 1960s was that of River View Farm, where Mary Carr Greer, by then windowed, continued to live in her retirement years. By the 1960s and in her 80s she was struggling financially. For a time she rented the property and went to live with her daughter in Nashville. Unable to adjust to life in Tennessee, however, she returned to Albemarle County and River View Farm [Fig. 1.26]. There she entered into a life estate agreement with local Black property manager and real estate developer James Fleming in order to support herself and stay living at the farm.[211] She signed the deed on May 27, 1966, just as the dam on the South Fork of the Rivanna River was being constructed upstream and the inundation that would create the reservoir and submerge the historic commercial center of Hydraulic Mills was beginning.[212] In the document, Greer acknowledged that her property was both valuable and unproductive and expressed her desire for a reliable and fixed income for her remaining years. Fleming agreed to

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[209] DeChard and Brady, "Documentary Research for the Sammon Cemetery Albemarle County, Virginia," 20.
[210] Moore, *Albemarle*, 391.
[211] Sargent and Thompson, "River View Farm", Section 8, 54.
[212] "Life estate agreement between Mary Carr Greer and James Fleming." Albemarle County DB 418/100 (Albemarle County, Virginia: May 27, 1966).

pay her that annual income of $1,600 as well as to cover all the property taxes on River View Farm until her death after which he would inherit 67 acres of the property on the west side of Hydraulic Road.[213] Mary Carr Greer died seven and a half years later, on December 19, 1973. Her total income from Fleming by that time would have amounted to $11,200. The property today is worth upwards of $1 million.

Chapter Two: The Reservoir and Its Discontents, 1966–1973

In the summer of 1966, local photographer Ed Roseberry drove out to the Rivanna River at its confluence with Ivy Creek and took a photograph of the water rising to fill the new reservoir.

[213] "Life estate agreement between Mary Carr Greer and James Fleming."

The image he captured [Fig. 2.1] shows a truss bridge half-submerged in the center. Loose dirt and gravel lurk on the banks opposite, evidence of recent disturbance and demolition.[214] In the order of events that inform this story, first came the establishment of the Black agricultural community of Hydraulic Mills and the period during which it flourished, then came its decline; now Roseberry was present to document the submersion of its historic center and the dramatic revisioning of the rural landscape with which Hydraulic Mills African American residents had been so intimate. The fact that the bridge Roseberry centered had once connected Black farms on either side of the river is striking. It's as if, by submerging the historic and material means by which the community had maintained physical coherency and connection, a visible symbol linking the past to the present was also being erased.

The rising water came at the tail end of a long process. Following the approval of a bond by voters in 1962, the City of Charlottesville began purchasing land for the reservoir from affected property owners, and construction commenced two years later.[215] By August 1966, the dam was constructed about two miles up river from the historic center of Hydraulic Mills and the South Fork Rivanna Reservoir was naturalized to the landscape. The naturalization of the reservoir quickly produced it as a site of aesthetic beauty and outdoor recreation, a construction that would later underscore the efforts and interests of environmentalists fighting for the lake's protection. The 450-acre reservoir today sits in a peri-urban area that mediates the suburban sprawl of fast food joints and shopping centers strung along Charlottesville's 29 North corridor to the east and exurban areas and bucolic countryside to the north and west. Its watershed spans 250 square miles in the northwest quadrant of Albemarle County 70% of which is forested, 23%

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[214] Ed Roseberry, *Flash: The Photography of Ed Roseberry, Charlottesville, Virginia 1940s-1970s* (C'ville Images: Charlottesville, VA, 2016): 25.

[215] Knuppel,"Watershed Moments," 82–84.

of which is farmed, and the remainder of which is divided between residential and commercial uses.

The creation of the reservoir precipitated three fundamental shifts to the landscape of Hydraulic Mills in 1966. First, by submerging its commercial center and fundamentally altering the character of a natural landscape that had played a vital role in the formation of a cultural landscape, the "homeplace" for Hydraulic Mills' Black diaspora was effectively deleted in a manner worthy of comparison to urban renewal projects during the same period. Second, the reservoir created waterfront property that drove up property values at a time when interest in aquatic view sheds was skyrocketing.[216] Third, runoff quickly collected in the reservoir, precipitating eutrophication that soon led to a bitter environmental standoff over future development in the watershed. Through the lens of the South Fork Rivanna Reservoir creation and its early years in operation, this chapter will attempt to show how the story of dam infrastructure in the United States in the 20th century overlaps with the story of urban renewal during the same period, and how both these stories intersected with, and informed, suburbanization and the explosion of the environmental movement onto the scene in the 1960s and early 1970s. First, however, a brief summary of the history of the local water supply is warranted for background.

The Need for a New Reservoir

As discussed in the previous chapter, between the 1940s and the 1970s Charlottesville and Albemarle experienced rapid population growth and suburbanization resulting in part from

[216] David, "The Exploding Demand for Recreational Property," 210.

improved roads and road access and the subsequent shift of industry and jobs into previously more rural parts of Albemarle County. A substantial portion of this growth occurred along the 29 North corridor leading into Charlottesville, thus placing Hydraulic Mills (located northwest of the city) as adjacent and vulnerable to encroaching urban sprawl. Ed Roseberry, again, captured a pair images that efficiently narrate this seismic shift in appearance and land use.[217] A 1948 aerial photograph he took of the intersection of Barracks Road and Emmet Street/Route 29 illustrates a scene divided into four quadrants, three of which are dominated by substantial tree cover [Fig. 2.2]; a photograph he took from an identical angle 24 years later, shows the same intersection flanked on all four sides by parking lots that bleed to the edges of the frame [Fig. 2.3].[218] Growth on this scale inevitably put pressures on the local water supply, which had already been falling short of demand for decades by the middle of the twentieth century.

Interest in water amenities first emerged in Charlottesville in the wake of a typhoid epidemic in the 1880s. The University of Virginia had been releasing waste into water that drained into Meadow Creek and the headwaters of Moore's Creek, a tributary which traversed African American communities surrounding the university at that time and served as their primary water source.[219] This resulted in contaminated water that spread the disease through the city, prompting efforts to coordinate the city's water usage with the university's to ensure future reliable and clean water for both institutions. The city enlisted an engineer to design and implement a dam and a reservoir site was identified southwest of the city at Ragged Mountain. One hundred and

[217] Roseberry, who died in October 2022 at the age of 97, was a local photographer who began taking pictures as a UVA student in the 1940s. Over the course of his long career he documented 20th century life in Charlottesville for *The Daily Progress* and the Associated Press. His landscape photos are perhaps less recognized for their texture of the city and county during that time than his images of people. He documented the first women to matriculate at the University of Virginia as well as visits to Charlottesville by people such as Elizabeth Taylor, Queen Elizabeth II, and the Dalai Lama.

[218] Roseberry, *Flash*, 22–23.

[219] This is an early local example of environmental racism in which Black communities are subjected to contamination produced elsewhere and impacting health and quality of life.

fifty acres were subsequently seized from white property owners through eminent domain and preparations began for impoundment. Construction proved too late to avoid disaster, however, when in 1895 a massive fire consumed the University of Virginia's Rotunda building [Fig. 2.4], underlining the necessity of a substantial coordinated water supply that might have been tapped to douse the flames: although the fire department theoretically arrived in time to save the structure, the hoses were tapped out before the conflagration could be brought under control, and the building burned to the ground.[220] The Ragged Mountain Reservoir was completed two years later, in 1887, and hopes were high that the city's water problem had been solved. Alas, once water was easily available and residents understood the beauty of turning a tap and being met with running water inside their homes, supply could not meet demand. Exacerbating the problem, a decade after the conflagration at the Rotunda a severe drought impacted the region. The city thus began plans to expand the existing reservoir. By 1908, a second "monolithic cyclopean concrete dam" [Fig. 2.5] had been added to the Ragged Mountain complex. Together, the two dams stored up to 514 million gallons of water.

With the expanded Ragged Mountain reservoir, the city's water needs were temporarily sated. This stability was not to last. Demand continued to escalate and further drought "depleted these reservoirs to such a point that the growth of algae and other organisms resulted in a most unpalatable water."[221] To address the persisting problem, in 1921 the City Council commissioned a study that would compile a list and assessment of other potential reservoir sites in the county. The resulting report, compiled by a Charlottesville civil engineering firm in collaboration with the New York engineering firm Fuller and McClintock, identified six potential sources.[222] The

[220] Thompson and Smith, "Waterworks: A History of the Charlottesville, Virginia Water Supply".
[221] Burnley, "Engineering in the Development of a Water Supply".
[222] Seth Burnley, "Engineering in the Development of a Water Supply"; Williamson, Carroll, and Saunders' office was located in the National Bank Building in Charlottesville's downtown and on the site of the former home of the free African American Scott family had lived there before their house was demolished in 1892, and constructed in 1920 in the colonial revival style, the city's

fourth of these was the intersection of the south fork of the Rivanna River with Ivy Creek. At the time this location was still the thriving center of Hydraulic Mills' Black agricultural community. This fact did not appear to figure into the study's assessment of its viability as a reservoir site. The firm instead rejected the location due to "insufficient quantity, excessive turbidity" and high pumping costs.[223] The study's most highly recommended supply was the Moormans River which, it said, boasted a superior quality of water, a large potential site, and a heavily wooded drainage area. This reservoir was developed by 1925 and became the precursor to what is today the Sugar Hollow Reservoir. Together with the Ragged Mountain Reservoir, the Sugar Hollow Reservoir met the city's needs with relative constancy through the bulk of the 1930s[224], until suburbanization and population growth began to place new demands on the water supply, rendering it increasingly inadequate once again in the early 1940s and reigniting the conversation over water and where to find it.

The rapid growth that increasingly challenged Charlottesville's water supply during the first six decades of the twentieth century is illustrated by a map of annexations of county land during this period [Fig. 2.6]. While city annexations over the entire 19th century totaled 744 acres, annexations between 1916 and 1963 totaled 5,850 acres, increasing the urban population by more than 350% from 10,000 to 36,00 in less than five decades.[225] Articulating its rationale for annexation in 1960, the city's resolution on the matter stated that "Many former residents and newcomers to Charlottesville have been compelled to establish their residences beyond the corporate limits because suitable or desirable land was not available in the city. Much of the

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tallest building prior to the construction of the Monticello Hotel six years later. See "With the Alumni," *University of Virginia Alumni News, Vol. 9*, (June 1921): 257; Eryn S. Brennan and Margaret Maliszewski, *Images of America: Charlottesville* (Charleston, SC: Arcadia Publishing, 2011): 30.

[223] Seth Burnley, "Engineering in the Development of a Water Supply."

[224] Ibid.

[225] No author, *Annexation Map*. Charlottesville, Virginia, ca. 1963.

suburban development and subdivision of property into lots has taken place in the territory which is proposed to be annexed, and which lies just outside the city of Charlottesville in line with its inevitable growth."[226] Furthermore, because the city and county did not at that time share or coordinate water infrastructure, the city's water demands did not account for population growth and escalating water needs in the surrounding county. To meet these, Albemarle County developed two reservoirs in between 1963 and 1971 to address its own pressures stemming from suburbanization: the Beaver Creek Reservoir and the Totier Creek Reservoir.

Because it was anticipating further annexation ahead in the early 1960s, in 1959 the City revisited its water question. To study the issue and propose prospective new reservoir sites, the city enlisted the Birmingham, Alabama-based engineering firm Polglaze and Basenburg. The resulting report disregarded the 1921 study that dismissed the intersection of Ivy Creek and the Rivanna River at Hydraulic Mills as a possible impoundment site, recommending that precise location for such a development. The firm subsequently proposed a 375' dam that could be raised to 382' for an estimated preliminary cost of $2.5 million, assuring the city council in a 1961 meeting that the resulting reservoir would have a capacity for filtering up to four and a half million gallons of water daily.[227] Its watershed would cover nearly 260 square miles in the northwest quadrant of Albemarle County. On October 5, the city voted to move ahead with the firm's proposals and secure an option on the dam site.[228] After years of conflict over water and funding for water infrastructure from the state and federal government, the city and county finally established the Rivanna Water and Sewer Authority in 1972 to jointly manage water needs. While advantageous from an economic and bureaucratic standpoint, the alliance did

[226] Charlottesville City Council Minutes, October 5, 1961.
[227] Ibid.
[228] Ibid.

complicate negotiations and political dynamics over the Evergreen development when James Fleming proposed it in 1974.

The Golden Age of Dams

The development of Charlottesville and Albemarle County's water infrastructure during the first half of the twentieth century mirrored regional and national trends. In Virginia, for example, the population of Newport News skyrocketed from 40,000 to 135,000 between 1917 and 1919, prompting a significant expansion of the Harwood's Mill and Big Bethel reservoirs. The latter was expanded again in 1941 as World War II mobilization impacted the area and then again in 1951 with the postwar population boom.[229] Roanoke's Carvins Cove reservoir was constructed in 1928 and likewise expanded during the 1940s[230]; in Northern Virginia, the Occoquan Reservoir was developed in the 1950s[231]; Virginia's largest reservoir, located on its border with North Carolina, was constructed between 1946 and 1952.[232] This pattern was repeated countless times across the state and beyond.

Indeed, the first decades of the twentieth century marked the inauguration of the golden age of dams, a period of rapid and massive dam construction in the United States that sought to meet the needs of urbanizing populations as well as to promote economic recovery and growth during the Great Depression as part of Franklin Delano Roosevelt's New Deal initiatives. Geographer Maria Kaika developed a theory of urban development as a process of subduing nature in the United States that is useful in understanding American enthusiasm for dam construction during

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[229] "Big Bethel Reservoir Photographs Collection," Hampton History Museum (Hampton, Virginia: Hampton History Museum).
[230] "History of Carvins Cove," Western Virginia Water Authority, online, https://www.westernvawater.org/i-am-a-/recreationalist/carvins-cove-natural-reserve/history-of-carvins-cove.
[231] Norman Goulet, "Occoquan Watershed: Where is it and What's in it," Northern Virginia Regional Commission (Fairfax, Virginia: 1998): 16.
[232] "Kerr Lake State Recreational Area," North Carolina Division of Parks and Recreation.

this period. Kaika divides the narrative into three periods that collectively comprise what she terms the Promethean Project of Modernity that casts the environmental engineer as the capital-H Hero.[233] (Historian David Nye explains this casting as the result of the absence of an aristocracy in the United States, thus leaving large commissions for the country's great man-made objects not to architects but to engineers who looked to the government and not the private sector for patronage.)[234] Kaika's first phase — the Nascent Promethean Project — dates to the early nineteenth century as public health and technical experts struggled to tame the landscape in which they found themselves and to solidify their own roles in the process of urbanization. The second phase, the Heroic Moment, lasted from the late 19th century through the 1970s. This was the period of large-scale, monumental water infrastructure that facilitated an unheralded era of urbanization. The third phase, Modernity's Promethean Project Discredited, dates from the mid-1970s and continues to today; it is characterized by critiques of substandard infrastructure and environmental degradation[235]. Kaika's periodization for dam construction in the United States overlaps significantly with Ramachandra Guha's periodization of the environmental movement in this country, a notable alignment in the context of the story of James Fleming and Evergreen since at the very moment environmentalists were locally extolling the reservoir as a site of natural beauty, dams nationally were beginning to be recognized inadvisable ecological and environmental interventions.[236]

The second and third phases of the Promethean Project— the Heroic Moment and the Promethean Projects Discredited—are the two most relevant to the South Fork Rivanna Reservoir. The Heroic Moment reached maturity during the 1930s when "symbolic achievements

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[233] Andrew Karnoven, *The Politics of Urban Runoff: Nature, Technology, and the Sustainable City* (Boston, MA: MIT Press, 2011): 2–3; Maria Kaika, *City of Flows: Modernity, Nature, and the City* (London, England: Routledge, 2004): 4.
[234] David Nye, *American Technological Sublime* (Cambridge, MA: MIT Press, Cambridge, MA, 1994): xix.
[235] Karnoven, *The Politics of Urban Runoff*, 2–3; Maria Kaika, *City of Flows,* 4.
[236] Ramachandra Guha, *Environmentalism: A Global History* (New York, NY: Longman, 1999): 3–5.

mattered terribly…and the federal dams going up on the western rivers were the reigning symbols of the era."[237] A decade earlier these symbols had been the skyscrapers radically altering city skylines, but the advent of the Great Depression discredited private enterprise to the extent that the eyes of the public turned towards a new symbol of American achievement for national validation: dams. These public works projects "announced that Americans could still do remarkable things."[238] In another interesting alignment with the modern American environmental movement, the public embraced these infrastructure projects with an enthusiasm similar to that they exhibited for the natural landscapes that played such a critical role in shaping attitudes of nationalism: While the Hoover Dam [Fig. 2.7] was under construction in 1934-35, 750,000 visitors flocked to see the sight, a number analogous to that of visitors to the Grand Canyon that same year.[239] American enthusiasm for dams reached its apogee in the 1950s and 1960s. During these two decades "hundreds upon hundreds of them were thrown up, forever altering the face of the continent."[240]

As the face of the continent was being altered by dams, it was being further altered by suburbanization. The two constituted a chicken-and-egg-like scenario. The postwar housing boom saw record breaking construction, much of it on urban peripheries where land was available and cheap: 1949 marked the first year in which more than one million new homes were constructed. In 1950 that number rose another half million, more than double the statistics for new construction prior to the end of World War II.[241] The more the population boomed and the more that booming population spread out geographically, the more water resources were

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[237] Marc Reisner, *Cadillac Desert: The American West and Its Disappearing Water* (New York, NY: Penguin Books, 1993): 159.
[238] Reisner, *Cadillac Desert*, 159.
[239] Nye, *American Technological Sublime,* 138.
[240] Reisner, *Cadillac Desert*, 159.
[241] Adam Rome, "Levitt's Progress: The Rise of the Suburban Industrial Complex," in *Bulldozer in the Countryside* (Cambridge, England: Cambridge University Press, 2001): 15–16.

required to sustain that population and the more dams were constructed to help meet those needs. It is not surprising then that, as the population in Charlottesville and Albemarle boomed, interest in local water supplies and infrastructure took on new urgency and attention, nor that the city's local development trends aligned with those of the country at large.

Parallel Phenomena: Dams and Urban Renewal

The South Fork Rivanna Reservoir was built during a particular period when critical forces that profoundly shaped the constructed environment of the United States during the twentieth century were unfolding simultaneously. The golden era of dams that began in the late 19th century was in its twilight years;[242] post-World War II suburbanization and the reactive project of urban renewal were being critiqued; and public concern for the environment and interest in sustainable land stewardship was mushrooming.[243] These defining events intersected at the South Fork Rivanna Reservoir during its early years. As such, the reservoir is a productive local lenses through which to examine national contexts and put them into conversation as they converged and became entangled in a chapter of this single site.

As is often the case in the literature examining urban renewal nationally, urban renewal projects underway in Charlottesville are conventionally discussed as unrelated to the contemporaneous urbanization of the countryside and the ways in which urban and rural areas are mutually constitutive. The construction of the South Fork Rivanna Reservoir at Hydraulic Mills coincided with the urban renewal razing of Vinegar Hill. Vinegar Hill had been the center of Black life in Charlottesville since the late 19th century and has been characterized by local

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[242] Karnoven, *The Politics of Urban Runoff*: 2–3.

[243] While I do not go into it here, suburbanization was increasingly viewed negatively in the press. The upscale "suburb" of the 19th and early 20th centuries gave way to the pejorative phrase "the suburbs" in the mid-to-late 20th century that connoted a placeless place populated by bland, bored people.

historians as the urban counterpart to Hydraulic Mills.[244] The construction of the dam and the submersion of the historic center of Hydraulic Mills at the same moment as the razing of Vinegar Hill helps illustrate how the dominant framework of the literature can obscure the ways in which rural residents' vulnerability to infrastructural improvement might be considered as a risk akin to the vulnerability of more urban populations to the racialized topographies of floodplains and redevelopment under urban renewal. Indeed, the submersion of the historic center of Hydraulic Mills and the attendant reconfiguration of the surrounding cultural landscape echo patterns of erasure that typify mid-century urban renewal projects, including that of Vinegar Hill.

Links between the razing of Vinegar Hill and the flooding of Hydraulic Mills are apparent in another photograph captured by Ed Roseberry, the photographer who snapped the image of the truss bridge disappearing beneath the water of the rising reservoir. Taken during the same period, this second photograph looks west from Charlottesville's downtown toward a newly deserted and empty landscape where Vinegar Hill had existed prior to urban renewal [Fig. 2.8].[245] While unintended and even coincidental, the photograph suggests a relationship between the urban and the rural that is not often recognized in the urban renewal discourse. In the image, Charlottesville's dense downtown frames both sides of the foreground with its neon retail signs and the brick architecture of the city's business district reinforced by the functional geometry of streetlights, parking spaces, and parking meters. The dotted white line of the street operates like an arrow, guiding the eye in the direction of Vinegar Hill; the two cars in the shot are also headed that way. Whether the dotted white line pointing towards the open space at the photograph's center is intended as an indication of accusation, excitement, or some melding of

[244] Central Virginia History Researchers, "Hydraulic Plantation: background information." Although, as I pointed out in the previous chapter, this characterization may not aptly describe the ways in which the two neighborhoods overlapped in terms of residents and economy.
[245] Roseberry, *Flash*, 18.

the two is unclear. What is clear is that the simultaneous razing of Vinegar Hill and the reconfiguration of the Hydraulic Mills cultural landscape resulting from inundation are both acts of erasure enacted by local power structures and government for infrastructure-related projects on historically African American land.

Furthermore, in Roseberry's photograph what used to be the residential urban landscape of Vinegar Hill becomes almost rural in character. While Roseberry's purpose was likely simple documentation, the image he produced seems to acknowledge both a symbiotic relationship between city and country as well as the fact that the material separation between those two ideas is a construct. This, I believe, is at the crux of a critical overlap between American practices and ideologies of dam construction and urban renewal. In Roseberry's photograph it is as if the countryside or hinterland has been reinstantiated within the center of the city itself, visually reopening the space for colonization. This same effect was then also being encountered on urban peripheries as the swelling city eyed its surroundings for expansion and development. Whether reinstantiated in the city center through the practices of urban renewal or experienced at the city limits, the hinterland is a landscape that urban interests are headed to conquer: the foreground of the photograph (i.e. the city) will inevitably subsume the background (i.e. the country).

The overarching myth in both contexts, of course, is that of open land. In neither case—the hill laid bare in the center of the city nor the waterfront property created around the reservoir—was there preexisting land devoid of people or history. In both cases, a new landscape had to imagined and make real the myth of open space, a conjuring which required imagining away and erasing what — and who — had come before.[246] It is a willed cultural forgetting that borrows from ideologies that made possible many of the country's most famous wilderness areas. These

[246] See William Cronon, "The Trouble with Wilderness" in *Uncommon Ground: Rethinking the Human Place in Nature* (New York, NY: WW Norton & Co, 1996).

parks, conceived by "the paradigm of human-free wilderness" reflected "colonial patterns of white supremacy and settler privilege" that persists still in environmental discourse and which constitutes a "logic [that] completely evades the fact of ancient Indigenous habitation and cultural use of such places."[247]

Nor are the links in the particular case of Vinegar Hill and Hydraulic Mills merely ideological. They are also bureaucratic. Less than a decade before Polglaze and Basenburg's 1959 study identified the historic Hydraulic Mills site as the future reservoir, the firm had been contracted by the city to study its municipal sanitary sewage system. This 1952 report identified the entire system as being severely overtaxed and characterized the denser — and predominately African American neighborhoods — as those urban areas most responsible for the strain[248]. Specifically, it described sewage manholes in the vicinity of the Vinegar Hill neighborhood as overflowing or having recently overflowed [Fig. 2.9].[249] The impression left by this assessment was one of empirically determined filth and neglect, overlooking the reluctance of the city to invest in infrastructure for those communities that would have mitigated the strain perceived by Polglaze and Basenburg.

At the time, Charlottesville had not yet established a housing authority. The firm's assessment of the city's sanitary conditions, however, was soon used to bolster the argument for urban renewal targeting Vinegar Hill. This led to a referendum on establishing such a body that could address the question of public housing for the residents, who would be displaced as a result of the project. Two years after the report's initial release, in 1954, the city council adopted a resolution saying that "unsanitary and unsafe inhabited dwelling accommodations exist in the

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[247] Dina Gilio-Whitaker, *As Long As Grass Grows: The Indigenous Fight for Environmental Justice, From Colonization to Standing Rock* (Boston, MA: Beacon Press, 2019): 94–95.
[248] Polglaze and Basenburg, "Report on Sanitary Sewerage," (Birmingham, AL: Polglaze and Basenburg, 1952). (Accessed online via Hathi Trust December 9, 2021: https://babel.hathitrust.org/cgi/pt?id=uva.x002055506&view=1up&seq=9&skin=2021)
[249] Ibid.

city" and that they were concentrated in Vinegar Hill, concluding that "such conditions can best be overcome by the establishment of a Housing Authority.[250]" A referendum that same year established such a body by a narrow margin. Six years later, after a widespread campaign pushing the benefits of urban renewal [Figs. 2.10–2.12], the city voted for redevelopment by another narrow margin: just 23 votes[251]. Divided into a ward system at the time, the poorest wards voted against the establishment of a Housing Authority in 1954, knowing it would usher in slum clearance[252]. By 1965 the 20-acre neighborhood of Vinegar Hill was demolished. Twenty-nine businesses, including restaurants, grocery stores, furniture stores, barber shops, an insurance agency, a drug store, clothing stores, and a shoe repair shop, with an estimated gross income of $1.6 million in 1963 were uprooted;[253] 158 families were displaced, of which 136 were renters, and only 18 were white.[254] Empty land thus became the view looking west from the city's downtown business district as documented by the photographer Roseberry.

As has been exhaustively documented, Charlottesville was not an outlier in implementing urban renewal projects that disroportionately displaced people and communities of color. In Roanoke, Virginia, city leaders used more than $40 million in federal funds to raze 1,600 Black-owned homes, along with 200 businesses, and 24 churches occupying 395 acres. On this newly vacant land the city built the Roanoke Civic Center, hotels, restaurants, and the main post office among other businesses.[255] In the Hampton Roads area, 6,586 families were displaced for urban renewal projects, and in Richmond nearly a thousand were displaced, 97% of whom were

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[250] James Robert Saunders and Renae Nadine Shackelford, *Urban Renewal and the End of Black Life in Charlottesville: An Oral History of Vinegar Hill* (Jefferson, NC: McFarland & Co, 2005): 3.
[251] Ibid., 58.
[252] Jordy Yager, "The Reimagining of Friendship Court," *Charlottesville Tomorrow* (2018), https://legacy.cvilletomorrow.org/specials/friendship-court#.
[253] Saunders and Shackelford, *Urban Renewal and the End of Black Culture in Charlottesville, Virginia*, 4.
[254] Ibid., 63.
[255] Mary Bishop, "Racial Remapping: How City Leaders Bulldozed Black Neighborhoods," Special Report, *Roanoke Times and World News*, (January 29, 1995): 3.

nonwhite.[256]

A critical backdrop to urban renewal in Charlottesville and elsewhere was school desegregation. Following the 1954 Brown v. Board of Education decision overturning the "separate but equal" doctrine, Virginia adopted a policy of Massive Resistance. Instead of ceasing school assignments based on race, Lane High School and Venable Elementary School in Charlottesville shut their doors entirely between 1958-1959, meaning that Massive Resistance in Charlottesville ended the year before city voters went to the polls in favor of redeveloping Vinegar Hill.[257] While the Supreme Court decisions in Brown v. Board of Education and Berman v. Parker, which pave the way for urban renewal at the massive scale, were not intended to be related, the Berman opinion provided communities that had been resistant to integration a tool for punishing those who were in favor of it and worked towards its implementation.

As mentioned above, a frequent feature of the literature on urban renewal during the mid-twentieth century and the way it is narrated today is an apparent belief in the integrity of metropolitan boundaries. Urban renewal is understood in the academic discourse as a nationwide project of putative planning that served "as a facile tool for enacting racial territorialization on an immense scale that ha[d] immediate material effects on the racial separation and inequality of the masses."[258] So-called "slum clearance" as in the case of Vinegar Hill was a central tactic, as was freeway construction that cut through city neighborhoods disproportionately home to people of color, severing the communities from themselves, depreciating property values, and introducing environmental hazards via automobile exhaust and noise pollution.[259]

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[256] "Mapping Inequality", *American Panorama* (Richmond, VA: University of Richmond, accessed March 23, 2022). https://dsl.richmond.edu/panorama/renewal/#view=-6956.59/-2104.18/11.13&viz=map).
[257] James H. Hershman, "UVA and the History of Race: The Era of Massive Resistance," *UVA Today*, March 22, 2021. https://news.virginia.edu/content/uva-and-history-race-era-massive-resistance.
[258] Ian Grandison, "The Other Side of the Freeway. Planning for 'Separate but Equal' in the Wake of Massive Resistance," in *Race and Real Estate*, Adrienne Brown and Valerie Smith, eds. (New York: NY: Oxford University Press, 2015): 3.
[259] Ibid., 11.

Yet this blinkered focus on exclusively urban contexts ignores the mutually constitutive relationship that exists between a city and its hinterlands, a relationship that the very highway and road systems constructed during urban renewal traverse and embody. The framing obscures the material and ideological connections between events such as the submersion of the historic center of Hydraulic Mills during the construction of the South Fork Rivanna Reservoir and the urban renewal undertaking in Vinegar Hill. As environmental historian William Cronon has argued, "A city's history must also be the history of its human countryside, and of the natural world within which city and country are both located."[260] The narrative of mid-century twentieth century urban renewal should not then limit itself to affected people and places within city boundaries.

As perhaps the most critical infrastructure a society develops to sustain its urban populations, rural water infrastructure in particular illuminates how the urban renewal narrative might benefit from expanding beyond its confined contextual setting. To begin with, both dam development and urban renewal engage infrastructure designed to accommodate urban populations and, in the twentieth century, both were largely responses to pressures of urban population growth and suburbanization. Furthermore, the two development narratives share similar timelines. As discussed above, the Heroic Moment of Maira Kaika's Promethean Project of Modernity lasted from the late nineteenth century through the 1970s. This overlaps with an era of "large scale construction of infrastructure networks" across the board in the United States, especially with regards to roads and highways as the automobiles overtook the railroad as the public's primary means of transportation.[261] Moreover, the most destructive years of urban renewal, as heralded

[260] William Cronon, *Nature's Metropolis: Chicago and the Great West* (New York, NY: W.W. Norton & Co., 1991): 18–19.
[261] Karnoven, *The Politics of Urban Runoff*, 2–3.

by the Housing Act of 1949, overlap with the apogee of dam building in the United States.[262] At the same time that dams were "forever altering the face of the continent" so was urban renewal. Indeed, urban renewal and dam development both typically operate at the large-to-monumental scale, visually obliterating whatever came before on the landscape. Comparing photographs of midcentury urban renewal projects that demolished neighborhoods with images of large-scale dam infrastructure, there are distinct similarities in the ambition, scale, hubris, and environmental disruption and erasure necessary to bring such visions to fruition [Figs. 2.13 and 2.14]. Ideologies of American Progress and the belief in the ability of technology to solve social problems that drove the construction of dams across the country overlap substantially with ideologies that promoted the razing and wholesale redevelopment Black urban neighborhoods to make way for highways, housing projects, new businesses, and cultural institutions.

Perhaps most importantly from the perspective of popular narrative, twentieth century urban renewal and dam development both disproportionately displaced vulnerable communities. The thread of displacement is central to the urban renewal discourse; while often obscured by environmental critiques, dams, too, "are notorious for displacing people and destroying habitats."[263] Indeed, dam development has not only been documented as a catalyst for displacing of marginalized rural communities, but as the cause of the desecration of historic landscapes and the ecologies that have sustained traditional life ways, an outcome tantamount to displacement. Moreover, enumerating similarities between the two phenomena, environmental justice critiques of both are also relevant.[264]

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[262] Reisner, *Cadillac Desert*, 159.

[263] See, in particular, Donald Worster, *Rivers of Empire: Water, Aridity, and the Growth of the American West* (New York, NY: Oxford University Press, 1992); Kimberley Ahn Thomas, "Enduring Infrastructure" in *A Research Agenda for Geographies of Slow Violence: Making Social and Environmental Injustice Visible*, ed. Shannon O'Lear (Northampton, MA: Edward Elgar Publishing, 2021): 107.

[264] Grandison, "The Other Side of the Freeway," 11.

Because of the limited water resources across the region, literature on dams in the United States focuses overwhelmingly on the American West, and literature that addresses the nexus of dams and human displacement looks mostly at affected Native American populations. For example, in the West, stories of places like Elbowoods, North Dakota, a Native town flooded by the Garrison Dam, or Celilo Falls, a fishing area important to tribes on the Columbia River, submerged by the Dalles Dam [Figs. 2.15–2.17], are not uncommon.[265] The construction of hydroelectric dams along the US-Canadian border enabled expansion into the region and ensuing industrial development that disrupted the ecosystems on which Ojibwe and Metis communities depended[266]. Research relating to dams and displacement on the East Coast tends to focus on the Tennessee Valley Authority. During the 1930s, the TVA in East Tennessee offered Black families less relocation assistance than white families, forcing many Black property owners into the status of "unpropertied wage earners."[267] Some, due to title issues not uncommon among rural Black landowners discussed in the previous chapter, did not get paid for the sale of their acreage to the government.[268] In Alabama, the TVA helped create Lake Martin in the mid-1960s, submerging a number of rural African American towns.[269] And while environmental concerns were often sufficient to stop or pause dam construction, human displacement was not. For instance, the TVA's Tellico Dam construction was delayed due to concerns over the endangered

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[265] No author, "Immersed Remains: Towns Submerged in America," *The Center for Land Use Interpretation* (Spring 2005) (accessed March 10, 2022, https://clui.org/newsletter/spring-2005/immersed-remains-towns-submerged-america); Bob H. Reinhardt, "Drowned Towns in the Cold War West: Small Communities and Federal Water Projects," *Western Historical Quarterly* 42, No. 2 (Summer 2011): 152. For more see Michael Lawson, *Dammed Indians: The Pick-Sloan Plan and the Missouri River Sioux* (1994), Michael Lawson, *Dammed Indians Revisited: The Continuing History of the Pick-Sloan Plan and the Missouri River Sioux* (2009), Brittany Luby, *Dammed*: *The Politics of Loss and Survival in Anishinaabe Territory* (2020).

[266] Johann Strube and Kimberley Ahn Thomas, "Damming Rainy Lake and Ongoing Production of Hydrocolonialism in the US-Canada Boundary Waters," *Water Alternatives* 14 (1) (2021): 137.

[267] Melissa Walker, "African Americans and TVA Reservoir Property Removal: Race in a New Deal Program." *Agricultural History* 72, No. 2 (Spring 1998): 424.

[268] Ibid., 426.

[269] Kelly Kazek, "Drowned towns: What traces of 'ghost' cities lie beneath Alabama's man-made lakes?" November 6, 2014, *The Birmingham News* (accessed March 23, 2022, https://www.al.com/living/2014/11/drowned_towns_what_traces_of_g.html).

snail darter. One many, who was among the more than 3,500 families forcibly removed to make way for the dam, remarked on his displacement: "They stopped Tellico over a damned fish but they moved thousands of us – but we was only people."[270]

Beyond the TVA, stories of displacement around dam development in the eastern United States emerge in a more piecemeal fashion. Among the most well-known of these events is the creation in the 1950s of Lake Lanier in northern Georgia which submerged the town of Oscarville where racial cleansing had driven out more than a thousand Black residents four decades earlier[271], effectively erasing any visible evidence and reminder of the traumatic event from the landscape. While unrelated to African American displacement, in recent years dam displacement has figured in popular culture with the Netflix series *Ozark* in which the backstory of a poor white family who lost their land to submersion by a power company project features prominently.

Nearby in central Virginia, the creation of Lake Anna between Charlottesville in Richmond suggests the state's own legacy of displacement as a result of dams and its overlap with the impact on historically Black agricultural communities such as Hydraulic Mills. In 1968 Virginia Electric and Power began construction on a dam across the North Anna River in Louisa County that submerged 13,000 acres to create Lake Anna, a means to cool nuclear power reactors, as well as 200 miles of shoreline that the county and its neighbors bet on for a local recreation boom. The local farmers whose properties were seized to make way for the lake were less enthralled. H. Spurgeon Moss [Fig. 2.18], an African American man, was among the 620 affected property owners and vehemently opposed to the development. Moss's land had been

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[270] Walker, "African Americans and TVA Reservoir Property Removal," 428.

[271] Patrick Phillips, "The 'Racial Cleansing' That Drove 1,100 Black Residents Out of Forsyth County, GA," *Fresh Air with Terry Gross* (September 15, 2016) (accessed online March 12, 2022, https://www.npr.org/2016/09/15/494063372/the-racial-cleansing-that-drove-1-100-black-residents-out-of-forsyth-county-ga).

land purchased in 1877 by his maternal grandfather, who had been enslaved prior to the Civil War, and with the construction of Lake Anna Moss lost 92 of his 116 ancestral acres. An enclave of generations of Black farmers, many of his neighbors, too, lost their lands and confusion relating heirs rights in the community meant many descendants still farming the land and relying on it for their livelihoods were required to split payment among many, often distant, relatives. Local media coverage of the displacement cast it as a situation in which "Individual problems loom large to the individuals whose problems they are," offering the opinion that "those who see into the future…look forward to a new tomorrow with all old agonies forgotten and this area of Virginia vastly enriched in ways unimaginable to those who cling to 'what used to be.'"[272]

This is not to assert that urban renewal in American cities and the construction of dams across the country's rural hinterlands are the same thing, but rather to suggest that they are two sides of the same coin, that they are both part of a bigger story about large-scale infrastructure and development projects undertaken to promote and support teleological American ideas of progress that were articulated through different forms of urbanization and that disproportionately affected vulnerable communities, devaluing the people properties, cultures, and landscapes of those places.

While the inundation of Hydraulic Mills is not the submersion of a living town, nor to the destruction of traditional fishing waters, nor the seizing of Black homes, the situations are analogous. Even though no Black landowners lost their homes and livelihoods to the creation of the South Fork Rivanna Reservoir, the bulk of the impacted land was under white ownership by the mid-1960s, and the water views raised property values, what happened with the inundation was nevertheless an erasure, just at a pace slow enough to naturalize a new landscape onto the

[272] Jerry Simpson, "A New Dam Brings an End to Old Ways," *The Daily Progress*, July 26, 1970.

map. If Hydraulic Mills can be understood as having been a historically significant Black cultural landscape as argued in the previous chapter, the submersion of its commercial center can be framed as the primary means of erasing that cultural landscape from the map, an environmental intervention that fundamentally altered the historic appearance and configuration of the neighborhood. An erasure on this scale only results from an ideological disregard for African American community, culture, and history not unrelated to that which allowed the razing of Black neighborhoods under urban renewal.

The erasure at Hydraulic Mills operated on two axes. First, in creating the reservoir, the rural Black cultural landscape of Hydraulic Mills was rendered unrecognizable to those who had grown up and lived there in the first three decades of the century. The submersion meant that those who left could never return to the landscape of their childhoods and recognize it as a place of familial or community history, connection, and continuity. To return to Andrea Roberts's concept of "the homeplace aesthetic", Roberts maintains that although these rural homeplaces may not be immediately apparent to the visitor passing through them or even to the recently arrived resident, the landscapes contain an intangible heritage of memory for the community's diaspora that must be recognized as worthy of integrity and recognition[273]. The second axis on which the inundation operated was that, in erasing the landscape as it had been known to the Black farming community that had thrived there through the 1930s, it created an entirely new one for the white residents who had gradually moved into the neighborhood over the previous two decades. With a manmade lake naturalized onto the landscape and becoming a dominant environmental feature of the neighborhood, the transformation of the landscape from a working one into a pastoral one of leisure and recreation was complete. It is worth asking if the

[273] Roberts, "The Aesthetics of Freedom in African American Vernacular Homestead Preservation," 77.

submersion would have occurred if the site hadn't been understood at the time as relatively open land, if the local significance of the landscape's history had been legible to the people making the decisions around infrastructure development for the city. Instead, what had been a landscape constituting the "homeplace aesthetic" for its dispersed Black community was viewed through the lens of open land by the white community.

Rob Nixon's concept of "slow violence" presents a potential way to conceptualize the human dimension and impact that an erasure of a cultural landscape like Hydraulic Mills could produce. He writes:

> How do we bring home — and bring emotionally to life — threats that take time to wreak their havoc, threats that never materialize in one spectacular, explosive, cinematic scene?…To engage slow violence is to confront layered predicaments of apprehension: to apprehend — to arrest, or at least to mitigate — often imperceptible threats requires rendering them apprehensible to the senses through the work of scientific and imaginative testimony. An influential lineage of environmental thought gives primacy to immediate sensory apprehension, to sight above all, as foundational for any environmental ethics of place…But what happens when we are unsighted, when what extends before us — in the space and time that we most deeply inhabit — remains invisible?[274]

Nixon is talking about environmental justice and threats of toxicity and contamination that have been invisible from their genesis. What happens, however, if we apply the same thinking to heritage and cultural memory, highlighting the potential for incremental violence against people and communities when those are not recognized? In the case of Hydraulic Mills and the South Fork Rivanna Reservoir, we see how the landscape of one community is functionally disappeared by the very government that has systemically oppressed and disenfranchised that community, replacing that first landscape with a second one that serves a new community and demographic [Figs. 2.19 and 2.20].

What is clear in the cases of both urban renewal and dam development, of both Hydraulic Mills and Vinegar Hill, is that infrastructure projects do not constitute "standalone objects but

[274] Rob Nixon, *Slow Violence and the Environmentalism of the Poor*, (Cambridge, MA: Harvard University Press, 2011): 14–15.

rather 'articulated components' within a complex web of relations…defined less by…*thingness* than by…processes and relations."[275] These highly human processes and constructed landscapes create a "nature" that then needs protection.

Chapter Three: The Developer and His Adversaries, 1974

[275] Kimberley Ahn Thomas, "Enduring Infrastructure," 109–110.

In the mid-1970s, the local paper ran a featured photograph of two men fishing near the banks of the reservoir against a backdrop of early springtime flora. "Ah, This Is the Life!" read the caption. Beneath, it said, "Those relaxing moments when you can leave your cares ashore and go after the big ones in a quiet lake are moments to cherish…The beauty and tranquility of such a scene…is seldom far from the t[h]oughts of any avid fisherman" [Fig. 3.1].[276] In the early 1980s, the paper published a similar photograph [Fig. 3.2]. In this one, a solitary figure in a canoe is silhouetted against the water as the late afternoon sun casts light and shadows over the rippling surface. The seated man, the photograph explained, was "fishing 'just for the exercise.'"[277] Photographs like these are typical of how the Rivanna Reservoir has been depicted in the press, by real estate professionals, environmental advocates, and outdoor enthusiasts. For them, the reservoir has been marketed a place apart from the city, a place of nature; a place of leisure and recreation; a place of fish, birds, and the sound of water and wind through the leaves of the trees; a place where deer poke their heads out from the woods for a drink while box turtles trudge along the shoreline and red foxes flit through the forest.

Indeed, the land surrounding the reservoir was—and is—as integral to the reservoir's framing as an Edenic haven as the water itself. The most articulate expression of this coupling is the two-hundred-nineteen acres adjacent to the reservoir's southwestern shore occupied by the Ivy Creek Natural Area. This preserve, along with the reservoir, is a defining environmental feature of the contemporary landscape of Hydraulic Mills. It provides a definitive environmental buffer between the mixed use industrial, commercial, and middle-class residential corridor that flanks Route 29 North and the more upper-middle-class and wealthy exurban neighborhoods and

[276] Jim Carpenter, "Ah! This Is the Life!" (photograph) *The Daily Progress* clipping, undated, Ivy Creek Archives. (Dated to 1975-1980 by photographer Jim Carpenter. Author correspondence with Jim Carpenter, April 21, 2022.)
[277] Jon Golden, "Peaceful Afternoon Exercise." *The Daily Progress,* May 6, 1983, Ivy Creek Archives.

bucolic countryside that lie along Earlysville and Woodlands roads to the northwest and west. It is likely that, without the nature preserve sited where it is, idyllic depictions of the reservoir would not have been—nor would they today remain—possible.

The ICNA, a nature preserve established in 1981, constituted an expansion of the smaller Rann Preserve founded six years earlier. This, in turn, was comprised of parcels that once composed River View Farm, the property owned and operated by the Carr Greer family for nearly a century, becoming a symbol of Black independence and pride in the Hydraulic Mills community during the Reconstruction and Jim Crow eras. Following Mary Carr Greer's death in 1973, the future of the farm was uncertain. None of her heirs wanted to assume responsibility for the property.[278] Plus, rapid development in the surrounding areas to the east and south had been encroaching for years in largely unregulated patterns. However, as slow-growth advocates and more stringent land use policies gained traction nationwide, the growth rate in Albemarle County had come under escalating local scrutiny, especially in the wake of eutrophication revelations that emerged shortly after the reservoir's construction. Resulting uncertainty over the future of River View Farm opened the door to a face-off between development and preservation interests when local Black real estate developer James Fleming proposed a high-density residential development called "Evergreen" on the portion of the property he had inherited from Mary Carr Greer, prompting a bitter debate over land use, environmental protection, and race. The ensuing conflict played out in the local media and in private negotiations throughout the second half of the 1970s, with environmental conservation interests eventually preventing the Evergreen development and establishing the Ivy Creek Natural Area on the site.

The story of this conflict is the central narrative of this chapter[279], which seeks to unpack

[278] Author interview with Manfred Greer Jones, 8/26/2022.
[279] For an in depth examination of this debate that extends beyond the Fleming/ICNA context to the reservoir and county land

the debate over race and the environment that the Evergreen controversy brought to the fore in Charlottesville and Albemarle County and to examine the claims of both sides— the white environmentalists and the Black developer. This is an attempt to untangle the story's complicated plot as well as to examine the larger cultural conversations, discourses, and legacies that inevitably fueled and informed it. What this telling of the story of Evergreen and the establishment of Ivy Creek attempts to illustrate is just how malleable and subjective positions of right and wrong, good and bad can be. The first section introduces James Fleming, providing a brief biography of his professional life up to 1974 when he first proposed the Evergreen project; it also places him into a larger context of African American real estate developers, both nationwide and locally. The following section lays out the genesis of conservation mobilization around the old River View Farm property and introduces some of the critical players in that mobilization. In this chapter and the following one, I use the Evergreen story to argue that preservation and conservation interests are more readily mobilized around abstract ideas such as "nature" and an individual "home", ideas that can be easily made nostalgic, and that working landscapes and dispersed cultural landscapes such as that of the rural Black one at Hydraulic Mills are more difficult to integrate into conservationist thinking because they adhere less to the established legacy mythologies on which that thinking was built.

The Developer

James Fleming was born in Charlottesville in 1929,[280] likely in the segregated ward in the basement of the University of Virginia Hospital.[281] He spent a portion of his early years in the

use policy more broadly, see Andrew Knuppel's masters thesis, "Watershed Moments"

[280] "James N. Fleming" (obituary), *The Daily Progress*, December 18, 2003, Ivy Creek Foundation Archives.

[281] Amy Sarah Marshall, "The History of Race & Racism at UVA Health," *UVA Health*, February 24, 2022. Web. May 12, 2022, https://blog.uvahealth.com/2022/02/24/history-of-race-and-racism-uva-health/

countryside northeast of Charlottesville where his family lived with his father's brother, a farm worker, who owned the house where they stayed on Stony Point Road.[282] By the time he was 7, however, the family had moved into Charlottesville, on Lankford Avenue, where his father worked brutal hours as a waiter and an orderly at Martha Jefferson Hospital.[283] The senior Fleming later ran a restaurant on Main Street in Vinegar Hill on the spot occupied today by the Code Building.[284] By 1950, the senior Fleming continued work as an orderly while also running a grocery store out of the family's house with help from Fleming's mother.[285] James, by then, had graduated from the segregated Jefferson School, and enlisted in the Army Medical Corps.[286] After being discharged from the army, he enrolled at the historically Black Wilberforce University in Ohio, where he earned a degree in business education.[287] Discharged but still in the reserves, Fleming purchased a grocery store and apartment house in Charlottesville before being recalled to serve in the Korean War.[288] In 1953, however, he returned to Virginia, where he would live for the rest of his life.[289]

Back in Charlottesville in the mid-1950s, Fleming ran his store while starting to speculate in real estate.[290] He also also taught for a year at the Albemarle Training School in Hydraulic Mills before it shuttered permanently during the protracted process of school integration.[291] Whatever plans he may have harbored for the store ended abruptly when the building went up in flames in

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[282] US Census Bureau. Population Density, 1930. Prepared by Ancestry. (May 12, 2022)
[283] US Census Bureau. Population Density, 1940. Prepared by Ancestry. (May 12, 2022); the 1940 census indicates that Nathan Fleming worked 84 hours the week prior to census data collection.
[284] Charlottesville City Directory, "Restaurants and Lunch Rooms" (Charlottesville, Virginia: City of Charlottesville, 1945): 437. Prepared by Ancestry.
[285] US Census Bureau. Population Density, 1950. Prepared by Ancestry. (May 12, 2022)
[286] "James N. Fleming" (obituary), *The Daily Progress*, December 18, 2003. (Ivy Creek Foundation Archives); "J.N. Fleming, Mrs. E.N. Jackson To Serve on Housing Committee," *Charlottesville-Albemarle Tribune*, September 7, 1961. (UVA Special Collections); James Green, "Realtors Honor Charlottesville Man," *The Daily Progress*, December 13, 1964. (Charlottesville Albemarle Historical Society)
[287] "J.N. Fleming, Mrs. E.N. Jackson To Serve on Housing Committee"; Green, "Realtors Honor Charlottesville Man."
[288] Green, "Realtors Honor Charlottesville Man."
[289] "James N. Fleming" (obituary).
[290] It could well have been the family food store, although I have not been able to confirm this.
[291] Green, "Realtors Honor Charlottesville Man.".

1957, destroying everything.[292] Constructing another apartment building on the site, Fleming turned his attention to real estate.[293] While still in his twenties, he co-founded the only Black-owned realty company in the city, Ideal Realty [Fig. 3.3].[294]

By 1958 Ideal Realty was sufficiently successful that Fleming and two partners opened a second branch in the neighboring town of Waynesboro, and later a third in Louisa [Fig. 3.4].[295] Evidence of his success continued in 1961 when he was named as the first Black person in Virginia to the American Society of Farm Managers and Residential Appraisers [3.5], which specialized in appraisals of rural properties. At the time, newspaper coverage in the local Black press noted that "Ideal Realty Company has handled the sales of numerous properties for both races, with much of it being in the Ridge Street area, formerly an all-white residential community. During the same period, the company has also transacted much business in surrounding rural areas."[296] Shortly thereafter, the 31-year-old Fleming was named to Charlottesville's five-member redevelopment and housing committee tasked with advising the local housing authority on "dealing with Negro residents to be displaced by the development of Vinegar Hill and Cox's Row," and he was reported to being "under consideration for appointment" to Charlottesville's Redevelopment and Housing Authority."[297] By the end of the year he had been officially appointed to the Housing Authority, a role he would fill for the next eight years, and making him the first African American appointed to an official position in the city's history.[298]

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[292] Ibid.
[293] Ibid.
[294] "Jas. N. Fleming, Named Associate Member, Society of Residential Appraisers," *Charlottesville-Albemarle Tribune*, August 24, 1961. (UVA Special Collections); Green, "Realtors Honor Charlottesville Man."
[295] "Ideal Realty Company Opens Branch Office In Waynesboro," *Charlottesville-Albemarle Tribune*, April 18, 1958. (UVA Special Collections); "Holton Appoints First City Resident to Official Post," *The Daily Progress*, July 6, 1970. (Charlottesville Albemarle Historical Society)
[296] "Jas. N. Fleming, Named Associate Member, Society of Residential Appraisers."
[297] "J.N. Fleming, Mrs. E.N. Jackson To Serve on Housing Committee."
[298] "Holton Appoints First City Resident to Official Post," *The Daily Progress*, July 6, 1970. (Charlottesville Albemarle Historical

Fleming's involvement with redevelopment plans in Charlottesville was no doubt what brought him the following year to Chicago where he attended the National Association of Housing and Redevelopment Officials' Conference. During the three-day event, he toured the city's redevelopment projects, attended workshops, viewed a film about the role of social work, met with city leaders, listened to lectures and presentations on topics like "Public Housing in Canada: Role of the Architect and the New Patrons by Proxy, etc.", "Bringing Social Work to Public Housing Residents"; "Planning for Effective Long-Term Use of Housing Developments"; and "Achieving Good Design for Low-Income Housing." The keynote address on "The Low Income Family in Present-Day America" was given by Michael Harrington, who had recently published his famous work *The Other America: Poverty in the United States.* Upon his return, Fleming expressed appreciation for the experience, saying it had been "highly educational."[299] He subsequently supported the urban renewal of Vinegar Hill and provided corroborating data, writing to the local Housing Authority in his capacity as a real estate profession that: "Approximately one hundred and forty (140) families will be displaced by the Urban Renewal Administration Project. Most of these families will be eligible for the Public Housing Administration Project and this project will provide adequate housing for those eligible. For those families whose income is in excess of the limited required for Public Housing there is sufficient and adequate housing available in Charlottesville.[300]" [Figs. 3.6 and 3.7]

By 1964, Fleming managed or owned approximately 215 apartments in the city and county.[301] That year he also earned another feather in his cap by becoming the first Black person

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Society)

[299] "J.N. Fleming, Local Realtor, Attends NAHRO Meet In Chicago," *Charlottesville-Albemarle Tribune*, October 25, 1962. (UVA Special Collections)

[300] James Fleming to the Charlottesville Redevelopment and Housing Authority. Charlottesville, Virginia. Undated. (University of Virginia Special Collections)

[301] Green, "Realtors Honor Charlottesville Man."

in the country to receive a certificate from the Society of Real Estate Appraisers, having by then worked as an appraiser for the US Department of Justice, the Veterans Administration, and the Virginia Department of Highways.[302] Two years later, he was named "broker of the year" by the Virginia Real Estate Brokers.[303] Another first arrived when 38-year-old Fleming became the first African American named to Charlottesville's Planning Commission in 1969. He was also civically engaged as a governor-appointed member of Virginia State's Board of Visitors, a board member of the regional Red Cross and Big Brothers of America, and the recipient awards for "outstanding citizen of the community" and the Scroll of Honor from the African American Omega Psi Phi Fraternity.[304]

Fleming served on the Planning Commission for four years [Fig. 3.8], resigning in 1973 citing his obligations to his roles on the board at Virginia State, Cavalier-Country Bank, an investment management company, and as a newly-appointed member of the City's Landlord-Tenant Relations Committee.[305] Upon his resignation, his co-commissioner and the commission's female chairperson, Virginia Schatz, said she had enjoyed working with him and that, "He brought a lot of valuable experience in the field of real estate to the Planning Commission."[306] The following year, he joined another local developer on the Republican ticket in run for City Council on a platform touting concern for government spending [3.10].[307] Speaking to the UVA Republican Club as part of his campaign, Fleming attributed rising housing costs in the city to "almost uncontrolled growth" that had caused ballooning city taxes

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[302] "Fleming Honored," *Charlottesville Daily Progress*, December 8, 1964. (Charlottesville Albemarle Historical Society)
[303] "Fleming Resigns from Planners," *The Daily Progress*, April 18, 1973. (Charlottesville Albemarle Historical Society)
[304] "Holton Appoints First City Resident to Official Post," *The Daily Progress*, July 6, 1970. (Charlottesville Albemarle Historical Society)
[305] "Fleming Resigns from Planners."
[306] "Virginia Margaret Schatz" (obituary), *Legacy*, December 5–7, 2010. Web May 13, 2022; "Fleming Resigns from Planners.".
[307] Neil Osborn, "Fleming, Hill Run for Council," *The Daily Progress*, March 5, 1974. (JMRL Microfiche)

and other fees.[308] His net worth, by this time, was estimated at more than $1 million, putting Fleming in a tiny minority of southern Black businessmen.[309]

By the end of 1974, when Fleming presented his initial plans for the Evergreen planned community to the County's Board of Supervisors, he was, to outward appearances, a prominent and respected member of the Charlottesville business, political, and social communities. By any measure Fleming's were no small accomplishments, but the southern social and political climate in which he achieved them, establish them as all the more remarkable. His reputation, privately, however, may not have been as stellar, at least among a cohort of local white conservationists who soon organized against Evergreen. By the following fall two conservationists involved in the debate were writing privately to one another, one describing Fleming as "the all-time Charlottesville/Albemarle bastard, and as unscrupulous as the day is long (on June 21st)."[310] The tenor of that description suggests a reputation in contrast to the one sketched by Fleming's media footprint, a reputation of a more subterranean, unspoken-but-acknowledged-among-some nature. The fairness of that private judgement is suspect, but illustrates a man encountered differently by different audiences and associates.

Black Developers, Black Real Estate Investors, and Black Suburbia

As a civically engaged local Black man who cracked the millionaires club through real estate, Fleming stepped into a local tradition of that began with John West. Born enslaved by a University of Virginia professor in 1849, West became the adopted son of freedwoman who, upon her death, left him a small inheritance. West leveraged this modest bequeathal to invest in real estate, eventually amassing more than a thousand acres across the city and county. Five

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[308] "Fleming, Hill Speak to UVA GOP," *The Daily Progress*, March 26, 1974. JMRL Microfiche.
[309] Ray McGrath, "James Fleming: Property Manager Stays On Top In Running Battle With City Hall," *The Daily Progress,* August 3, 1980. Ivy Creek Foundation Archives.
[310] Elizabeth Conant to David Morine. Charlottesville, Virginia. November 25, 1925. Ivy Creek Foundation Archives.

years after the end of the Civil War, working as a barber and saving money, he paid $100 and bought two of the first parcels in the initial subdividing of what would become Vinegar Hill, the central business and residential district for African Americans in Charlottesville during the Jim Crow era. By the time he died in 1927, he was among the largest local landholders, owning half of Afton Mountain, numerous residential and commercial properties on Main Street, a building adjacent to the Paramount Theater, five hundred acres in Barboursville, and more than 90 other local properties.[311] He was a key player in the establishment of the Jefferson High School and the namesake of the Westhaven public housing project, where many Vinegar Hill residents moved after the neighborhood was razed under urban renewal.[312]

West, however, was not the only local Black man to seek economic advancement and success in real estate investing. In 1889, as Hugh Carr and others were accumulating acreage around Hydraulic Mills and elsewhere in the County, a group of local African American men joined together to form the joint stock venture of the Piedmont Industrial Land Improvement Company mentioned briefly in the first chapter. The Piedmont Industrial Land Improvement Company was authorized "to issue up to $100,000 in total stock, with individual shares selling for $50 each."[313] The expressed intention of its charter was "To engage in manufacturing operations, to purchase, hold, lease, rent, improve, sell, exchange, develop, and otherwise deal in real estate." Furthermore, the company sought "to extend aid and assistance, financial or otherwise, to persons of limited means in purchasing homes."[314] Within a month of its chartering, the

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[311] Jordy Yager, "John West and Southall's Meadow," *Mapping Albemarle—Mapping Cville,* March 23, 2019. Accessed online May 13, 2022, https://mappingcville.com/2019/03/23/john-west-southalls-meadow/; Lorenzo Dickerson and Jordy Yager, "Raised/Razed," Film, Maupintown Media, Virginia Public Media, and the Jefferson School African American Heritage Center, (May 2022).

[312] Yager, "John West and Southall's Meadow."

[313] French, "UVA and the History of Race: Burkley Bullock in History's Distorting Mirror."

[314] "Detail from the Charter of the Piedmont Industrial Land Improvement Company", *Encyclopedia Virginia* (Charlottesville, Virginia: Virginia Humanities, undated).

Piedmont Industrial Land Improvement Company owned ten city lots and fifteen to twenty additional lots in the county.[315] The Piedmont Industrial Land Improvement Company was a relatively short-lived venture and it's unknown whether Fleming was directly acquainted either with the descendants of any of its members or with John West is unclear. Nevertheless, given the small, tight-knit nature of Charlottesville's Black community in the first half of the twentieth century and the fact that the descendants of these men would have been Fleming's own contemporaries, schoolmates, and neighbors, he was no doubt cognizant of this history and legacy of Black real estate investment in Charlottesville and Albemarle County.

There was also substantial regional and national precedent for Black empowerment through real estate development enterprises in the mid-twentieth century that may have helped shape and inform Fleming's entrepreneurial endeavors. In the 1920s, for example, University Realty Company in Richmond developed Frederick Douglass Court [Fig. 3.11], with homes designed by local African American architect Charles T. Russell, for middle- and upper-middle class African Americans in the neighborhood adjacent to the historically Black Virginia Union University.[316] In the 1940s, while founding the Fine Arts Department at Virginia State (where Fleming would later serve on the Board of Visitors) down the road from Virginia Union, Lynchburg-born African American architect Amaza Lee Meredith co-founded a Black summer enclave in Sag Harbor, New York. Known as Azurest North, the subdivision expanded to include the Sag Harbor Hills and Ninevah subdivisions to comprise the famous African American summer resort area of SANS where streets were named after Meredith, Terry, and other families of color, who in the 19th century had helped establish the town's whaling industry.[317]

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[315] Scot French, "Burkley Bullock (ca. 1830-1908)" *Encyclopedia Virginia.* Virginia Humanities, (April 14, 2022). Web. May 13, 2022.
[316] Weise, *Places of Their Own,* 30.
[317] Sarah Kautz, "The Founding and Future of Sag Harbor's Azurest Subdivision," *Preservation Long Island*, February 2019, updated Spring 2020. Web. May 13, 2022, https://preservationlongisland.org/the-founding-and-future-of-sag-harbors-azurest-

As the suburban housing boom heated up post-World War II, the fact that African Americans were systematically shut out of the suburban dream in places like Levittown[318] [Fig. 3.12] and had become "a spatial metaphor for whiteness itself."[319] This, however, did not stop Black people from moving to suburbia. Black migration to the suburbs between 1960 and 2000, in fact, was an internal migration on the scale of the Great Migration, with an estimated nine million people making the transition.[320] By 1969 Compton, California, for example, established in the late 19th century as a rural outpost, had been been subsumed by urban sprawl from Los Angeles, becoming the largest Black suburb in the country.[321] As historian Andrew Weise has pointed out, to help meet demand and despite—or perhaps because of—the fact it was legal to racially discriminate against home owners in property deeds until 1948 and for banks to do so in home financing until 1968, "black developers in the postwar South built scores of suburban subdivisions in planned 'Negro' expansion districts gained through political negotiation with local whites."[322]

Among the most famous of these planned developments, and certainly the most ambitious, was that of Soul City [3.13]. Moving beyond the definition of suburbia, Soul City was billed as a self-sustaining, modern planned community for African Americans in rural Warren County, North Carolina. The brainchild of Floyd McKissick, a former director of the Congress of Racial Equality (CORE), Soul City's plans presented a town of more than 45,000 people that would provide more than 8,000 manufacturing jobs. McKissick's idea was to modernize "an ascendant Sunbelt South" and bring to a rural Black region of the state some of the economic success that

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subdivision/.

[318] See Sellers, 'Suburban Nature, Class, and Environmentalism in Levittown."

[319] Weise, *Places of Their Own*, 109.

[320] Ibid., 1.

[321] No author, "Black Suburbia: From Levittown to Ferguson," New York Public Library, October 1—January 2, 2016. Web, May 13, 2022, https://www.nypl.org/events/exhibitions/black-suburbia-levittown-ferguson.

[322] Andrew Weise, *Places of Their Own,* 6–7.

was by then emerging around the Research-Triangle region of Raleigh-Durham.[323] Inspired by the trend for master-planned 'new towns' like Columbia, Maryland, and Reston, Virginia, which had been established in the mid-1960s, McKissick's primary stated concern was "Black Economic Power." Founded in 1969, the project received a boost of additional funding in the early 1970s from the Nixon administration. While Soul City floundered in the mid-1970s and, by 1980, had been foreclosed on, for a brief moment in the late 1960s and early 1970s it nevertheless was a popular topic and symbol of possibility among Black political and economic elites.[324]

During this period McKissick identified politically as Republican and fell into a camp of African American economic thought known as black capitalism. Black capitalism was and is a system that "incentivized consumption-oriented models of African American enterprise."[325] The term was popularized by Richard Nixon in a radio address he gave designed to appeal to African American voters in the spring of 1968. In this speech, he claimed to see eye-to-eye with some of the more "militant" leaders in the Black community, praising "those who abandoned 'welfarist' rhetoric in order to extol the importance of 'ownership' and 'self-respect,'" and calling for a " 'new approach' that would be grounded in 'Black capitalism.'"[326] Nixon leaned into this position with a last-minute appeal to Black voters in the November 1968 issue of *Jet Magazine* with an advertisement [Figs. 3.14 and 3.15] that depicted a young Black man and asserted: "A vote for Richard Nixon for President is a vote for a man who wants Homer to have the chance to own his own business. Richard Nixon believes strongly in black capitalism. Because black capitalism is

[323] Alec Fazackerley Hickmott, "Living in the Country: Imagining Development and Remaking the Black Rural South, 1933-1986," University of Virginia, Dissertation, 2016, 1–3.
[324] Kelefa Sanneh, "The Plan to Build a Black Capital for Black Capitalism", *The New Yorker,* February 1, 2021. Web, May 13, 2022, https://www.newyorker.com/magazine/2021/02/08/the-plan-to-build-a-capital-for-black-capitalism.
[325] Alec Fazackerley Hickmott, "Black Land, Black Capital: Rural Development in the Shadows of the Sunbelt South, 1969–1976," *The Journal of African American History* 101, No. 4 (Fall 2016):515.
[326] Sanneh, "The Plan to Build a Black Capital for Black Capitalism", web.

black power in the best sense of the word…It's the key to the black man's fight for equality—for a piece of the action.[327]"

Post-election polls indicated that African Americans had still voted overwhelmingly for Nixon's Democratic opponent Hubert Humphrey, but he had successfully established the term in the American imagination and, "To many Black people, 'Black capitalism had come to mean 'Black control' of local neighborhoods, local industry."[328] The term would become codified with the publication of *Black Capitalism* by Theodore Cross, a white man and civil rights activist, who served as the inaugural head of Nixon's Office of Economic Opportunity.[329]

The figure of Republican Black capitalist McKissick, who "viewed himself as a realist and a wised-up dealmaker"[330] and who was making headlines in the years prior to Fleming's Evergreen planned community proposal provides a useful precedent and lens through which to approach Fleming. Embarking on his Evergreen project shortly after Soul City entered the news cycle, Fleming was another man who obviously adhered to a Black capitalist ideology, who identified politically as a Republican in contrast to the majority of the rest of his race, and who was intent on wielding real estate for economic gains and political points.

The Green Machine

Fleming's black capitalism found itself in the sights of a rising grassroots environmental movement. Energized by early wins in the mid-1950s in places like Dinosaur National Monument where the proposed Echo Park Dam would have inundated ancient fossil beds, and galvanized by moments such as the 1962 publication of Rachel Carson's *Silent Spring,*

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[327] "A vote for Richard Nixon…" *Jet Magazine*, November 7, 1968.
[328] Sanneh,"The Plan to Build a Black Capital for Black Capitalism," web.
[329] Hickmott, "Black Land, Black Capital," 516.
[330] Sanneh, "The Plan to Build a Black Capital for Black Capitalism", web.

environmental awareness in the American public had been growing for decades. This culminated in a swath of conservation and stewardship-minded legislation passed between the early-1960s and the mid-1970s that included the 1963 Clean Air Act, the 1964 Wilderness Act, the 1966 Historic Preservation Act, 1968 Wild and Scenic Rivers Act, the 1970 National Environmental Policy Act (NEPA), the 1972 Clean Water Act, the 1973 Endangered Species Act, and on December 16, 1974 — two weeks after Fleming first presented plans for Evergreen—President Gerald Ford signed the Safe Drinking Water Act into law, authorizing the Environmental Protection Agency "to establish minimum standards to protect tap water."[331] On Christmas Eve, 1968, the first photographs of Earth from space had imprinted the image of a small blue planet floating amidst infinite darkness onto the consciousness of millions, 20 million of whom "gathered in meeting halls, parks, and streets" two years later to mark the first Earth Day, "the popular pinnacle of post-World War II environmentalism's national emergence."[332] In other words, by the early 1970s the health and fragility of the natural world was no longer a sub-thread of the national conversation; this fact became abundantly clear as the battle over Evergreen unfolded.

The conservation movement first gained significant traction in central Virginia in 1970 when the governor announced a plan to move the old state prison from Richmond to a corner of Louisa County called Green Springs. Green Springs had been a center of wheat-producing plantations in the antebellum era and many of the plantation mansions remained extant in 1970s and occupied by descendants of the original owners, a fact which served as a point of significance in the National Historic Landmark Nomination for the Green Springs Rural Historic

[331] Safe Drinking Water Act, 42 U.S.C. 300f et seq. (1974).
[332] Sellers, "Suburban Nature, Class, and Environmentalism in Levittown," 308.

District submitted in 1973 in conjunction with the fight against the prison.[333] Local mobilization to stop the project was led by a young housewife named Rae Ely who ascended to a small measure of national renown for her role in the four-year struggle during which more than 7,000 acres of the 14,000-acre district were placed by residents into legally binding conservation easements. The fight [Fig. 3.16] played out in the courts with the Fourth Circuit Court of Appeals eventually ruling in favor of Green Springs advocates who argued that the Justice Department had to comply with the recently passed National Environmental Protection Act (NEPA) and the National Historic Preservation Act (NHPA). Without support from the federal government, the state was left hanging and the project, quashed. For this work, *The Daily Progress* named Ely its Citizen of the Year in February 1974 [Fig. 3.17] . For a profile of her in the paper announcing the honor and lauding her as "a prophet in her own land," she told the reporter that, "The greatest personal satisfaction I've received has to be the legal precedents we've put on the books that will help organizations all over the country." Reference perceived past passivity from the county's board of supervisors around growth limitations, she observed optimistically at the time that "things are changing."[334]

As the battle over Evergreen that began the following year would illustrate, local attitudes were indeed shifting around economic development and land use and Ely's compatriots in neighboring Albemarle County had been paying attention to the effectiveness of the campaign waged over Green Springs. A year into the Green Springs effort, Citizens for Albemarle [Fig. 3.18] was founded with the mission "to protect and enhance the natural and historical environment of Albemarle County" and the group established committees devoted to everything

[333] Virginia Historic Landmarks Commission Staff, "Green Springs Historic District," National Register of Historic Places Nomination Form (Washington, DC: US Department of the Interior, February 1973).
[334] No author, "After Four Years A Small Woman Wins Giant Battle," *The Daily Progress,* February 24, 1974, Section E.

from historic landmarks to water quality to open space to taxation. Partnering with other local groups such as the League of Women Voters, the Albemarle County Taxpayers, and the Civic League, Citizens for Albemarle would become a powerful force on land use issues in the area over the next decades, in the near-term using its social and political capital to argue its opposition to Evergreen.[335]

Build, Build, Build: Development in Albemarle County, 1968–1975

Rapid, largely unmanaged growth in Albemarle County during the 1960s and early 1970s catalyzed environmental conservationists into action leading, in 1975, to a dramatic shift in the make up of the Board of Supervisors. What had been board closely aligned with development and real estate interests abruptly changed course, reshaped into one that favored environmental conservation and conservative land use policies.

In January 1968, four new supervisors had assumed roles on the Albemarle County Board of Supervisors. The incumbents, businessman Lloyd F. Wood and Realtor Gordon L. Wheeler were joined by general contractor William C. Thacker, Jr., lawyer Stuart F. Carwile, who represented two of the county's major real estate investors and developers, farmer Joseph T. Henley, Jr., and UVA scientist Gerald E. Fisher. This composition meant that two-thirds of the board had direct ties to development and real estate sectors.[336] Three and a half months later, in a series of events that unfolded in reverse order than typically done, the board adopted a zoning ordinance and map. This made Albemarle County eligible for the federal planning funds that would help it commission the development of a comprehensive plan that typically guides zoning decisions. That comprehensive plan was duly submitted in 1971, anticipating massive population

[335] Knuppel, "Watershed Moments," 95.
[336] Ibid., 74.

growth over the next thirty years and recommending that future development be designed around community clusters. Between the adoption of the initial zoning ordinance in 1968 and the release of the comprehensive plan in 1971, the Board of Supervisors interpreted zoning ordinances loosely and "land owners basically asked for and received whatever type of zoning they wanted on their land."[337]

The Board of Supervisors adopted the comprehensive plan in September of 1971 [Fig. 3.19] with the stated caveat that they intended to use it "as a guide only" and favored "at the present time, only those changes in the Zoning Map that would establish conservation and agricultural zones in conformity with the Comprehensive Plan, 'Land Use Map' in areas zoned A-1 on the current Zoning Map" with the exception of those areas areas "currently zoned other than A-1 and those areas designated as 'Village Communities' and 'Urban Areas' on the 'Land Use Map.'" Thus despite ostensible land use planning controls in place, the permissive regulatory environment persisted in the county, continuing to fuel rapid growth with few provisions for site design, measure environmental impact, or require implementation of mitigation strategies. Agricultural land was eaten up as two-acre parcels proliferated under suburban sprawl. As per the comprehensive plan, the zoning ordinance devoted much more land to development than was anticipated to be needed even considering the ambitious pace of growth the comprehensive plan anticipated. This limited the government's control over the shape and rate of the county's changing constructed environment while downzoning was resisted by real estate interests who believed that would be in violation of vested rights.[338]

The following year, the county's planning commission initiated efforts to revise the 1968 zoning map and a draft was presented to the public in 1975 that put about 95% of the county's

[337] Ibid., 59–61.
[338] Ibid., 75.

square acreage into rural and agricultural zones with minimum lot sizes of 2, 5, and 10 acres.[339] Criticized as exclusionary and complicated by some, the proposal landed in an election year that placed growth and the political integrity of County administrators in the spotlight.[340] County Executive Thomas M. Batchelor, Jr., as well as a county planner were accused of exercising favoritism towards major developers Dr. Charles Hurt and Daley Craig. The Commonwealth's Attorney initiated an investigation and the convening of a grand jury to investigate the allegations which found evidence of improper conduct. The Commonwealth's attorney petitioned to remove Batchelor from office, but the members of the Board of Supervisors continued to support Batchelor, releasing a statement that asserted the Commonwealth's Attorney was spending "his time and his office to the purpose of embarrassing the County government…"[341]

As this scandal was unfolding, anxieties around the health of the South Fork Rivanna Reservoir's watershed continued to build. These concerns had begun as early as June 1965 when the local paper first reported the state health department had warned of "a distinct possibility that raw water quality in the city's Rivanna River system will be significantly impaired from over-eutrophication of the [planned] lake." Indeed by the following year, accounts of bad tasting and smelling water from the brand new reservoir began surfacing.[342] Three years later, over a period of two weeks in the spring of 1969, a massive die-off of 1,180 fish unfolded and eutrophication was identified as partly to.[343] The problem of the reservoir's eutrophication issues continued to

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[339] Ibid., 76.
[340] Ibid., 77.
[341] Ibid., 78–79.
[342] Shernock, "Interests, Policymakers, and Local Regulatory Politics," 2.
[343] Eutrophication is the product of an aquatic environment that has been overly-enriched with nutrients, resulting in excessive plant and algae growth that throws off the balance of an ecosystem, decreasing the supply of oxygen to the water when the excess plant and algae growth die and decompose, and releasing large amounts of carbon dioxide. This in turn leads to fish kills as well as dead zones and harmful algae blooms. The process can be accelerated by human development and runoff that elevates the nutrient levels in water.

vex its managers and complicate development conversations for the next decade.

The zoning map in place and as implemented, however, was unresponsive to these concerns, marking wide swaths of the watershed for urbanization. Moreover, because the city and the county shared the reservoir as the primary water source for the metropolitan area, the city had a consequential interest in its health and maintenance while lacking control and oversight with regards to land use in its watershed.[344] In 1974, the council passed a resolution requesting a conservation zone.[345] With the formation of Citizens for Albemarle as well as a group called "Zero Population Growth" in 1972, local voices speaking up for slow-growth were getting palpably louder.[346] Candidates running against the incumbents in the Board of Supervisors race that year based their platforms on shifting the county's approach to growth and in favor of greater land use restrictions with the health of the reservoir as a central talking point. Thus, when election day arrived on November 4, 1975, it played out as a "referendum on growth." With high turnout, Albemarle County voters placed ballots overwhelmingly in favor of the slow-growth, environmentally-friendly candidates in an expression that the local paper interpreted as "a vote for a stronger control on growth and a rejection of board members whose conflicts of interest have kept them from representing their districts on key issues."[347]

The emergence of slow-growth policy in Albemarle County was a response to local conditions. It was also a response to explosive rates of growth and a similar backlash happening contemporaneously in the DC metropolitan region and in the counties to the north of Albemarle. Moratoriums in which local governments declined to issue building permits regardless of a municipality's zoning were emerging as an increasingly common political stalling tactic when

[344] Knuppel, "Watershed Moments," 82–84.
[345] Ibid., 83.
[346] Ibid., 93.
[347] Ibid., 90–92.

faced with construction pressures.[348] Fairfax County imposed various construction moratoriums in 1955, 1964, 1972, and 1974 in attempts to slow the pace of development[349]. Fauquier County implemented one in 1973.[350] A candidate for Board of Supervisors in Fairfax ran on position that "I simply won't allow big developers to go on getting rich at taxpayers' expense, and an Arlington candidate's platform announced, "We must control growth before it controls us." Both candidates won their elections.[351] Moreover, these candidates were delivering on their promises. The Loudon County Board of Supervisors rejected a proposal from the behemoth of Levitt and Sons for a development that would bring 13,000 new residents to the county.[352] Slow-growth advocates in the 1960s and 1970s like those active in the suburbanizing exurbs and rural areas of Virginia tended to turn to zoning and stricter land use controls to protect rural environments and "neighborhood character." They sought zoning that required large lot sizes that they presented as environmentally low impact and in the interest of promoting the continuation of pastoral or natural beauty.[353] They also promoted zoning in favor of nonresidential purposes such as parks and conservation areas and agricultural districts.[354]

When the new board assumed their seats in January 1976, the reservoir was among the first issues they confronted. On January 14 in direct opposition to the prior board's decisions, the new board issued a moratorium on all building within a 5-mile radius of the reservoir until "such time as the Board of Supervisors of Albemarle County shall have determined that such development will have no substantial adverse impact on the said reservoir or on the quality of water therein." It also instructed the Planning Commission to consider revisions to the comprehensive plan and

[348] Danielson, "Zoning for Fewer People", 57.
[349] Danielson, "Zoning for Fewer People," 66.
[350] Danielson, "Zoning for Fewer People," 72.
[351] Danielson, "Zoning for Fewer People," 65.
[352] Danielson, "Zoning for Fewer People," 66.
[353] Danielson, "Zoning for Fewer People," 60.
[354] Danielson, "Zoning for Fewer People," 65–66.

zoning map that would prohibit high-density residential, commercial and industrial uses within the drainage area.[355] The ongoing debate and building controversy over James Fleming's proposed Evergreen planned development was seen by some as the final straw in the board's decision to implement the moratorium.[356]

Like a Deal with Disney: The Establishment of the Rann Preserve, 1975–1976

As Elizabeth "Babs" Conant remembered it years later, she and her then-husband were canoeing Ivy Creek near the South Fork Rivanna Reservoir on an early fall day in 1975 when they spied the red surveyor ribbons that suggest imminent development plans attached to stakes lining the shoreline. By then, she, a trained biologist and her scientist husband, had made canoeing the tributary of the South Fork Rivanna Reservoir a hobby for five years and considered it "an oasis of peace and wild creatures" where they had seen osprey, Canada geese, red-winged blackbirds, killdeer, sandpipers, and all manner of migratory species passing through on their seasonal journeys north and south. From their canoe there, the Conants had also "watched beaver feed on cattail roots, muskrats carry crass to their dens, raccoons probe the mud."[357] The property marked with surveyor flags along the water was Mary Carr Greer's River View Farm. Carr Greer had died nearly two years earlier, leaving eighty acres to her daughter and grandchildren, and an additional 67 acres to James Fleming. Neither her daughter, who lived in Nashville, nor her grandchildren, who lived in Norfolk and Houston, Texas, were interested in taking over the property.[358] That portion, a parcel that encompassed nearly two miles of waterfront, was on the market for $210,000.[359]

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[355] Knuppel, "Watershed Moments," 97–98.
[356] Andrew Knuppel, "Author correspondence with Andrew Knuppel," email, November 6, 2021.
[357] Elizabeth Conant Account of Rann Preserve Founding, Ivy Creek Foundation Archives.
[358] Manfred Greer Jones, "Author interview with Manfred Jones," August 16, 2022.
[359] Elizabeth Conant Account of Rann Preserve Founding, Ivy Creek Foundation Archives.

Wanting to keep this small oasis from succumbing to the rapid development that was steadily encroaching and by then less than a mile away, Conant, white and well connected in national environmental conservation circles, was spurred to action. She reached out to The Nature Conservancy, headquartered in Arlington, which promptly sent down its young director of land acquisition and graduate of the UVA Darden School of Business, David Morine. On October 27, Conant took Morine out in the canoe to see the property and determine its potential for acquisition by the organization and as a wildlife preserve.[360] As Conant recalled: *"W*e canoed the length of the Reservoir. First, a Great Blue Heron flew over the ridge. Then we rounded the first peninsula to see a full buck break through the bushes to stand on a large rock like a Hartford Insurance Ad. Mallards flew by. Dave wondered if we had made a deal with Disney. It was magical.[361]" While on the water that day, the two envisioned the preserve that acquiring River View Farm would enable. They also discussed what it might look like to eventually expand that preserve, and if other property owners along the water might be convinced to place their land under easement to ensure that this area of the reservoir remained undeveloped and this portion of the watershed protected in perpetuity. The south side of the property was adjacent to the Fiske Kimball-designed Jeffersonian villa of Shack Mountain, by then owned by Bedford and Jane Moore. Another adjacent parcel was owned by the city, both of whom Conant and Morine deemed potentially sympathetic to their conservationist cause. The landowners along the north side would be a harder sell, but Conant was hopeful, and not yet bothered by Fleming's plans for his parcel near the top of the hill.[362]

Morine was on board. An arrangement was soon made in which Conant pledged $150,000

[360] Elizabeth Conant to David Morine. Charlottesville, Virginia, October 27, 1975. Ivy Creek Foundation Archives.
[361] Babs Conant to Ivy Creek Historian. Williamstown, New York, 1999. Ivy Creek Foundation Archives.
[362] Babs Conant to David Morine. Charlottesville, Virginia, October 27, 1975. Ivy Creek Foundation Archives.

to the acquisition, paid for by a trust and siphoned as an anonymous donation through The Nature Conservancy which would supply the rest of the funds. The plan was that The Nature Conservancy would eventually transfer the land to Charlottesville and Albemarle County through federal grant funding provided by the Bureau of Outdoor Recreation, which had been established in part to help municipalities facilitate precisely such conservation deals as this one; at that point, Conant's contribution would also be reimbursed to the trust. By December 1, Morine was in touch with Conant's financial manager to arrange the money transfer.[363] By the middle of January 1976, the land transfer from the Carr Greer family to The Nature Conservancy was complete.[364] As Conant wrote to Morine, "[T]he Greer Property is now officially THE RANN PRESREVE OF THE NATURE CONSERVANCY."[365] She named the preserve in honor of her mother, known as "Ranny" to her grandchildren.[366]

By this time, The Nature Conservancy was the most significant and successful private land conservation organization in the world. It was managed by lawyers and MBAs (including Morine) who had limited knowledge of the natural world and Morine, by his own admission, was not qualified "to evaluate the ecological significance of a piece of land."[367] He was a businessman whose business he understood as real estate. As such, his job was to locate land to conserve and to find the most efficient ways to do so. For him, the key to conservation success was the tax code where conservation easements offered wealthy landowners significant tax breaks. "Tax evasion is illegal," he wrote in his memoir, "Tax avoidance is good business. Sometimes there's a fine line between the two."[368] Thus perhaps not surprisingly, Morine and

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[363] David Morine to Julia Linsley, Fiduciary Trust Company, New York, NY, December 1, 1975. Ivy Creek Foundation Archives.
[364] Conant to Members of the Albemarle County Planning Commission, Charlottesville, Virginia, January 13, 1976. Ivy Creek Foundation Archives.
[365] Babs Conant to David Morine, Charlottesville, Virginia, January 17, 1976, Ivy Creek Foundation Archives.
[366] Dede Smith, "The Ivy Creek Foundation Chronicles" (The Ivy Creek Foundation, Charlottesville, VA: 2004): 2.
[367] David Morine, *Good Dirt: Confessions of a Conservationist, (*Guilford, CT: Lyons Press, 1990): 43.
[368] Morine, *Good Dirt*, 76.

The Nature Conservancy, did not position themselves as "environmental warriors battling captains of industry."[369] Instead, their approach was to work together with industry to find mutually beneficial approaches to land conservation. This included positioning land conservation as a fiscally wise position from the vantage point of the outdoor recreation and hunting sector, placing The Nature Conservancy squarely within Dorceta Taylor's definition of "business environmentalism."

The scientists at The Nature Conservancy during that period were also shifting from a previous practice of promoting the acquisition of "little lifeboats of diversity" to targeting projects that would "protect entire biological systems."[370] Although the organization had moved forward with the Rann Preserve project despite it qualifying more as a "lifeboat" than "an entire biological system," The Nature Conservancy remained "concerned" that encroaching development would soon render the preserve an "island among an urban jungle."[371] It soon became clear that most direct threat was Fleming's proposed Evergreen development which he had first presented to the Albemarle County Board of Supervisors a year earlier and remained under review. While Conant's Rann Preserve had saved the 80 acres of River View Farm that fronted the reservoir from development, the parcel Fleming had inherited sat on a bluff overlooking the reservoir and adjacent to the fledgling preserve, the integrity of setting and environmental health of which would likely be impacted by a high-density residential development next door.

Privately, Conant and Morine considered not just Fleming's Evergreen plans, but Fleming himself, a difficult figure likely to instigate future conflict, negotiation, and even litigation with

[369] Ibid., 84
[370] Ibid., 64.
[371] Smith, "Ivy Creek Chronicles," 1.

the potential to derail their vision for the Ivy Creek waterfront. Already, in the year since he had first presented Evergreen to the public, Fleming had filed lawsuits over the stagnation of its approval progress. After Conant's initial apparent dislike of Fleming, she expressed sympathy for him, noting to Morine shortly thereafter that "a lot of the land along the Reservoir was zoned R-3 (high density) before the reservoir was created, and some developers are chugging merrily along with high densities that the Commission and Board appear to feel helpless to stop…To Fleming it is a racial thing, and I suspect if he were not such a bastard in everyone's eyes he might have gotten it through. Or if he had more capital to make up a decent proposal. But as it is…he feels utterly frustrated by the forces of bureaucracy and 'rich white' pressure on all sides…"[372]

Among the more literal "rich white pressure on all sides" were Bedford and Jane Moore, the couple who owned Shack Mountain adjacent to River View Farm and who shared a property line with Fleming's parcel [Fig. 3.20]. They had been vocal opponents of Evergreen in public meetings and, in preliminary conversations with Conant, said they were seeking historic designation for Shack Mountain and eager to place their land under conservation easement.[373] The Moores were thus interested in protecting their property for environmental reasons as well as historic preservationist ones and would prove among Fleming's most persistent and vocal opponents in the Evergreen endeavor—and, consequently, the ones whom he provoked the most assiduously.

Chapter Four: The Controversy and Resolution, 1974–1981

[372] Babs Conant to David Morine, Charlottesville, Virginia, December 6, 1975. Ivy Creek Foundation Archives.
[373] Babs Conant to David Morine, Charlottesville, Virginia, October 17, 1975. Ivy Creek Foundation Archives.

By the time Babs Conant and David Morine of The Nature Conservancy closed the deal on purchasing the 80-acre parcel of Mary Carr Greer's River View Farm and the establishment of the Rann Preserve in mid-January 1976, James Fleming was more than a year into his efforts to build Evergreen, his high-density planned residential development on adjacent land, a significant portion of which he had inherited from Mary Carr Greer. He first proposed plans to the Albemarle County Board of Supervisors in December 1974, in the brief window between when the slow-growth advocates had been elected and when they assumed their seats. Concerns about the health of the reservoir persisted and environmental interests spoke against the development and he was asked to resubmit with revisions. This set off a protracted battle between him, the Board of Supervisors, and a coalition of environmental interests that included his neighbors the Moores, among others, that would lead to accusations and denials or racism, multiple million-dollar lawsuits, and prove the final straw in an extensive building moratorium. Final control over Fleming's portion of the Carr Greer land would not be fully resolved until 1981, when Fleming transferred the property to the City of Charlottesville and the Rann Preserve was expanded into the Ivy Creek Natural Area; lawsuits related to the episode dragged on well into the 1980s.

Had Fleming presented his Evergreen plans a decade earlier, the approval process for might have gone differently. By the early 1970s, however, after nearly two decades of conservationist milestones, the modern environmental movement had reached both maturity and the mainstream. As a result, environmental concerns around the reservoir that had emerged contemporaneous to its construction soon collided with preexisting and persistent local racial tensions to set the stage for a conflict that placed into relief the cross purposes at which the environmental movement and the movement for racial justice did — and often still do — operate, from the local scale to the national one.

Initial Proposals, Initial Conflicts: December 1974–January 1975

Almost exactly a year after Mary Carr Greer's passing, on December 2, 1974, Fleming presented his initial plans to the Albemarle County Planning Commission [Fig. 4.1].[374] The County was slated to revisit its high intensity zoning map the following month and demand at the time for low-income housing in Charlottesville was high, with estimates placing the city's deficit at 1,300 homes.[375] Fleming, accordingly, had designed — and framed—his plans with the housing crunch in mind.[376]

Fleming's initial proposal for Evergreen's 128 acres (67 of which had been a part of River View Farm) devoted 70 acres to residential use and the remaining land to a lake, recreational facilities, open space, and commercial development. Under the existing A-1 zoning of his property, by right Fleming could accommodate 54 dwelling units at a density of 1 unit per two acres and a population of 173 residents. He was requesting an eye-popping variance: County estimates placed his development at nearly fourteen times the allowable numbers under the existing zoning for a total of 804 units housing 2,300 people. Defending his ambitions, Fleming pointed out that to the south of the parcel more than 75 acres were zoned R-3 Residential (higher density) and that two recent apartment and townhouse developments had been approved. Two additional parcels in the immediate vicinity were also zoned for higher density. Fleming further defended the ambitious density by claiming that he was trying to meet affordable housing needs of the city and that any density lower than 6 units per acre would not allow him to provide his target price point of $30,000–$35,000 per home. After the meeting was over, Fleming told the press that his intention was to provide a place "for black people and the working man to live,"

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[374] Ben Critzer, "Commission Meets Tonight, Community on Agenda," The Daily Progress, December 2, 1974, Ivy Creek Foundation Archives.
[375] Ibid.
[376] "Charlottesville 1300 Homes Short," The Daily Progress, February 3, 1974, JMRL Microfiche.

and announcing his resolve to fight for his vision "all the way." The estimated timeline for the project was 10 years with a price tag of $15 million[377].

During the two-hour public meeting where Fleming unveiled his intentions, opposition was immediate, virulent, and focused on potential negative impact to the South Fork Rivanna Reservoir. Local environmental group Citizens for Albemarle came with a prepared statement asserting that Fleming was petitioning for "an unprecedented increase in permitted density" that would negatively impact the city's water supply in the adjacent reservoir. Expressing concerns about pollution and algae-producing nutrients, especially insecticides, rodenticides, and other "impurities poisonous to biological systems, i.e. people," Citizens for Albemarle argued for the implementation of a two-year moratorium on development within the watershed. This, they said, would allow time for studies to be completed assessing the impacts of runoff from development on the reservoir [Fig. 4.2].[378] The Moores, too, spoke of their concerns over how Evergreen might impact the historic setting of Shack Mountain [Fig. 4.3]. At the end of the meeting the Commission deferred any decisions until January in order to allow Fleming to revise his plans, in particular to address concerns about run-off and soil erosion that could impact the reservoir.[379]

This deferral allowed time for experts to weigh in. By January, representatives from the State Water Control Board, the State Bureau of Sanitary Engineering, and the Virginia Department of Health in separate letters wrote opposing the project, citing concern over the longterm viability of the reservoir if runoff from additional development continued to negatively impact the water's health.[380] "[G]enerally, we do not believe that a residential development with

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[377] Ben Critzer, " 'Evergreen' Called 'Detrimental' to Reservoir," *The Daily Progress*, January 5, 1975, Icy Creek Foundation Archives.
[378] Citizens for Albemarle, "Statement To Be Presented At Hearings On Special Permit 435," December 1974, Ivy Creek Foundation Archives.
[379] Ben Critzer, " 'Evergreen' Called 'Detrimental' to Reservoir," *The Daily Progress*, January 5, 1975, Ivy Creek Foundation Archives.
[380] Ibid; Virginia State Water Control Board to Robert W. Tucker, Assistant County Planner, County of Albemarle, December 16,

a density of 18 persons per acre, located within 1,000 feet of a reservoir to be in the best interests regarding protection of that reservoir as a public water supply," wrote the State Water Control Board in their formal statement, further noting that the board was "aware of no practical technology that could be used to control or diver the runoff."[381] The Albemarle County Engineer, however, submitted a statement saying that the development was feasible provided an adequate flood control system was installed to protect the reservoir from run-off and siltation.[382] Fleming did not revise his plan to the Commission's recommended density and, when they reconvened, the plan as proposed was outright rejected, recommending the Board of Supervisors do the same. If, however, Fleming revised the plan to the recommended 2.5 units per acre with accommodations made for environmental protection, staff recommended project approval. Fleming, for his part, said he would address the environmental mitigation measures but that the density was a matter on which he remained firm.[383]

While environmental interests already mobilized around the proposed development positioned Evergreen as a contentious project, it was marked for full-blown controversy a couple of weeks later after a Board of Supervisors meeting in which the new board deferred decisions on the project until the following month. After the meeting, Fleming's lawyer, JeRoyd X. Greene asserted that attempts to block the project were "neatly camouflaged racism" with "the net effect…to deprive black people of low and moderate income (housing) in the county" [Fig. 4.4]. Fleming, maintaining his commitment to his original proposed density plans, also issued a

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1974. Ivy Creek Foundation Archives; Virginia Bureau of Sanitary Engineering to Robert W, Tucker, Assistant County Planner, County of Albemarle, January 3, 1975. Ivy Creek Foundation Archives.

[381] Virginia State Water Control Board to Robert W. Tucker, Assistant County Planner, County of Albemarle, December 16, 1974. Ivy Creek Foundation Archives.

[382] J. Harvey Bailey, Albemarle County Engineer, to Robert W. Tucker, Assistant County Planner, County of Albemarle, , January 6, 1975, Ivy Creek Foundation Archives.

[383] Ben Critzer, "Planners Recommend No: Evergreen Opposed," *The Daily Progress*, January 8, 1975, Ivy Creek Foundation Archives.

statement: "I must keep asking the question," he said, "why white people do not pollute, but black people pollute."[384]

In his stated intentions to provide housing for Black people in the County, Fleming was tapping into an under-appreciated massive migration between the 1960s and 2000 of African Americans to the suburbs in search of the same quality of life improvements, including access to open space and better schools, that white people had sought in their own retreats from urban centers.[385] Indeed, during the 1960s and 1970s, 3.5 million Black Americans moved to the suburbs, a faster rate than whites during that same period.[386] Nevertheless, and as Evergreen perhaps partially illustrates, as Greene was suggesting, "the chief stumbling block to black suburbanization after 1960 was the entrenched resistance of white home owners and real estate professionals, who met each new turn with creative determination."[387] In particular, land use policies and zoning for single-family residential development with large lot minimums accomplished this goal. "Zoning was an invisible rampart that maintained artificially high housing costs, blocked the construction of affordable housing, and limited access of moderate- and low-income families in perpetuity."[388] Moreover, Fleming's somewhat plaintive question about the perceived respective polluting habits of white people and Black people echoes Progressive Era anxieties about health and hygiene.

When the Board of Supervisors rejected the Evergreen proposal in early February because Fleming had refused to compromise on density, Greene and Fleming announced plans to file suit against the Board arguing a violation of due process and the 14th Amendment's equal protection

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[384] Ben Critzer, "Lawyer Speaks for Developer: JeRoyd X. Greene Charges Racism," *The Daily Progress*, January 23, 1975, Ivy Creek Archives.
[385] Weise, *Places of Their Own*, 1.
[386] Ibid., 211.
[387] Ibid., 225.
[388] Ibid., 227–228.

clause. The County, Fleming and Greene said, feared Black people moving in and in large numbers. For its part, the County maintained that it had based its decision on the advice of experts who testified at the meeting affirming the potentially harmful effects that density would have on the reservoir and asserting that racism "was not an issue until it was brought here" by Greene and Fleming.[389] The next month, Fleming filed a summary judgement calling for a reversal of the Board's rezoning decision and requesting it be remanded for reconsideration.[390] Days later he filed a $1 million lawsuit against the Board of Supervisors in U.S. District Court alleging racial discrimination. The rezoning request was denied, he alleged, because "the primary target group for the sale of property within (Evergreen) would be persons of the Black race."[391]

Later that month, the Environmental Protection Agency released a study finding that the vast majority of the pollution in the reservoir was generated by agricultural run-off and the Morton Frozen Food Plant in Crozet, with only 4 percent attributed to urban development around the reservoir.[392]

A Revised Evergreen, A Moratorium, and Another Charge of Racism, December 1975–February 1976

In early December 1975, one month before slow-growth interests assumed their seats on the County's Board of Supervisors and as Conant and Morine were finalizing the land transfer that would establish the Rann Preserve, Fleming presented a new set of plans to the Planning Commission [Fig. 4.5]. Court proceedings were pending in the racial discrimination cases he had

[389] Ben Critzer, "Developer May Sue: Board Defeats Evergreen Plan," *The Daily Progress*, February 13, 1975. Ivy Creek Foundation Archives.
[390] James N. Fleming, Flamenco Enterprises, Inc., and Four Seasons West v. Board of Supervisors, Albemarle County 577 F2d 236 (1975).
[391] Ben Critzer, "Developer Alleges Racism: County Sued for $1 Million," *The Daily Progress*, March 18, 1975. Ivy Creek Foundation Archives.
[392] Douglas Pardue, "Dismissal of Suit Urged: Supervisors File Motion on Evergreen Suit," *The Daily Progress*, April 9, 1975. Ivy Creek Foundation Archives.

filed earlier that year. Despite his initial refusal to compromise and meet the County's density requirements, this iteration of Evergreen's plans met those stipulations. The revised plans requested a variance to allow for 2.46 units per acre for a total of 307 units housing 982 people[393]. Since Fleming's initial plans had been submitted, however, the County had passed stricter ordinances controlling soil erosion in an effort to protect the reservoir from pollution.[394] It had also requested a study of the reservoir's eutrophication issues from the Rivanna Water and Sewer Authority and was awaiting the report.[395] The revised Evergreen plans were not in compliance with these new restrictions. In its typed notes on the proposal prior to the public meeting, County staff noted that while the proposal aligned with the Comprehensive Plan, for approval Fleming would need to be in conformity with these new erosion controls as well.[396] Moreover, Fleming had planned construction for slopes of 25 percent or greater and the recent historic landmark designation of Shack Mountain should be an aesthetic consideration. Requesting structures planned for steep slopes be relocated, and that a tree buffer to preserve the setting of the Moores' property be planted, along with 16 additional conditions and requests which included measures to address sewer lines, an internal system of sidewalks, and a review of deed restrictions, the County recommended Evergreen for conditional approval.[397] In the meeting to discuss the issue, forty people spoke against the plan citing its potential environmental impact as well as harm to "the area's other valuable, if less tangible qualities," that might be understood to mean its agricultural landscape and the historic designation of the Moore's Shack Mountain.[398]

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[393] James Fleming, Evergreen Proposal Before Albemarle County Planning Commission, December 1974. Ivy Creek Foundation Archives.
[394] Ben Critzer, "Evergreen Controversy Far from Over," *The Daily Progress*, December 7, 1975. Ivy Creek Foundation Archives.
[395] No Author, "Evergreen Decision Deferred," *The Daily Progress*, December 3, 1975. Ivy Creek Foundation Archives.
[396] Ben Critzer, "Evergreen Controversy Far from Over," *The Daily Progress*, December 7, 1975. Ivy Creek Foundation Archives.
[397] James Fleming, Evergreen Proposal Before Albemarle County Planning Commission, December 1975. Ivy Creek Foundation Archives.
[398] No Author, "Evergreen Decision Deferred," *The Daily Progress*, December 3, 1975. Ivy Creek Foundation Archives.

The Planning Commission decided to defer its final review decision, effectively ending debate over it for the year and affirming that final approval would be punted to the incoming Board of Supervisors that favored slow-growth policies.[399]

At its next meeting in mid-January 1976, the Albemarle County Planning Commission recommended conditional approval of the Evergreen project to the Board of Supervisors provided Fleming met 19 provisions related primarily to aesthetic concerns and protecting the water supply.[400] The very next day and before the Board of Supervisors met on the question, however, it issued a complete construction moratorium on urban development for a 25-square mile area surrounding the reservoir, further directing the Planning Commission to initiate the downzoning of high-density zones within the moratorium area to agricultural or conservation use. The moratorium was anticipated to last into the fall when results of the eutrophication study were slated to be complete. The building halt did not, however, apply to single-family residential development on parcels of one or more acres of land.[401] Responses were swift and reflective of the divisiveness of the issue. Speaking for many of the environmentalists, a representative for Citizens for Albemarle said that the group was "happy…we've been asking for this for a long time,"[402] and the local paper came out enthusiastically in favor of the decision.[403] A representative for the Blue Ridge Home Builders Association on the other hand intimated legal action to lift the stoppage.[404] When the Board met at the end of the month, it unanimously rejected Fleming's proposal, citing the issuance of the moratorium and continued concern over

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[399] Ben Critzer, "Evergreen Controversy Far from Over," *The Daily Progress*, December 7, 1975. Ivy Creek Foundation Archives.
[400] Jane Carter, Albemarle County Planning Department to James Fleming, Charlottesville, Virginia, January 14, 1976. Ivy Creek Foundation Archives.
[401] Ben Critzer, "Board Orders Building Halt," *The Daily Progress*, January 15, 1976. Ivy Creek Foundation Archives.
[402] Ben Critzer, "Moratorium: The Road to a Stop Long and Twisting," *The Daily Progress*, January 18, 1976. Ivy Creek Foundation Archives.
[403] Editorial Board, "The Reservoir Moratorium," *The Daily Progress,* January 16, 1976. Ivy Creek Foundation Archives.
[404] Ben Critzer, "Moratorium: The Road to a Stop Long and Twisting," *The Daily Progress*, January 18, 1976. Ivy Creek Foundation Archives.

the development's visual impacts on the Shack Mountain property. Fleming was again livid[405]; he called the pro-moratorium interests "the Ku Klux Klan without the white sheets."[406]

A week later he published "The True Moratorium Story" in a local alternative newsweekly. In the lengthy editorial, Fleming accused his neighbor Bedford Moore of Shack Mountain as well as the entire Board of Supervisors and the broader coalition of groups opposed to Evergreen of racism. Citing the EPA study of the reservoir's pollution that identified agriculture, the Morton's Frozen Food plant in Crozet, and the Farmington Country Club as the primary culprits of reservoir pollution, he argued that environmental arguments for a moratorium were bogus. Implying that some of his most vocal critics objected to Evergreen from their homes in comfortable suburban landscapes from which they sought to exclude others, Black people in particular, he objected to how those who opposed him based on his raised price points under the revised Evergreen plans neglected to acknowledge that his margins had been raised by density requirements for permit approval. "When you add this all up," he wrote, "is it any wonder I think there is racism here? A Black developer has never developed any planned community in the county, not before now, not now…." As in his pending lawsuits, he argued that it was again a violation of the Fourteenth Amendment for the Board of Supervisors to give to white developers what they were denying Fleming: rezoning and special permit approval.[407] The following week, *The Cavalier Daily* published an article asking, "Evergreen debate: racism or pollution?" In it, Fleming again characterized land use regulation practices as racism "gone underground." In response, Moore, speaking through his attorney, asserted that "Evergreen would have ruined the scenic view" at Shack Mountain, while the Board of Supervisors pointed out that they were

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[405] Ben Critzer, "Fleming Project Rejected: Developer Miffed After Hearing", *The Daily Progress*. January 29, 1976. Ivy Creek Foundation Archives.
[406] Shernock, "Interests, Policymakers, and Local Regulatory Politics, 54.
[407] James Fleming, "The True Moratorium Story." *The Times of Charlottesville*, February 6, 1976. Ivy Creek Foundation Archives.

following protocol and zoning regulations, waiting for more research to be done on the source of pollution in the reservoir.[408]

Tensions had been escalating between Fleming and his neighbors at Shack Mountain, Bedford and Jane Moore, over the past couple of months. At the beginning of December, Babs Conant, who had been in close contact with the Moores over the possibility of placing their land under easement and about the Evergreen dilemma, recorded an episode in her personal papers "in case anything horrible happens." She described an encounter related to her by Jane Moore about an exchange after a public meeting in which Fleming had accused the Moores of racism. Jane Moore had confronted him him and denied the accusation, saying that she had always had a good relationship with Mary Carr Greer when she had been alive, to which Fleming allegedly responded, "Mrs. Moore, it will not be safe for you to live in your house. There are people you don't know about, black Ku Klux Klan members and black Moslems, and you will not be safe this summer." Following the incident, Jane Moore claimed Fleming had offered Bedford land from the Evergreen parcel if he agreed not to oppose the project. Bedford rejected the offer and, prior to the next public meeting, the couple found plate glass strewn across the intersection of their driveway and the road, an event they interpreted as a threat from Fleming.[409]

Then, a day after the moratorium was announced, on January 16, Fleming took out a seven-paragraph statement that ran on page three of *The Cavalier Daily* [Fig. 4.6]. The statement targeted Bedord Moore, a UVA English professor who held a dual appointment with the Engineering School's humanities division[410]. Sandwiched between a notice for a screening of the movie *Showboat* starring Paul Robeson and a call for volunteers to participate in a study on the

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[408] Jacqueline Mason. "Evergreen debate: racism of pollution?" *The Cavalier Daily*, February 11, 1976. Ivy Creek Foundation Archives.
[409] Babs Conant, Private Papers, December 3, 1975. Ivy Creek Foundation Archives.
[410] "Memorial: Walter Bedford Moore, III, '41." *Princeton Alumni Weekly*, undated, accessed online, https://paw.princeton.edu/memorial/walter-bedford-moore-iii-%E2%80%9941

effects of drinking sweetened cranberry juice on urinary pH, the statement's headline was simple: "RACISM," it said, and read in its entirety:

> I have endeavored to realize the opportunity to provide housing and pleasant surroundings for working people—the sort of people who made this the great country that it is.
>
> I do not expect any Farmington [Country Club] members to buy my houses. The tenured position-holders who live off the public dole at the expense of the working people are already well-housed, and could not be expected to live in a racially-integrated neighborhood, anyhow.
>
> There is a great deal of irony in the fact that here in Mr. Jefferson's country 200 years after his vision of situating his beloved Monticello upon the hilltop overlooking the developing community we have a replica of Monticello upon the hill overlooking my property which is occupied by a man who wants to deprive working people of the same opportunities that Mr. Jefferson sought for them. Mr. Jefferson even located his slaves' quarters down the hill from his house, but Bedford Moore, the occupant of little Monticello does not want any black people within his sight.
>
> There is a great conflict waging between the haves and the have-nots. Obviously we have created too much financial security for the tenured segment of the economic community whose greed is repeatedly shown by their expression of "I've got mine —too bad about you."
>
> I am a lover of liberty and freedom of opportunity. I cannot stand by and see the have-nots oppressed by the no-growth people who are living off of our work. I know that this Country did not achieve the highest living standard in the world by no-growth or by oppression of the working man, and yet today the opportunity to improve one's living standard is being violently opposed by the same people who oppose my proposed neighborhood.
>
> Pollution of the reservoir is being used as the current excuse to foster no-growth. The solution, of course, is to remove the guaranteed incomes of these greedy people and put them in the position of seeing the world through the eyes of one seeking the opportunity to improve his or her living standard. Only then would they admit that the pollution excuse is a sham.
>
> I will develop Evergreen, and a lot of people will benefit from it.
>
> Signed: James N. Fleming[411]

The statement ran for three consecutive days and took the matter out of the realm of the technicalities and zoning concerns of public meetings, making it personal in a high profile way by broadcasting the message to an audience of Moore's students and colleagues. Moore denied racism played any role in his activism against Evergreen. The event signaled an escalation in Evergreen-related litigation, including two $1 million libel suits Moore subsequently filed against Fleming in Charlottesville and Albemarle County Circuit Courts[412] to which Fleming, in

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[411] James Fleming, "Racism." *The Cavalier Daily*, January 16, 1976, 3, accessed online, https://news.google.com/newspapers?id=leghAAAAIBAJ&sjid=-GgEAAAAIBAJ&pg=4753%2C2068540

[412] Bob Gibson, "Against Evergreen Developer: $1 million Libel Suits Filed," *The Daily Progress*, January 4, 1977. Ivy Creek Foundation Archives.

turn, responded with a countersuit for $2 million of his own[413].

These cases were not the beginning but rather the culmination of a year-and-a-half-long saga of courtroom-related drama. In the spring of 1976, the trial for Fleming's $1 million discrimination trial against members of the former board of supervisors got under way. During testimony, a witness for Fleming alleged he had overheard the supervisors talking at a local restaurant where one, he claimed, said "he didn't want a bunch of n—— (defecating) in the reservoir." Another, he alleged, said "can you imagine 200 to 300 n—— with truck inter tubes out on the reservoir?" The third, the witness accused of saying that Fleming "could develop Esmont [a predominately black area] if he wants, but not the reservoir."[414] The men denied the allegations and tried to discredit the witness as a person with a vendetta against the county, but the case was abruptly settled out of court before the trial was over.[415]

As part of the settlement, Fleming was at last granted his zoning variance to develop Evergreen at the density of 2.5 units per acre.[416] Alarmed by this development, Citizens for Albemarle and the Albemarle County Taxpayers Association filed a motion for a retrial contending that their rights had been violated by the supervisors, who had acted illegally in approving the development and who had "an irreconcilable conflict of interest", having been told by the judge they could be financially liable for any damages awarded to Fleming stemming from a trial.[417] The motion was denied, but the citizen groups appealed.[418] During testimony,

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[413] Bob Gibson, "Fleming Responds with Countersuit," *The Daily Progress*, May 17, 1977. Ivy Creek Foundation Archives.
[414] Douglas Pardue and Ben Critzer, "Racial Slurs Alleged of County Officials," *The Daily Progress*, April 22, 1976, Ivy Creek Foundation Archives.
[415] Ben Critzer and Douglas Pardue, "Officials Deny Racial Slur Charge," *The Daily Progress*, April 23, 1976, Ivy Creek Foundation Archives.; Ben Critzer, "Discrimination Trial Settled Out of Court," *The Daily Progress*, April 26, 1976. Ivy Creek Foundation Archives.
[416] Ben Critzer, "Discrimination Trial Settled Out of Court," *The Daily Progress*, April 26, 1976. Ivy Creek Foundation Archives.
[417] Douglas Pardue and Ben Critzer, "Evergreen Retrial Requested," *The Daily Progress*, May 7, 1976. Ivy Creek Foundation Archives.
[418] No Author, "Citizens Go to Court to Protect Water Supply," Civic League Of Charlottesville and Albemarle County Newsletter, November 1976. Ivy Creek Foundation Archives.

Board members admitted that, concerned with personal liability, they had not acted exclusively in the public's interest when settling with Fleming.[419] On appeal, the citizens' groups won and Fleming's appeal to that decision was denied. Thus either Citizens for Albemarle or Fleming could demand a rehearing, and the matter was effectively reopened entirely.[420]

The year concluded with Fleming filing a $5 million lawsuit in US District Court against Bedford and Jane Moore, the president of the Albemarle County Taxpayers Association, the president of Citizens for Albemarle, and their lawyer, collectively accusing them of obstructing Evergreen's development for racial reasons and naming the Moores as the instigators of the resistance.[421] It was after this filing that Bedford Moore filed his libel suit for the open letter Fleming had published eleven months earlier.

Downzoning and Reservoir Protection Enacted, 1977-1980

Preliminary results from the pollution study of the South Fork Rivanna Reservoir were released in mid-December 1976 [Fig. 4.7]. In a presentation sponsored by the Citizens of Albemarle, a representative from the engineering firm commissioned to conduct the research explained that the reservoir's health was not as poor as had initially been feared: only 16 percent of the phosphorus causing the reservoir's eutrophication problems could be traced to developed land, while agriculture and undeveloped land each contributed slightly less than a third to the overall accumulation[422]. The consultants recommended pollution controls on agricultural land but declined to weigh in on Evergreen's potential impact on water quality.[423]

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[419] Peter Bacque, "Board Members Admit Fear Prompted Zoning," *The Daily Progress*, July 7, 1976. Ivy Creek Foundation Archives.
[420] Peter Bacque, "Supreme Court Rejects Fleming Appeal," *The Daily Progress*, January 1, 1979. Ivy Creek Foundation Archives.
[421] Peter Baque, "$5 Million Rights Suit Filed," *The Daily Progress*, December 10, 1976. Ivy Creek Foundation Archives.
[422] Peter Bacque, "Reservoir Pollution Labeled Less Than Feared," *The Daily Progress*, December 10, 1976. Ivy Creek Foundation Archives; Bob Gibson, Rivanna Group Okays Controls, *The Daily Progress*, July 28, 1977. Ivy Creek Foundation Archives.
[423] Peter Bacque, "Reservoir Pollution Labeled Less Than Feared," *The Daily Progress,* December 10, 1976. Ivy Creek Foundation Archives.

With this news and the court decision in favor of granting rezoning, Fleming was moving ahead with his plans even as those opposed to the project continued to fight it, now with the added criticism of Fleming's litigious behavior. Speaking to the Albemarle Planning Commission, the president of Citizens for Albemarle, said, "when I polled the governing body…concerning my appearance here tonight, fully one-half of those to whom I spoke expressed their fear that they might be sued as a result of consenting to appearance", charging that "Fleming's lawsuits have both jeopardized and made a mockery of the public hearing process."[424] The Board of Supervisors agreed. Citing "an atmosphere of 'intimidation'", when Evergreen came once again before the Board in mid-February 1977, they deferred action on it [Fig. 4.8], wanting to wait until litigation had been settled. The public hearing process, they believed, had been undermined. "This blanket of intimidation is so great," said Supervisor Chairman Gerald E. Fisher, "that I do not believe we held a proper legislative review."[425]

When the final water quality report arrived in May 1977, after 20 months of study and $149,000, no clear picture of how to proceed with watershed land use management emerged. While determining that the South Fork Rivanna Reservoir would be safely in use for about four more decades if properly managed and calling for the curbing of phosphorus pollution by 60 to 80 percent to ensure this lifespan, the study provided no specific guidelines for how to implement these changes.[426] Nevertheless, a draft ordinance released in July as a first attempt to formalize greater land use control proposed instituting a run-off permit system and extended development limitations to more than a third of the County's 740 square miles.[427] The process of figuring out how to exercise control over "non-source point pollution," however, was new

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[424] Paul Stacy, "Citizens for Albemarle, to the Albemarle County Planning Commission," Charlottesville, Virginia, February 1, 1977. Ivy Creek Foundation Archives.
[425] Peter Bacque, "Albemarle Delays Fleming Project," *The Daily Progress*, February 17, 1977. Ivy Creek Foundation Archives.
[426] Peter Bacque, "Rivanna Board Says Reservoir Plan Lacking," *The Daily Progress*. May 7, 1977. Ivy Creek Foundation Archives.
[427] Bob Gibson, "Rivanna Group Okays Controls," *The Daily Progress*, July 28, 1977. Ivy Creek Foundation Archives.

territory and proving complicated for county engineers.[428]

When the final proposed ordinance was presented to the public that September, it was critiqued for not sufficiently protecting the water supply and officials began to go on the record in favor of officially downzoning land around the reservoir and its tributaries. Initial discussion proposed conservation zones of one dwelling per five acres in the immediate vicinity of lakes and streams connected to the water supply, as well as a further density limitation of 2.5 dwellings per acre anywhere within the watershed.[429] The following month, the Board of Supervisors began to take the first definitive steps towards downzoning the land, a change that would also align it with the newly adopted comprehensive plan.[430]

The new comprehensive plan suggested drastically reduced development areas in comparison to the ambitious 1971 plan. It proposed conservation measures and highlighted the importance of preserving open space and rural landscapes. Overall, it reflected a change in the balance of power away from developers and in favor of preservation interests.[431] A dramatic rezoning proposal to support the aims of the comprehensive plan was released in November 1978. It demonstrated that downzoning was a primary objective. Pro- and anti-development factions duked it out in public meetings. A new zoning ordinance was finally adopted in December 1980 [Fig. 4.9]. It developed a Rural Areas district that covered about 80 percent of Albemarle County and enacted other downzoning measures, including limiting the South Fork Rivanna Reservoir watershed for residential development.[432]

Meanwhile, as the Board of Supervisors continued to defer decisions on Evergreen, Fleming

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[428] Peter Bacque, "Reservoir Building Ban Is Extended," *The Daily Progress*, June 30, 1977. Ivy Creek Foundation Archives.
[429] Peter Bacque, "Iachetta Urges New Safeguards for Reservoirs," *The Daily Progress*, September 22, 1977. Ivy Creek Foundation Archives.
[430] Peter Bacque, "Albemarle Moves Toward Downzoning," *The Daily Progress*, October 20, 1977. Ivy Creek Foundation Archives.
[431] Knuppel, "Watershed Moments," 106–107.
[432] Ibid., 121.

persisted in using the courts to try to push the project through. Alleging $2 million in damages and requesting imprisonment for Board members, he filed suit against them in October 1977 [Fig. 4.10], citing its failure to expeditiously follow the court order for rezoning approval.[433] The Board, for its part, defended its continued deferrals as being the result of Fleming's litigiousness that prevented citizens from speaking freely at public meetings about the project, thus rendering impossible any legitimate legislative process. Where earlier hearings had been characterized by vociferous opposition to the project, the Board contended, at meetings to discuss Fleming's amended plan there was now "a marked absence of public input."[434] The suit came to naught. In June 1978 the same judge who had thrown out Fleming's $5 million suit against the Moores and their anti-Evergreen coalition five months earlier, tossed out his suit against the Board.

Increasingly, it became clear that Fleming's legal efforts were floundering [Fig. 4.11]. In December of 1977 Moore won a $110,000 judgement against Fleming in the libel trial.[435] In his testimony for the trial Fleming explained that his principle ire at Moore was directed at the matter of the tree buffer between the two properties. "It was very difficult for me to accept the fact that my next-door neighbor was confiscating my property for his private use," he said. Furthermore, he claimed to be unaware that *The Cavalier Daily* was a student newspaper and that Moore was employed by the University of Virginia. Instead, he said he took out the open letter in that publication because of the longstanding unfair treatment he felt he had received at the hands of the local newspaper *The Daily Progress,* which he characterized as a "cesspool of misinformation."[436]

Fleming's suspicion of bias at the daily newspaper was not unfounded. Over the prior three

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[433] Bob Gibson, "Fleming Demands Jail, Fines," *The Daily Progress*, October 12, 1977. Ivy Creek Foundation Archives.
[434] Bob Gibson, "Dismiss Fleming Suit, Board Asks," *The Daily Progress*, December 8, 1977. Ivy Creek Foundation Archives.
[435] Peter Bacque, "Supreme Court Rejects Fleming Appeal," *The Daily Progress*, January 1, 1979. Ivy Creek Foundation Archives.
[436] Ibid.

years it had published numerous editorials and letters to the editor condemning the Evergreen project and in support of stricter environmental protections for the reservoir. The paper also had a documented discriminatory history of failing to cover Charlottesville and Albemarle's Black community fairly, if at all. Furthermore, in keeping with the machinations of power-elite theory, the environmental coalition in the Evergreen controversy had backdoor access to the paper's top decision makers.

Babs Conant provided the perhaps most damning evidence for Fleming's distrust. In her private correspondence, she recounted a revealing anecdote about positive press surrounding conservation efforts around the reservoir and the establishment of the Rann Preserve. She attributed

> *...the whole press thing as due to the careful work of Jane [Moore]...who, knowing George Bowles the Editor, took in the press release in person, having made an appointment. As he was midway through reading it, he called in Ben Critzer in some excitement, and the two of them chose what picture to run. (One of the two was heard to mutter, 'Oh I wish it were 800 acres instead of 80.) It came out on the opening page of the Local News Section.*[437]

Critzer was the *Daily Progress* reporter assigned to the vast majority of Fleming coverage during the mid-1970s and the Moores' leveraged their direct access to him to support their cause.

A Quiet Resolution Negotiated, 1977–1981

As Fleming was filing law suits and the downzoning of the South Fork Rivanna River watershed was becoming a more likely possibility, he was also beginning to look for other ways out of the Evergreen project. Being neighbors at The Rann Preserve with whom he had not publicly clashed, Babs Conant and David Morine at The Nature Conservancy may have struck him as potential escape valves. Although Morine had initially advised Conant that they should

[437] Babs Conant to David Morine, Charlottesville, Virginia, December 6, 1975. Ivy Creek Foundation Archives.

"make a conscious effort to stay out of the Fleming battle,"[438] the two nevertheless began working with Fleming behind the scenes to find alternative solution to the Evergreen controversy, one that might work for the developer while also fulfilling Conant's initial hope for the Rann Preserve to expand into something larger than its inaugural 80 acres.

Suggestions of the possibility of The Rann Preserve acquiring Fleming's land began as early as 1976 when Conant met with a representative of a local private foundation to discuss the possibility of receiving grant funding to help transfer The Rann Preserve from The Nature Conservancy to the City. Instead of expressing interest in this transaction, the man "waved his finger around (actually on the Fleming property) and said, 'Now if you had asked for money to *enlarge* the preserve, that might be different…a new project….'"[439] This encounter may have planted a seed that took hold and began to grow between Conant and Morine. If this was the case, the idea was encouraged by Fleming's apparent receptivity when Conant reached out to him nearly a year later, offering to arrange a meeting between him and a representative from The Nature Conservancy during a planned visit to Charlottesville to see The Rann Preserve.[440] While it is unclear whether Fleming met with the representative when he was in town, a week and a half later David Morine's assistant John Payne wrote to Conant telling her that he had spoken to one of Fleming's lawyers and, "It is my feeling that Flemming [sic] wants out quite badly." Payne apparently offered Fleming $2,500 per acre for his land on the spot. "We'll see what happens," he wrote.[441] Two weeks later, Conant received a letter from Fleming appraising his property at $525,000.[442] While the dialogue appears to have languished for a period, it was clear that Fleming was open to alternatives that did not include Evergreen's development. It was also

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[438] David Morine to Babs Conant, Washington, D.C., May 18, 1976. Ivy Creek Foundation Archives.
[439] Babs Conant to David Morine, Charlottesville, Virginia August 31, 1976. Ivy Creek Foundation Archives.
[440] Babs Conant to James Fleming, Charlottesville, Virginia, June 27, 1977. Ivy Creek Foundation Archives.
[441] John Payne to Babs Conant, Washington, D.C., July 8, 1977. Ivy Creek Foundation Archives.
[442] Babs Conant to David Morine, Charlottesville, Virginia, July, 28, 1977. Ivy Creek Foundation Archives.

clear that Fleming was not opposed to conservation land use full-stop and that he was willing to work with Conant and Morine.

That receptivity was confirmed by Fleming's response to seeing Conant at the libel trial where he greeted her "very warmly (asked if I were 'still doing that good work')" and spoke approvingly of Morine who, he told Conant, was "smarter than all those supervisors combined". He also suggested that Conant should "get the Nobel Peace Prize for settling all these legal issues" [Fig. 4.12]. This became running joke that Fleming would go on to mention in nearly all of their ensuing correspondence on the subject. Regardless, Fleming, she wrote to Morine, "needs money NOW," suggesting it was a window for The Nature Conservancy to broker a deal for the land.[443] Twelve days later, Morine discussed a proposal with Fleming to acquire the land in which the City and/or County provided half the funds in matching grants from the Board of Outdoor Recreation and TNC would arrange to supply the difference through a combination of direct funds, providing Fleming with tax deductions from charitable donations. The City and the County, however, were not interested in the proposal and passed on the offer. Shortly thereafter, Fleming sent an affidavit to Morine summarizing their discussions. Because part of The Nature Conservancy's success was based on its unwillingness to engage in conflict, this move alarmed Morine. He abruptly pressed pause on the discussion, telling Conant that The Nature Conservancy, "would like to concentrate our efforts on transferring The Rann Preserve to the City of Charlottesville."[444] Formal discussions for acquiring Fleming's land thus were put on hold, although intermittent communication continued between the two parties in the interim.

Fleming's move with the affidavit worried Conant and she told Fleming as much, going so far as to admonish him for using "pressure tactics" that may well have killed a deal that she

[443] Babs Conant to David Morine, Williamstown, New York, March 5, 1978. Ivy Creek Foundation Archives.
[444] David Morine to Babs Conant, Washington, D.C., March 17, 1978. Ivy Creek Foundation Archives.

viewed as "a perfect solution" to the conflict at hand. She told Fleming it was a "tactical mistake" given The Nature Conservancy's known policy of avoiding "court controversies". While she vowed to do what she could to facilitate continued negotiations, she was not hopeful.[445] It was a surprisingly intimate and personal letter and illustrates what appeared to be a developing rapport between Conant and Fleming that suggested a measure of trust and respect sufficient enough for candor. Fleming responded in kind. He had only wanted "to show that I had tried…very hard to settle the whole matter…and put everyone's mind at rest" he told her, again complimenting Morine and The Nature Conservancy, and expressing that he hoped that his "note finds the Nobel Peace Prize winner enjoying the coming Spring weather."[446] Apparently feeling somewhat chastised, two weeks later, he wrote here again, saying he was "laying low and letting you and Mr. Morine use the wisdom and know-how."[447] These communications seemed to warm Conant to Fleming. While she had initially described him to Morine as the "all-time Charlottesville bastard" she now saw him in a somewhat fond, sympathetic, and insightful—if also somewhat condescending—light. "[I]n his bumbling way," she wrote to Morine, "he seems to think that elbowing through life is the only way to get anywhere (and it is quite possible that that has been his life experience)."[448]

On October 11, 1978, transfer of The Rann Preserve from The Nature Conservancy to the City and the County, which provided matching funds through grants form the Bureau of Outdoor Recreation, for incorporation into the park system as the Ivy Creek Natural Area was complete.[449] With this transaction accomplished, The Nature Conservancy reached out once

[445] Babs Conant to James Fleming, March 20, 1978. Ivy Creek Foundation Archives.
[446] James Fleming to Babs Conant, March 22, 1978. Ivy Creek Foundation Archives.
[447] James Fleming to Babs Conant, April 10, 1978. Ivy Creek Foundation Archives.
[448] Babs Conant to David Morine, April 22, 1978. Ivy Creek Foundation Archives.
[449] Babs Conant to Members of the Board of Supervisors and City Council, Charlottesville, Virginia, October 6, 1978. Ivy Creek Foundation Archives.

again to test the waters with the City and the County about acquiring Fleming's land to expand the new Ivy Creek Natural Area. Again, they said "No," a rejection that Conant interpreted as a "desire for retribution" against Fleming for ongoing litigation. Rumors were that he was by then "trying to sell Evergreen to any taker— for $250,000 or less." She maintained hope, however, that "Maybe in time the seeds we have planted in all those heads will sprout and at a later date the price and the timing will be right."[450]

Conant and her husband moved to upstate New York in 1978, but her optimism was warranted. Over the next couple years, with litigation issues resolving, space opened for renewed negotiations among Fleming, The Nature Conservancy, the City, and the County. A deal was finalized in March 1981 and Fleming transferred his parcel of the Carr Greer's former River View Farm to the City and the County to be incorporated into The Ivy Creek Natural Area. Upon hearing the news, Conant wrote to Fleming, sending "thundering cheers into the New York air…hop[ing] that you can hear them down in Charlottesville." "It took a long time," she wrote to him, "but the seed of the idea planted so long ago surely has grown into a splendid product"[451] [Figs. 4.13–4.15].

Analysis

The question of whether or not the environmentalists and preservationists were at all motivated in their resistance to Evergreen by racial factors and/or whether Fleming was correct to accuse his antagonists of racism is not a question I can answer. Four decades later, it's impossible to determine what motivated individuals to particular actions. What *can* be said is that policies such as zoning which are implemented by institutions have historically been

[450] Babs Conant to David Morine, Williamstown, New York, December 19, 1978. Ivy Creek Foundation Archives.
[451] Babs Conant to James Fleming, Williamstown, New York, March 8, 1981. Ivy Creek Foundation Archives.

wielded to racist ends. It can also be asserted that exclusionary zoning was a particularly popular land use tool among environmental interests during the 1970s, whether they recognized its racial implications or not. Furthermore the coalition of interests that mobilized people concerned with the environment, historic preservation, and property taxes against Fleming and Evergreen was a coalition that regularly allied themselves against development interests during that period. That particular cross-section has also demonstrated over time the ease with which racism has been disguised by facially neutral explanations. It is generally accepted that, historically and after integration, "whites typically conflated psychological expressions of racial fear with more straightforward economic anxieties and assumptions of social privilege" such as concerns over reduced property values resulting from Black neighbors, or conservation or historic preservation.[452] It is also exceptionally difficult to prove race-based housing and land use discrimination in court. The Fourteenth Amendment does not consider being poor a protected class of citizen. It is thus legal to discriminate in the United States based on wealth. In a country where race and wealth are as entwined as they are in this one, in many cases that fact is tantamount to legalizing race-based discrimination in the realm of housing and land use.

Beyond broad strokes, however, it is worth taking time to parse some of the details and undercurrents within the Evergreen episode that directly engage with the tensions at hand and which build out the complexity of the story. Those elements include Conant's recognition of the historic significance of the Carr Greer family and River View Farm as well as Morine's interest in developing a National Register Nomination for the property. Likewise, it is interesting to compare the historic preservation argument applied to Shack Mountain versus the treatment of the Albemarle Training School and Hydraulic Mills as the reservoir was being constructed. Also,

[452] Weise, *Places of Their Own,* 98.

related to Conant and the Moores, in particular, are the implications of power-elite theory, which was critical to the ways in which they navigated the community throughout the controversy. Examining the general arguments for down-zoning expressed by local environmentalists is also worthwhile. Turning to Fleming, comparing him with similarly ambitious white developers of the era is fruitful. Additionally, comparing the ways in which Mary Carr Greer was discussed among white people in contrast to the ways in which they discussed Fleming is instructive to think about within a framework of racial respectability politics. Finally, it is impossible to consider landscape and race in Albemarle County without acknowledging the mythos around land and race emanating from this place as a result of Jefferson's long shadow here. The myth-making around this part of central Virginia is not limited to the cultural imagination: it is a narrative that has fundamentally shaped the material landscape and how people and institutions in power manage and curate it.

1. Local Environmental and Pro-Moratorium Coalition

After Conant had facilitated the funding for The Rann Preserve, which included purchase of the old farmhouse, barn, outbuilding, garden, fences, and graveyard, she began to express an interest in Mary Carr Greer, Conly Greer, and Hugh Carr. In June 1976, eight months after Conant's original canoe trip, she wrote "we are only now learning of the importance that family had in the lives of many local residents" and she began to initiate outreach efforts to family members and former friends of Mary Carr Greer in order to learn more about her.[453] "[W]e are moved and impressed by the personality that is coming forth," she wrote later that month, describing to Morine the many ways in which Greer was involved in the local Black

[453] Babs Conant to Robert Watson, Charlottesville, Virginia, June 12, 1974. Ivy Creek Foundation Archives.

community.[454] This led to Conant hosting an open house at the Rann Preserve for the Carr Greers' friends and family members. She also collected Carr Greer family papers from the house and donated them to the UVA Library, starting the Mary Carr Greer Collection there.[455] Moreover, her interest in the family was genuine and longstanding, enduring after she had left Charlottesville for upstate New York, and she was articulate about her desire for the Carr Greer family's story to be told. As she wrote to Morine and his wife in 1979:

> Charlottesville/Albemarle is so full of Jefferson and the Good Life and the grand homes that it is easy to forget that there was a whole layer of poorer folk who have also made the area richer. In some ways, the Carr and Greer families seem to embody that element, and I wish that their stories could be told…I so much want the local black community to get their day in court and to feel justifiably proud of the role blacks have played…[456]

Morine, too, was attuned to the potential historic significance of River View Farm, suggesting privately to Conant (four and a half decades before it finally happened) that she look into nominating the property for the National Register of Historic Places as a way to incentivize more conservative land use policies in its vicinity.[457] Nevertheless, the discreet racism of liberal white privilege can be discerned in their discussion: Conant's framed the Carr Greer family's history as something she was discovering when in fact, there was nothing to discover. As her own research revealed, the Carr Greer family was already well-known and respected, especially among the local African American community. It is revealing, too, that in response to Morine's early suggestion that she pursue a State or National Landmark Status for River View Farm that she largely dismissed the idea and appears to have dropped the subject, and attitude that stands in contrast to the successful campaign to have the Moores' home at Shack Mountain added to the National Register.[458] That campaign was one that had garnered support from the University's

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[454] Babs Conant to David Morine, Charlottesville, Virginia, June 26, 1976. Ivy Creek Foundation Archives.
[455] Babs Conant to David Morine, Charlottesville, Virginia, June 26, 1976. Ivy Creek Foundation Archives; Babs Conant to David Morine, Charlottesville, Virginia, November 18, 1976. Ivy Creek Foundation Archives.
[456] Babs Conant to David and Mary Morine, Williamstown, New York, March 9, 1979. Ivy Creek Foundation Archives.
[457] David Morine to Babs Conant, Washington, D.C., July 6, 1976. Ivy Creek Foundation Archives.
[458] Babs Conant to David Morine, Charlottesville, Virginia, August 8, 1976. Ivy Creek Foundation Archives.

architectural scholarly elite and Conant appears to have accepted the historical significance of Shack Mountain as a given.[459] The campaign is notable, too, in contrast to the lack of known preservation concern demonstrated by anyone in power, much less design professionals, when the old Hydraulic Mills were demolished ahead of the construction of the reservoir or when the Albemarle Training School was largely destroyed around the same time. Similarly, concern for Black landmarks like the Carver Inn did not activate the local preservation community when the City widened Preston Avenue in 1974 [Fig. 4.16], instead designing the project to avoid impacting legacy white neighborhoods after residents protested and routing the busy thoroughfare through historically Black neighborhoods already impacted by infrastructure projects and urban renewal. In that case, local media presented destruction of Black heritage with an attitude of inevitability.[460] This discrepancy in how Shack Mountain was treated by local preservationists versus how Black architectural and cultural heritage was treated is aligned with entrenched and systemic racism within the design and historic preservation fields that has overwhelmingly preserved the places and landscapes associated with wealthy white men over vernacular sites and landscapes associated with people of color. Such oversights in the Charlottesville-Albemarle area have been confirmed and documented by historian Niya Bates in the context of the establishment of the Southwest Mountains Rural Historic District in 1991 [4.17].[461] It would not be a stretch to argue that a similar ideology was at work among conservation activists and planners in the neighborhood of Hydraulic Mills in the 1960s and 1970s.

While less forthcoming than Conant in their correspondence and a strategist at heart,

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[459] J. Norwood Bosserman to Gordon Wheeler, Charlottesville, Virginia, August 25, 1975. Ivy Creek Foundation Archives; Frederick D. Nichols to Gordon L. Wheeler, Charlottesville, Virginia, August 29, 1975. Ivy Creek Foundation Archives.; Babs Conant to David Morine, Charlottesville, Virginia, October 27, 1975. Ivy Creek Foundation Archives.
[460] Jim Carpenter, "Future Memories," *The Daily Progress*, Charlottesville, Virginia, January 24, 1974. JMRL Microfiche.
[461] See Bates, "Blurred Lines."

Morine and the culture he embraced at The Nature Conservancy is also worthy of some scrutiny, or at least acknowledgment. In his autobiography of his time at TNC, Morine uncritically notes the outsized influence of the work of Paul Ehrich on the Conservancy's top scientist during that period, especially Ehrlich's popular 1968 book *The Population Bomb* [Fig. 4.18]. Written at the behest of the Sierra Club's executive director David Brower and widely embraced by environmentalists of the period, the book warned of overpopulation precipitating a global food crisis and mass starvation.[462] In the years after its initial publication the book provoked widespread and government-mandated population control measures that targeted less developed countries and led to millions of people being sterilized against their wills. Ehrlich's theories, however, have since been widely discredited, its whiff of "an admirable 'nature' against a debased humanity that had flourished beyond its limits" recalling earlier work from the environmental thinkers and activists that embraced eugenicist and racist ideologies.[463]

Also in his autobiography Morine identifies the Mianus River Gorge Wildlife Refuge [Fig. 4.19] in Bedford, New York, as one of The Nature Conservancy's earliest projects and the one which he considered its most successful.[464] The modestly sized 616-acre preserve was the first Natural History Landmark registered in the United States and it is the same nature preserve at the center of James and Nancy Duncan's book *Landscapes of Privilege* (2003). The Duncans frame the preserve as ecologically unremarkable and attribute its favored designation to the wealthy and socially elite people advocating on its behalf.[465] They frame the town of Bedford as aggressively exclusive, with its primary weapons being stringent land use and preservation

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[462] Charles C. Mann, "The Book that Incited a Worldwide Fear of Overpopulation," *Smithsonian Magazine,* January 2018, https://www.smithsonianmag.com/innovation/book-incited-worldwide-fear-overpopulation-180967499/; Morine, *Good Dirt,* 64.
[463] Jedediah Purdy, "Environmentalism's Racist History," *The New Yorker,* August 13, 2015, https://www.newyorker.com/news/news-desk/environmentalisms-racist-history.
[464] Morine, *Good Dirt*, 124.
[465] Duncan and Duncan, *Landscapes of Privilege,* 153.

ordinances and covenants. The preserve, in the Duncans' eyes, is not the primordial wilderness it positions itself as, but rather a "historical product" whose current neighbors are transplanted "wealthy urbanites" who have produced both the wilderness as well as the surrounding pastoral landscape "out of a class-based aesthetic that itself is the product of wealth generated in an urban industrial and financial realm" and that harkens back to 18th-century English aesthetes [Fig. 4.20].[466] Thus, aside from Morine and The Nature Conservancy's support and involvement, the Bedford preserve shares other similarities with Ivy Creek: a composition of former agricultural fields, wetlands, and forest, and a genesis as the project of socially elite local residents. (Tellingly, in an anonymous survey a respondent declared about the moratorium debate that "[T]here has been no involvement by persons or groups representing less affluent families that reside in Albemarle County.)[467] While the Carr Greer family has always been acknowledged by the management at Ivy Creek and the maintenance and preservation of the farmhouse and barn have made the family's agricultural legacy on the property impossible to ignore or deny, early programming at the preserve did emphasize environmental engagement and education. The name of the preserve itself also brands the site in a particular way for the public that makes parallels between Ivy Creek and Mianus apt. The exclusionary reading of Mianus by the Duncans can potentially also be applied to Ivy Creek.

Additionally, in his book Morine is candid about The Nature Conservancy's preference for negotiating land deals with wealthy and powerful people who appreciated the organization's ability to manipulate the tax code for conservation purposes.[468] He is explicit about the elite rooms to which the Conservancy had access and un-self-consciously forthright about their hiring

[466] Duncan and Duncan, *Landscapes of Privilege,* 154.
[467] Shernock, "Interests, Policymakers, and Local Regulatory Politics," 69.
[468] Morine, *Good Dirt,* 43, 76.

practices that favored candidates who "looked the part" and had educational or social pedigrees that would further open doors to those elite rooms.[469] His implication is that the Conservancy staff at the time was comprised of white men with Ivy League or Ivy League-adjacent resumés and that that policy was unremarkable to those engaged with it nor was it interrogated. Cognizant of the fact or not, Morine was undoubtedly complicit in participating in Dorceta Taylor's application of power-elite theory to environmental thinking and policy. So, too, were Conant and the Moores who were more than financially comfortable and connected to local power brokers who they did not hesitate to contact and lobby for their cause. In addition to their direct line to the local newspaper, among them Conant and Jane and Bedford Moore were friendly or social with the city's mayor and counselors, the City Manager, the County Administrator, and members of Albemarle's Board of Supervisors.

Finally, the environmental coalition's adamance over downzoning as the only environmentally responsible approach to land use in Albemarle County and around the reservoir raises questions. The irony cannot be avoided that large lot sizes encourage sprawl. If that is the case, was their argument truly motivated out of environmental concern and only environmental concern? Again, it is impossible to know. Nevertheless, the historical web in which the environmental coalition and their arguments were positioned during the Evergreen episode was one suspended from the related trees of race and exclusion in the United States. Empirically speaking what can be said is that the residential parcels generally to the south and east of Ivy Creek are smaller and less valuable than those to the north and west, suggesting that the preserve does impact the housing market of the neighborhood.

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[469] Morine, *Good Dirt*, 176–177.

Fleming

What the conservationists claimed was a politics of environmentalism Fleming experienced as a politics of aesthetics with racist subtexts. While Fleming's charges of racism were dismissed as outrageous by the white liberals accused of it, the social and cultural context of the time suggests he was justified in considering the possibility: Jim Crow was within easy memory for many Charlottesville and Albemarle residents in the 1970s and integration was still a recent and tenuous event. Racial tension and racism sat just below the surface of everyday life in the community, occasionally igniting. Numerous UVA professors still belonged to the Farmington Country Club which denied membership to African Americans and Jewish people until 1979, a revelation which sparked protests. Race riots along West Main Street also erupted in the mid-1970s after the manager of a local grocery store suspected a customer of stealing, igniting latent anger and frustration among underserved African American public housing residents in the adjacent neighborhood. African American sororities and fraternities were new additions to the school's social landscape and did not have designated houses. Pledges were expected to go without sleeping or eating for days on end without being caught by members. The very point of the exercise was its impossibility. "A pledge must do, and yet appear not to be doing what he is supposed to do. It is very much like the world situation," one fraternity member explained during that time. "Although it is impossible to accomplish the ideal goals, we must try to succeed to remain alive."[470] Survival, in other words, was the concern of Black men as much then as now.

While Fleming may have been portrayed as hostile and bombastic by the media and appeared that way to people like the Moores, it's important to remember that his ambitions had been to rise to the top of the local development scene dominated then and now by figures like Charles

[470] Jeffery Dickerson, "Black Frats: Personal Advancement Through Service Is a Way of Life for These UVA Students," *The Daily Progress,* May 15, 1977, A1. JMRL Microfiche.

Hurt, Daley Craig, and Wendell Wood. These men were—and are—a particular breed of white man with deep ancestral roots in the area and known locally for wielding money, connections, and social capital as much as they were—and are—for being large-scale developers. The two traits, in fact, go hand-in-hand: local perception is that Hurt, Craig, and Wood have been as successful as they have been precisely *because* they have not been afraid to throw their weight around. Furthermore, none are strangers to high stakes lawsuits.[471] If, with Evergreen, Fleming was trying to break into the proverbial local big leagues, his models for how to make that happen were neither gentle nor even particularly polite. Hurt , Craig, and Wood do not appear, however, to have been presented by the media as being as confrontational, overly litigious, and even sometimes irrational as Fleming. This discrepancy in coverage suggests a double-standard. More than a whiff of racial respectability politics also hangs over it. Pushing back against the media's portrayal are Fleming's letters to Conant, which strike a markedly different tone. His recurrent Nobel Prize teasing and personal flattery sketch a perfectly pleasant man trying to make a deal and stay solvent. The Fleming in Conant's correspondence is not the Fleming in *The Daily Progress.*

Significantly, Wood, Hurt, and other white developers also met resistance from the local government to their development proposals affected by the moratorium and were likewise outraged.[472] Equally significant was that they believed their permit denials were violations of private property and vested—not civil—rights. What Fleming and his white counterparts agreed on was that pro-moratorium interests claiming environmental concerns were obscuring ulterior motivations. For the white developers those motivations, however, were the products of classist

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[471] Jayson Whitehead, "Hollymead Developer Sues for $3.5 Million," C-VILLE Weekly, May 22, 2007, https://www.c-ville.com/Hollymead_developer_sues_for_35M/

[472] Editorial, "Protect the Reservoir," *The Daily Progress,* September 7, 1979, Ivy Creek Archives; Charles Giametta, "County Moves to Protect Water," *The Daily Progress,* June 19, 1980, Ivy Creek Archives.

prejudices, not racist ones. As one developer put it: "All these [environmental] groups are run by ten people who have time on their hands. They don't have to work—they can go to all these meetings."[473] The American Venn diagram of race and class make this observation striking: it indicates that Fleming's interpretation of the socio-cultural politics at work in the moratorium debate was not out-of-bounds. Where he diverted from his developer peers and consequently made controversial headlines was in his interpretation of those politics through the lens of race based on his lived experience as opposed to through the more socially acceptable— and white— lens of class.

Elements of racial respectability politics can also be discerned when comparing the contemporaneous ways in which Fleming and Mary Carr Greer were discussed by white people and in the white media. For the white people involved in the Evergreen story, Carr Greer often seemed to be invoked less as an individual than as a figure representative of American meritocracy: a hardworking, civic-minded matron and African American community leader, and admiration of her and her accomplishments was therefore proof of racial tolerance. Jane Moore, for example, in a suspiciously "one Black friend"-like anecdote, claimed she socialized with Mary Carr Greer, who had been well-liked and respected in the white community.[474] Carr Greer did socialize across racial divides but such cordial relationships among rural whites and Blacks in Albemarle County were not, in fact, altogether unusual. As Bates points out, these are people who "grew up together and shared intimate personal relationships with the families."[475] Nor does socializing necessarily imply social equality. Under Jim Crow, rural segregation was often place-specific and "more behavioral than spatial in nature", which meant that in ostensibly integrated

[473] Shernock, "Interests, Policymakers, and Local Regulatory Politics," 54.
[474] Babs Conant to David and Mary Morine, Williamstown, New York, March 9, 1979 Ivy Creek Foundation Archives; Sargent and Thompson, "River View Farm", 37.
[475] Bates, "Blurred Lines," 56.

situations Jim Crow could be expressed through "a highly articulated racial etiquette governed by personal interactions."[476]In contrast to Carr Greer's civic virtues and geniality then, Fleming, as demonstrated by Conant's "all-time Charlottesville bastard" comment and in *Daily Progress* coverage, seems sometimes to have been conveniently relegated to the angry Black man trope that situated him as Carr Greer's foil: the undesirable Black neighbor to her acceptable one.

These perceptions from white people could have been informed by generational shifts reflected in Carr Greer and Fleming's respective and publicly articulated attitudes towards racial discrimination. Carr Greer was diplomatic on the subject: "she didn't ignore it, but neither did she have…any hard feelings…what she actually did was she told us the facts, the truth…but ask for having any hard feelings or animosity toward…the white race, no…none of that."[477] If not before the Evergreen years, then during and subsequently, Fleming demonstrably harbored at least a degree of racial resentment. His and Carr Greer's diverging attitudes could align with research suggesting African Americans born after the mid-1920s had less tolerance for institutionalized white supremacy than their forebears, and that this shift was facilitated in part by increasing mobility as roads improved and rural African Americans traveled more often and further afield, in doing so, showing their children, especially in larger cities and towns, a broader spectrum of localized responses to racial oppression.[478] This is not to detract from Mary Carr Greer's vital role in the local Black community nor to question the genuine loveliness of her person but rather to observe the ways in which her memory may have been co-opted by the power-elite of the pro-moratorium factor to exonerate them of Fleming's charges of racism.

Ultimately, it does not matter if Fleming's accusations of racism and his belief that it played a

[476] Melissa Walker, "Shifting Boundaries: Race Relations in the Rural South," 85.
[477] Sargent and Thompson, "River View Farm," 36.
[478] Walker, "Shifting Boundaries," 121.

part in the denial of his permit for a zoning variance to build Evergreen were or were not true. It is, however, important to spend time with his accusations and allow them credence, because what does ultimately matter is empathy for how Fleming made sense of the Evergreen experience as shaped by his life experiences and cultural history. It is that kind of empathy that might today provide insight into ongoing conflicts unfolding at similar ideological nexuses to those in which he became embroiled.

Albemarle County and the Particularity of Place

Any discussion of the historical entanglements of race and landscape in Albemarle County is incomplete without addressing the elephant in the room: Thomas Jefferson, the idealized agrarian life he conjured and championed, and the heft of that myth in the cultural imagination. Wealthy exurbanites who relocated to Albemarle County brought with them not just conceptions about the agrarian ideal but about the agrarian ideal in the very garden that grew it. The prospect of that image—fantasy though it was— being paved over by unchecked sprawl would have presented a peculiarly specific sense of impending loss and doom for those who believed in its narrative of pastoral harmony.

After Evergreen: Epilogue and Conclusion, 1981–Present

Through this project I have attempted to illuminate connections between local history and broader currents in American history by developing a multi-scalar, trans-disciplinary narrative that situates the Fleming story at the intersection of three often separate discourses: historic preservation, environmentalism, and race/space analysis. The story of James Fleming and Evergreen technically ends with the 1981 land transfer, facilitated by The Nature Conservancy, of Fleming's tract to the City of Charlottesville and Albemarle County for inclusion into the Ivy Creek Natural Area. The lasting impacts of the events leading up to this real estate deal on those who participated in its negotiations, however, were less temporally constrained. Likewise the questions of environmentalism, development, and equity that the episode surfaced for a period continue to bubble up in public debates over development locally, regionally, and nationally. This final chapter offers brief summaries of what has happened to and with the people, places, and issues central to this story after its ostensible conclusion in the following order: Fleming; Babs Conant, David Morine, The Nature Conservancy, and conservation interests; and River View Farm, Ivy Creek Natural Area, and the Ivy Creek Foundation. The chapter also briefly describes the ways in which this story provides relevant historical context for ongoing contemporary debates over rezoning and affordable housing in the City of Charlottesville. Finally, the chapter and the project conclude with avenues for future research and remaining questions that time and scope prevented me from addressing in these pages.

Fleming

The Evergreen plan and the ensuing years fraught with political and racial tensions changed Fleming's relationship to Charlottesville-Albemarle's predominately white power structure dramatically. Once an alliance that had appeared mutually beneficial, by 1980, and as the

Evergreen controversy dragged on, the relationship had clearly soured. In an article in the Black press about Fleming's appointment that year to the State Board of the Southern Christian Leadership Conference (SCLC) which identified him, first and foremost as a "Life Member of NAACP", he is quoted with evident bitterness, as saying:

> In my opinion Black people are being moved backwards against their will…In economic hard times, whites tend to strike out against black persons and other minorities who they believe are getting more than their share…As far as I'm concerned no black person is getting his or her share and we as a people certainly can't be accused of having been given something that belongs to someone else or to some other race….When I decided to have the county rezone my property I knew I would have difficulties based upon the fact that I was going to build for both blacks and whites….Once I thought that you would succeed if you worked hard and you were qualified, whatever that means. I now know that the idea of that is a 'sham.'[479]

The statement indicates a sea change in Fleming's thinking about how best to attain economic and social advancement for African Americans: his boot-straps and hard work approach illustrate by the newspaper coverage of his early professional life has been subsumed by palpable cynicism with regards to the intractability of systemic racism. Moreover, the statement suggests a sense of resentment towards what Fleming by then seems to have considered his own past naïveté with regards to collaborating with, or at least not antagonizing, Charlottesville and Albemarle's political elite.

Indeed, the Evergreen controversy opened the floodgates to conflict between Fleming and the City. By the early 1980s and aside from the ongoing Evergreen-related lawsuits, Fleming was in near-constant litigation with local government over inspections violations relating to properties he managed that by then numbered between 300–500 rental units. The City characterized these properties as substandard with inspections infractions ranging from trash accumulations to poor electrical outlets to sewage leaks. Most alarmingly, the City charged that at least one death that occurred in a Fleming-managed property was attributable to carbon monoxide poisoning

[479] "Local Man Elected to State Board of SCLC," *Charlottesville Albemarle Tribune*, January 1, 1980. UVA Special Collections.

resulting from an improperly installed gas heater. Fleming, in other words, was gaining a reputation locally as a "slumlord."[480]

For his part, Fleming maintained he was providing affordable housing to poor people in a city with a housing crisis. Defending himself against accusations of substandard living conditions in his properties, he asserted that, "For $100 a month…[y]ou can't get the same things as in a $300 apartment." Tensions over inspections soon led to Fleming's filing a $250,000 racial discrimination lawsuit against inspections chief Frank Muse who Fleming had known and worked with for two decades. "I don't remember treating him any different than anyone else," Muse told a reporter. "And I like the old Fleming, we always seemed to get along….If he's got a personal grudge, he shouldn't take it out on me." Muse's reference to "the old Fleming" is telling. A break had clearly occurred and was perceived by those local government officials who had worked with him prior to the Evergreen episode. In the Black community, sentiments about Fleming were characterized as "mixed" with some community leaders critical of his property management practices, while others "described Fleming as a fighter; a black man who has made it on his own. 'Nobody messes with Fleming because he's got money,'" a source was quoted as saying.[481]

The $250,000 suit was followed by a similar $1 million lawsuit. Neither went anywhere.[482] In 1982, the embattled Fleming lashed out at a judge who had sentenced him to ten days in jail for refusing to submit his income tax returns for a pending civil case. Fleming later apologized for calling the court "lowdown,"[483] explaining he was "shocked and bewildered" at the

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[480] Ray McGrath, "James Fleming: Property Manager Stays On Top In Running Battle With City Hall," *The Daily Progress,* August 3, 1980. Ivy Creek Foundation Archives.
[481] Ibid.
[482] Bob Gibson, "Developer Files Suit Against City Officials," *The Daily Progress*, September 24, 1981. Ivy Creek Foundation Archives.
[483] Daniel W. Lehman, "'Symbolic Act' Not Over Yet," *The Daily Progress,* May 14, 1983. JMRL Microfiche.

sentencing, while the judge reiterated his displeasure, calling Fleming's behavior "contemptuous."[484] Fleming eventually served five days at the Albemarle-Charlottesville Joint Security Complex. Upon his release, Fleming's lawyer Gerald Poindexter,[485] told the press that they were considering publicly publishing Fleming's tax returns because, "It seems that everyone is interested in how a black man became a millionaire."[486]

While Charlottesville's overall population has grown, African Americans have been leaving the city in statistically significant numbers as white and Asian people have moved in and gentrified historically Black neighborhoods.[487] Young Black residents have left for more affordable regional housing markets such as Waynesboro as well as for towns and cities further afield that offer more economic opportunities than Charlottesville, which studies have shown scores poorly on social mobility indexes.[488] Whether or not Fleming was still technically a millionaire in the early 1980s is beside the point, as are the details of how he achieved that wealth. What is significant are the facts that Fleming had been a millionaire in the recent past and that that accrual of wealth through real estate placed him a local lineage of which he was among the last local representative to date. Indeed, Fleming and his story appear to mark the end of that tradition dating back to Reconstruction in which African American men, born into modest-to-middle income families and who lived in Charlottesville and/or Albemarle County for most of their entire lives, were able to accrue substantial wealth through local property

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[484] Bob Gibson, "Fleming Apologizes for Outburst," *The Daily Progress*, April 2, 1982. JMRL Microfiche.
[485] Poindexter, a longtime commonwealth's attorney in Surry County, was known for civil rights cases and a determination to establish greater equity in the criminal justice system. His most high-profile case was the 2007-08 defense of footfall star Michael Vick relating to Vick's role in a dog-fighting ring. See Jeremy M. Lazarus, "Gerald G. Poindexter, a Surry County attorney and prosecutor, dies at 80", *Richmond Free Press*, December 21, 2021, Web. May 13, 2022.
[486] Daniel W. Lehman, "Developer Completes 5-Day Jail Term," *The Daily Progress*, May 19, 1983. JMRL Microfiche.
[487] Rebecca P. Arrington, "UVA Study Finds Charlottesville Has Become More Populated, Diverse In Last Decade," *UVA Today*, July 26, 2011, https://news.virginia.edu/content/uva-study-finds-charlottesville-has-become-more-populated-diverse-last-decade; Jordy Yager, "A new page: Longtime 10th and Page residents are seeing a shift in the neighborhood," *C-VILLE Weekly,* December 1, 2017, https://www.c-ville.com/new-page-longtime-10th-page-residents-seeing-shift-neighborhood/.
[488] See opportunityatlas.org.

ownership. The ethics of how Fleming may have accrued his particular wealth and how he was perceived within the local Black community is a question for another project. What is notable here is that Fleming marks the end of a tradition which began with people like Hugh Carr, and which paralleled larger national trends in Black land ownership.

Babs Conant, David Morine, The Nature Conservancy, and Conservation Policy

By 1981, Babs Conant had moved to upstate New York where she would spend the rest of her life. There, she continued working with The Nature Conservancy[489], which continued to hone its particular approach to land conservation and prove uniquely successful it. In November 1980, TNC completed the biggest grant in the history of the conservation movement.[490] By the time David Morine retired from TNC in 1988 the organization had done more than 5,000 land transfers on increasingly large projects.[491] Today it operates in 76 countries worldwide and has protected more than 125 million acres of land since its founding in 1951.

Despite TNC's preferred politically neutral positioning that has depended on its appeal in equal parts to white liberal environmentalists and the more conservative wealthy sportsmen and hunter demographic, these numbers have not been accomplished without friction or complication. Similar to the 1970s, the conservancy's mission continues to be focused on how "to help save endangered lands, waters and wild species."[492] The language of "saving", however, is loaded and prompts the questions, "Saving from whom?" and "Saving for whom?" "Saving" is the language of colonialism as much as it is the rhetoric of aid. This mentality has recently come

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[489] Babs Conant to James Fleming, Williamstonw, New York, March 8, 1981. Ivy Creek Foundation Archives.; Conant also came out as gay shortly thereafter and became a donor and supporter of PFLAG and Lambda Legal. This fact is relevant only because in 1998 fourteen men were arrested on solicitation of sodomy and indecent exposure charges at Ivy Creek Natural Area. Their names were published in the local newspaper in an episode that would today likely be understood as an episode of sexual discrimination. That these men were arrested at a site founded by a woman who was by then a prominent gay rights activist is as ironic as it is tragic.

[490] Morine, *Good Dirt,* 106.

[491] Morine, *Good Dirt*, 41–42.

[492] "The Nature Conservancy" (homepage), October 17, 2022, https://www.nature.org/en-us/.

under criticism in Illinois where, in a story that echoes the history of Albemarle County's Hydraulic Mills, TNC has supported efforts to preserve land in an historically Black farming community that has in turn accused TNC and other conservationists of participating in predatory land practices that have resulted in Black land loss.[493]

Nor has the conservancy's desired political neutrality been entirely feasible. Beyond the Fleming episode, the story of Ivy Creek Natural Area is notable because of its fortuitous timing. In his first term as president, Ronald Reagan cut nearly ten percent of all non-military government spending.[494] While conservation efforts had flourished under the environmentally friendly Carter administration, this favored status ended abruptly shortly after Reagan was inaugurated in January 1981 and appointed private property rights advocate James G. Watt as his Secretary of the Interior. That March Watt abolished the Bureau of Outdoor Recreation, which had provided the grant funding that allowed Charlottesville and Albemarle County to purchase Fleming's tract as an addition to the Ivy Creek Natural Area.[495] When Morine met with Watt to discuss funding promised to TNC under the Carter administration that had not yet come through, Watt retorted, "What land?…We can't take care of the land we've got. We want to be selling, not buying."[496] While the Reagan administration's hostility towards conservation became "the greatest fundraiser in the history of conservation" it also essentially eliminated federal funding for land preservation.[497]

Around this time, too, TNC was shifting its project requirements. In the early 1970s the

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[493] Tony Briscoe, "Conservationists See Rare Nature Sanctuaries. Black Farmers See a Legacy Bought Out From Under Them," *ProPublica*, October 14, 2021, https://www.propublica.org/article/conservationists-see-rare-nature-sanctuaries-black-farmers-see-a-legacy-bought-out-from-under-them.
[494] P.E. Moskowitz, *How To Kill a City* (New York, NY: Public Affairs, 2017), 42.
[495] Joanne Omang, "Watt Launches Interior Cutback with Old Office," *The Washington Post,* February 20, 1981, https://www.washingtonpost.com/archive/politics/1981/02/20/watt-launches-interior-cutback-with-old-office/af8f387a-403a-4457-83fb-4a9d3eff12c2/.
[496] Morine, *Good Dirt*, 137–138.
[497] Morine, *Good Dirt,* 189.

organization was still taking any land that came their way. By the early 1980s and as their profile grew alongside their success rate, the organization's criteria for conservation projects became more stringent focusing, among other things, on larger tracts—as opposed to small islands—of land.[498] In other words, both federal policy and TNC policy would have made the establishment of Ivy Creek Natural Area, unlikely-to-impossible had the land transfer deal been scheduled for inking even a few months later.

TNC aside, the mainstream environmental movement more broadly has likewise struggled in the past forty years to shake entrenched land policy and acquisition practices that find the sector facing accusations of racism. These accusations stem from conservation organizations' continued support of localities' conservation efforts in the face of growth pressures that spark similar debates to those raised by James Fleming and his proposed Evergreen development, as well as conservation efforts in more sparsely developed contexts.[499] Growing recognition of intersectionality between environmental and social justice interests, however, as evidenced by the maturing of the environmental justice movement is bringing these groups into increasing dialogue and collaboration as they progressively recognize common cause in political objectives.

River View Farm, Ivy Creek Natural Area, and the Ivy Creek Foundation

Although Conant expressed her desire to see the history of the Carr Greer family and River View Farm featured as part of Ivy Creek's programming and interpretation, natural history was the decided focus when the preserve opened to the public in 1981. Early programs included hawk migration field trips, wildflower walks, and nature film screenings[500]; while proposed exhibits

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[498] Morine, *Good Dirt,* 41–42.

[499] See Maya Wiley, "Smart Growth and the Legacy of Segregation in Richland County, South Carolina," in *Growing Smarter: achieving livable communities, environmental justice, and regional equity,* ed. Robert D. Bullard (Cambridge, MA: MIT Press, 2007);

[500] "Education Committee Report," Ivy Creek Foundation, 1981. Ivy Creek Foundation Archives.

included information on the Carr Greer family, topics overwhelmingly favored natural history, ecology, geology, and meteorology.[501] There was discussion for a time of partnering with the Sierra Club on a nature education center, a proposal that never came to fruition but that demonstrates the interests of the board and the direction in which they wanted to take Ivy Creek.[502] Regardless, the two histories — natural and cultural— were largely understood, presented, and interpreted as separate.

Over the years, and in collaboration with Carr Greer family descendants, the initial clear interpretive bias in favor natural history has shifted to a more equitable division that accounts for the family's rich history. While regular programming still emphasizes natural history, historic farm and barn tours are offered, and the family, River View Farm, and Hydraulic Mills are prominent elements on interpretive panels at the information kiosk near the entrance. The Foundation's sponsored "Ivy Talks" series, in particular, strikes a balance between these two educational objectives: the past few years have featured speakers on oak trees, black bears, birding, and native plants as well as the Albemarle Training School, African American farmers, descendant experiences, and the latest efforts to preserve and interpret River View Farm. Importantly, descendants of the Carr Greer family appreciate the efforts of the organization, especially in recent years, to collaborate on interpretation and preservation strategies for the cultural landscape. The Carr Greer family approves of the work done at Ivy Creek to preserve interpret their family and its history. Manfred Greer Jones has said it still remembers the place he knew as a kid and that he appreciates that. "It's very much like the home where I used to live," he said.[503]

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[501] "Subcommittee on Exhibits Report," December 9, 1981. Ivy Creek Foundation Archives.
[502] Peggy Sedgwick, "Ideas and Suggestions for the Development of an Environmental Education Center," Sierra Club, 1981. Ivy Creek Foundation Archives.
[503] Author interview with Manfred Greer Jones, August 16, 2022.

Renewed local and institutional interest in and energy around commemorating the Carr Greer family's history have also been representative of a larger national trend seeking to rectify legacies in conservation and historic preservation which have systematically undervalued historic Black landscapes and sites.[504] This was particularly illustrated when River View Farm was added to the National Register of Historic Places in December 2020, four and a half decades after David Morine first suggested the idea to Babs Conant. The nomination was subsequently recognized by the 2021 Historic American Landscapes (HALS) Challenge for the theme of "Black Landscapes". Indeed, recognition of the historic significance of River View Farm's cultural landscape suggests that in addition to the elimination of the Bureau of Outdoor Recreation and changing acquisition metrics within TNC, shifting valences within historic preservation may have also complicated the establishment of Ivy Creek Natural Area had it been proposed more recently. Especially if suggested in the past five years, proposals framing Ivy Creek Natural Area primarily as a nature preserve would probably have been considered non-starters: the cultural landscape and the African American community history would likely have taken precedence and operated as a starting point for site interpretation. This is not to argue that site interpretation at Ivy Creek is inappropriate in the current political and social climate but to recognize the necessity of flexibility in interpretive practices as cultural understanding evolves. Indeed, Ivy Creek administration appears flexible in this regard.

Alongside renewed interest in and efforts to recognize the significance of the historic Black landscape, the fact that Ivy Creek is predominately white-led and its visitors are also largely white means it shares a diversity challenge that characterizes many similarly environmentally-

[504] The National Trust for Historic Preservation's African American Heritage Fund inaugurated and run by Brent Leggs has been a high-profile attempt to begin to redress this legacy.

focused organizations.[505] Like other green nonprofits, Ivy Creek is aware of this challenge. That awareness has been made more acute as diversity and equity have emerged as particular points of scrutiny across the environmental sector, especially in the wake of the Black Lives Matter movement nationally and locally in response to the violent white nationalist events of August 11–12, 2017.[506] Indeed, Ivy Creek's demonstrated interest over the past five years in the Carr Greer family and the African American community of Hydraulic Mills, as well the diversification of its governing board, has grown in urgency as a function of the contemporary social and political climate. Funding, intentional and targeted outreach to people of color, and opportunities for leadership and advancement for non-white staff members are considered the keys to diversifying environmental organizations.[507]

Beyond practical management strategies, the two educational prongs at Ivy Creek Foundation—natural history and cultural landscape—also potentially warrant a more philosophical consideration of how nature and the environment are framed at the site. The wilderness paradigm situates Black wilderness and Black environmental engagement as "everything a white wilderness is not"[508]. Black environmental thought is thus often characterized as relating ambivalently to land and landscape, associating them at once with oppression and freedom, peril and protection, corruption and redemption, while always positioned within a broader discourse of civil rights.[509] This binary thinking is problematized by environmental historian Daegan Miller who argues that more scholarly attention could reveal a novel and paradigm-shifting approach to environmental thinking that transcends the binaries that

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[505] See Dorceta Taylor, *The State of Diversity in Environmental Organizations*, Green 2.0, July 2014
[506] Diane Toomey, "How Green Groups Became So White and What to Do about it: An Interview with Dorceta Taylor," *Yale Environment 360*, June 21, 2018, https://e360.yale.edu/features/how-green-groups-became-so-white-and-what-to-do-about-it.
[507] Toomey, "How Green Groups Became So White and What to Do about it: An Interview with Dorceta Taylor."
[508] Daegan Miller, "At Home in the Great Northern Wilderness: African Americans and Freedom's Ecology in the Adirondacks, 1849–1859," *Environmental Humanities* 2 (2013): 119.
[509] See Kimberly Smith, *African American Environmental Thought* (2007).

might contribute to a distortion of environmental history. He writes,

> perhaps we environmental historians have spent a bit too much time pointing out the problems with the monolithic wilderness dreamt up by a very small handful of white, western elites, and not enough crafting a complicated, nuanced intellectual history, where black farmers and political radicals receive the same rigorous scholarly attention as John Muir, Gifford Pinchot, Theodore Roosevelt, and David Brower. Perhaps, in our efforts to root out a wilderness of exclusion, we've paradoxically turned a single, albeit influential conception into a hegemonic paradigm, and read it back into the past, silencing alternatives and historical contingency.[510]

Miller proposes a way forward might be to "look for hybrids of black and white, wild and cultivated"[511]. Because legacies of white wilderness at "public land institutions, and other outdoor recreation delivery entities continue to determine the choices, the kind of options available for those choices, and which choice is acceptable or not", exploring a more hybrid approach to environmental engagement would require those experiences not be "defined from a White lens, but by the lenses of many and their respective cultural-political worldviews."[512]

What this suggests for Ivy Creek is how an understanding of "cultural landscape" not as a discrete site or materiality but as an *approach* that interprets landscape as an "intersecting medium, the place where everything comes together rather than a site of differentiation", an approach that "seek[s] to join and bring together where other disciplines have sometimes tended to fragment and separate"[513] might add dimensionality to interpretation and programming. While the interpretive focus at Ivy Creek has shifted over the years to a more equal engagement with the natural and cultural history of the site, the two are still largely presented and interpreted as separate stories. Could, however, interpreting the Black agricultural landscape through lenses of topography, ecology, and geology be as potentially enriching as interpreting the nature preserve

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[510] Miller, "At Home in the Great Northern Wilderness", 141.
[511] Miller, "At Home in the Great Northern Wilderness," 119.
[512] Sene-Harper, Mowatt, and Floyd, "A People's Future of Leisure Studies", 17; In his book *What Can and Can't Be Said: Race, Uplift, and Monument Building in the Contemporary South* (Yale University Press, 2015), Dell Upton has made a similar argument about material culture the separation white and Black histories therein.
[513] Diane Harris, "The Postmodernization of Landscape: A Critical Historiograhy," *Journal of the Society of Architectural Historians* 58, No. 3 (September 1999), 435.

landscape through a lens that consistently accounts for the agricultural fields that have been returned to forest, the cultural shifting of historic crops, and the proximity of the site to former landscapes of enslavement? In short, in what ways might such an interpretive approach open the door to a more inclusive definition and understanding of what constitutes a "natural area"?

Where Ivy Creek already begins to implement such cultural landscape approach that frames the site as fundamentally hybridized is around the remnant farming equipment scattered throughout the site and that is gradually being overtaken by vegetation. While these elements receive little direct interpretative attention, their persistent presence in the landscape acts as a powerful visual reminder of time and process and the fact that "cultural remembering proceeds not through reflection on a static memorial remnant but through a process that slowly pulls the remnant into other ecologies and expressions of value, accommodating resonances of death and rebirth, loss and renewal."[514] Likewise an approach that validates hybridity is reflected in the Ivy Creek Foundation's logo. There, a simplified depiction of the blue reservoir runs between two green hills and leads to Conly Greer's white barn, suggesting that the topography, the natural hydrology, the man-made reservoir, and the Black agricultural landscape together constitute a complex, contested, and layered historical landscape. This is an image for the Foundation to embrace and lean into. It is an image that dates to the founding of Ivy Creek while pointing simultaneously to potential interpretive futures.

Whether or not racism was a motivating factor in mobilization against James Fleming and Evergreen, where the story provides an interpretive opportunity for Ivy Creek is in the way in which it questions a simple environmental narrative of "saving" land. Instead of glossing over the contentious moment, the story presents an opportunity to engage with the complexities of the

[514] DeSilvey, *Curating Decay*, 35.

environmental movement in the United States, how it has dovetailed with urban, suburban, and exurban land use planning, and the ways in which all have been wielded to exclusionary ends elsewhere if not at Ivy Creek, specifically. Instead of positioning Ivy Creek Natural Area's foundation story as a simple one of conservation and preservation interests triumphing over a textbook developer out for personal financial gain, what stands to be gained from framing Fleming and Evergreen in a more complicated narrative fundamentally shaped at once by the social and cultural politics particular to this place while also echoing national historical patterns that continue to inform land use debates today?

Current Comprehensive Plan and Rezoning Debate

Forty-five years after Fleming first proposed Evergreen to the Albemarle County Planning Commission arguing that a demand for affordable housing in the area necessitated greater development density, affordable housing, development pressures, and land use policy in Charlottesville and Albemarle County continue to be relevant and contentious topics of public concern. Land use policy and the preservation of single-family zoning as an exclusionary practice in particular persists as a flashpoint in local public meetings about development future in the city and county.

In 2021, and after prolonged five-year and fractious public debate, the Charlottesville City Council adopted a new Comprehensive Plan. Among the plan's chief objectives is to increase housing opportunities across the city with the creation of affordable housing being a priority. This will necessitate drawing a new zoning map and drafting an inclusionary zoning ordinance stipulating that all new development provide a certain percentage of units at a certain percentage of area median income (AMI). The last time Charlottesville updated its zoning map was in 2003. That rewrite, however, largely did not affect previously-implemented zoning that designated

many legacy white neighborhoods as R1-A single-family land use intended for detached residential homes and discouraged multifamily or mixed-use development.[515] These neighborhoods comprise a majority of the city's land mass and since 1991 that zoning limitation has limited urban housing stock and driven up real estate prices so that the market has grown increasingly out of reach for lower- and middle-income residents.

The new comprehensive plan includes a Future Land Use Map (FLUM) that proposes changes to city zoning that are designed to inform the zoning rewrite currently underway. Specifically, the FLUM recommends up-zoning across the city, including in many areas previously reserved for low-density single-family residential use.[516] That map has been extraordinarily contentious, pitting residents in favor of greater housing density against homeowners concerned about how changes would effect their neighborhoods.[517] Echoing the Fleming and Evergreen debate in the late 1970s, rehashed countless times in the current conversation have been concerns about the continuing legacies of racial segregation in residential housing and the ways in which low-density zoning acts as an exclusionary force: the particulars of the conflict have changed but the conflict itself remains front and center in local development politics.

In a related conversation, the Piedmont Environmental Council and the Thomas Jefferson Planning District Commission have partnered on a proposed "Greenways Project" to develop Charlottesville's urban core into a more bikeable and walkable circulation network.[518] This

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[515] Erin O'Hare, "Now that the city has a new land use map, it's time for the massive rezoning process to begin," *Charlottesville Tomorrow*, November 18, 2021, https://www.cvilletomorrow.org/now-that-the-city-has-a-new-land-use-map-its-time-for-the-massive-rezoning-process-to-begin/.

[516] Rhodeside & Harwell, Inc., "Future Land Use Map," *Comprehensive Plan: City of Charlottesville,* City of Charlottesville, November 15, 2021, 28.

[517] Rhodeside & Harwell, Inc., "Overview of Community Input Received," *Community Engagement Summary*, Rhodeside and Harwell, June 21, 2021, https://cvilleplanstogether.com/document-media-center/; Erin O'Hare, "Future Land Use Map conversations cause confusion, controversy," *Charlottesville Tomorrow,* June 10, 2021, https://www.cvilletomorrow.org/future-land-use-map-conversations-cause-confusion-controversy/.

[518] Peter Krebs, "About the Greenways Project," *Piedmont Environmental Council,* January 2, 2018, https://www.pecva.org/region/albemarle-charlottesville-region/about-the-greenways-project/.

project has intersected with the housing debate by generating the critique that privileging bike and pedestrian transportation precipitates environmental gentrification, driving residents who cannot afford cars or who are physically unable to bike or walk further from the city, their workplaces, and other employment opportunities. Environmental gentrification "describes the convergence of urban redevelopment, ecologically-minded initiatives and environmental justice activism" and operates "under the seemingly a-political rubric of sustainability…[to build] on the material and discursive successes of the urban environmental justice movement and appropriate them to serve high-end redevelopment that displaces low-income residents."[519] The prospect of environmental gentrification in the context of the current Charlottesville housing crisis and debate thus offers contemporary articulations of similar concerns expressed during the Fleming episode about the ways in which environmental interests have not always taken racial discrimination seriously or into account when pursuing green agendas.

The most uncannily similar contemporary development debate to the Fleming controversy is one currently unfolding in the upscale Woolen Mills neighborhood where Fleming's old competitor, Wendell Wood, has proposed a high-density apartment complex in a floodplain that is currently an open field adjacent to River View Park and situated along the Rivanna River walking trail. Wood has, for now, received his project approval, but the neighborhood has mobilized against the project, so the outcome still remains to be seen.

Future Research

Limitations on time, resources, and personal skillset meant I was inevitably unable to accomplish all the research a comprehensive telling of this story requires. Likewise, these limitations also prevented me from addressing all the questions that Fleming and the Evergreen

[519] Melissa Checker, "Wiped Out by the 'Greenwave': Environmental Gentrification and the Paradoxical Politics of Urban Sustainability," *City & Society* 23, No. 2 (2011): 212.

controversy raised.

Crucial to a better, more complete, history would be more engagement with those still living with direct knowledge of the events. While a former director of Ivy Creek Natural Area was hugely helpful in providing background information and facilitating access to source materials, in the end I spoke with only one Carr Greer family descendant. Another descendant declined my interview request, and a third never responded to inquiries. Fleming's surviving daughter initially agreed to an interview but later changed her mind. Those environmentalists who participated in the establishment of Ivy Creek Natural Area and who remember the Fleming episode are few and far between. The one with whom I was able to make contact declined an interview, saying his knowledge of the particulars of that debate was too vague and he did not wish to consider the racial implications of the conflict. Had time been less of an issue with this project I would have devoted more attention to cultivating relationships with these players and building trust to gain access to their perspectives. As it was, cold calls and emails were an imperfect method for interview outreach.

Additionally, with more time I would have done more property research. First, it would be important to know the precise mechanisms by which the Black landowners of Hydraulic Mills came to sell or lose their properties. What rolls, if any, did the USDA and property tax policies play locally in the transition of Black land out of Black hands in Hydraulic Mills? I would also have liked to delve more deeply into Fleming's real estate empire, its rise and potential fall, and the establishment of Gold Key Realty in both Charlottesville and Waynesboro. To do this, I would have spent more time going through property records at the court house and examining Fleming's will more scrupulously.

In terms of questions that remain unanswered, there are significant ones. Among them, did

Fleming get a fair deal from The Nature Conservancy in the end? Moreover, Fleming was not always operating alone. He frequently had partners and those partners were often white. Who were these men and what was the nature of these relationships? What were the roles of the various partners and to what ends were those agreements made? Fleming's deal with Mary Carr Greer is also an outstanding question. Mary Carr Greer's relatives think that she did not get a fair deal from Fleming in the life estate agreement that willed him 66 acres of River View Farm and Babs Conant suggests this in her correspondence as well. Unpacking the math of that real estate deal would be interesting vis a vis Fleming's business practices within the local Black community. Similarly, what was Fleming's position in the local Black community as a manager and owner of properties for low-income residents? Did his reception within that community and his relationship to it change over time and if so, in what ways? How was a wealthy local Black man who had accrued that wealth locally perceived by his peers?

What these lingering research opportunities and questions demonstrate and confirm is just how wide-ranging and rich the Fleming and Evergreen controversy over the future of Mary Carr Greer's River View Farm was and remains. Contained within this single story is the possibility of material for multiple future large-scale research projects that go far beyond what I have covered here. I hope one day there are interested students to pick up where I have left off.

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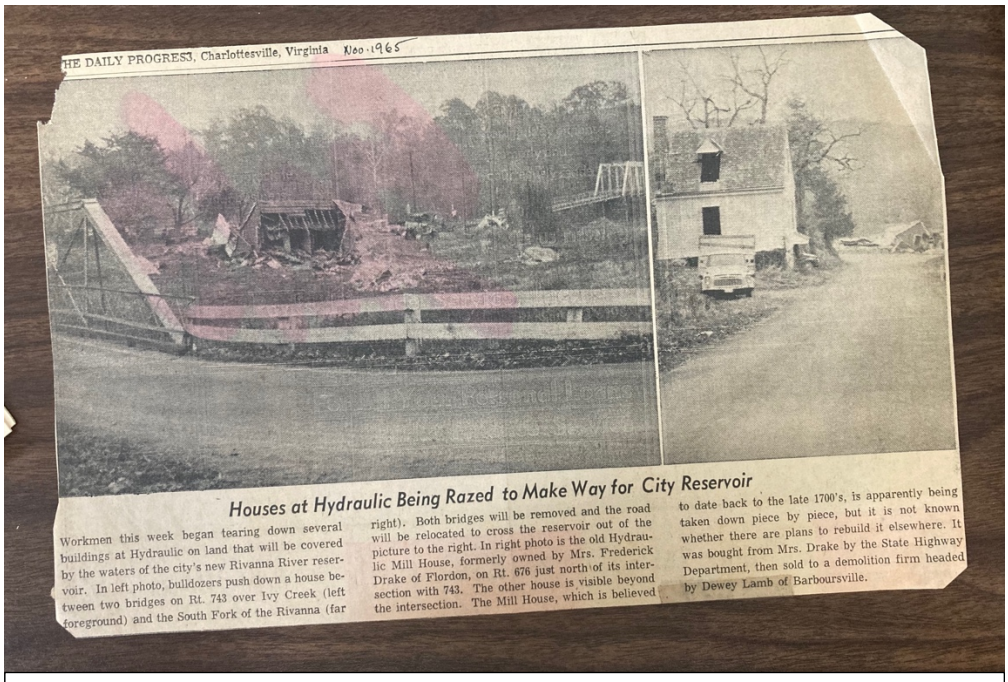
Image Appendix



HE DAILY PROGRESS, Charlottesville, Virginia Nov-1965

Houses at Hydraulic Being Razed to Make Way for City Reservoir

Workmen this week began tearing down several buildings at Hydraulic on land that will be covered by the waters of the city's new Rivanna River reservoir. In left photo, bulldozers push down a house between two bridges on Rt. 743 over Ivy Creek (left foreground) and the South Fork of the Rivanna (far right). Both bridges will be removed and the road will be relocated to cross the reservoir out of the picture to the right. In right photo is the old Hydraulic Mill House, formerly owned by Mrs. Frederick Drake of Flordon, on Rt. 676 just north of its intersection with 743. The other house is visible beyond the intersection. The Mill House, which is believed to date back to the late 1700's, is apparently being taken down piece by piece, but it is not known whether there are plans to rebuild it elsewhere. It was bought from Mrs. Drake by the State Highway Department, then sold to a demolition firm headed by Dewey Lamb of Barboursville.

Fig. 1.1. *Daily Progress* coverage of the razing of extant historic buildings at Hydraulic Mills in November 1965. Charlottesville-Albemarle Historical Society.

Fig. 1.2. Military engineer Jedediah Hotchkiss's 1867 map of Albemarle County showing the location of Hydraulic Mills near the confluence of the Rivanna River and Ivy Creek. Library of Congress.

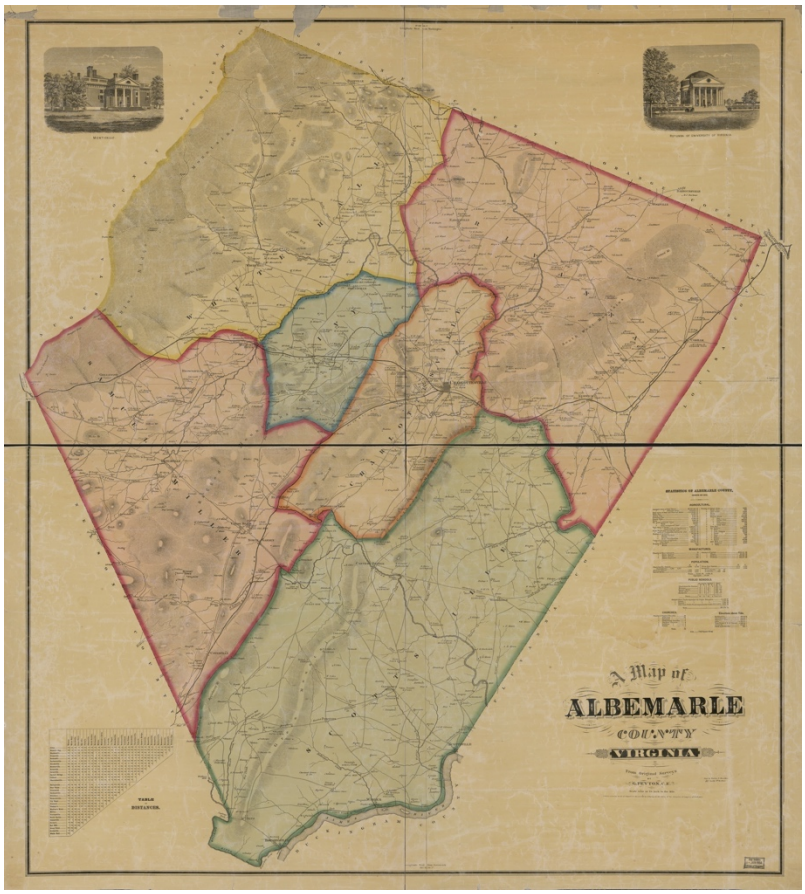


Fig. 1.3. The Green Peyton map of Albemarle County in 1875 illustrates the close proximity of the center of Hydraulic Mills to property still owned by the Wingfield (which enslaved Hugh Carr and other Hydraulic Mills African American landowners and residents) and Burnley families. It also depicts the Ivy Creek Baptist Church which would later be renamed the Union Ridge Baptist Church. Library of Congress.

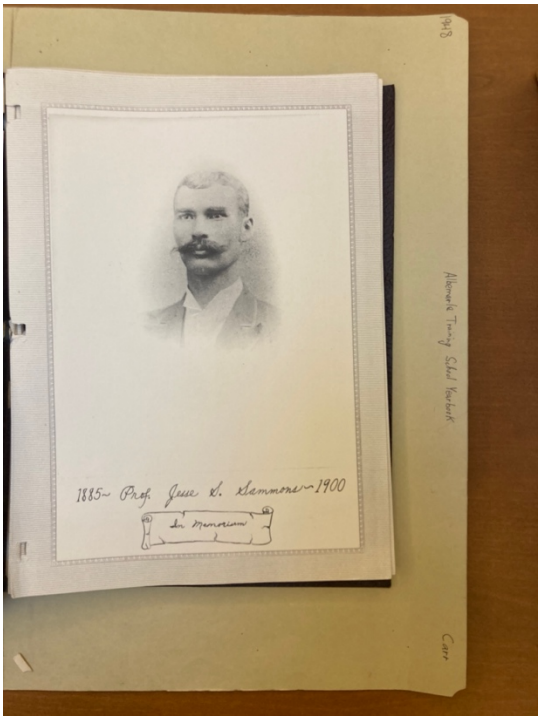


Fig. 1.4. Jesse Scott Sammons, son of Rollins Sammons. Carr Greer Papers, UVA Special Collections.

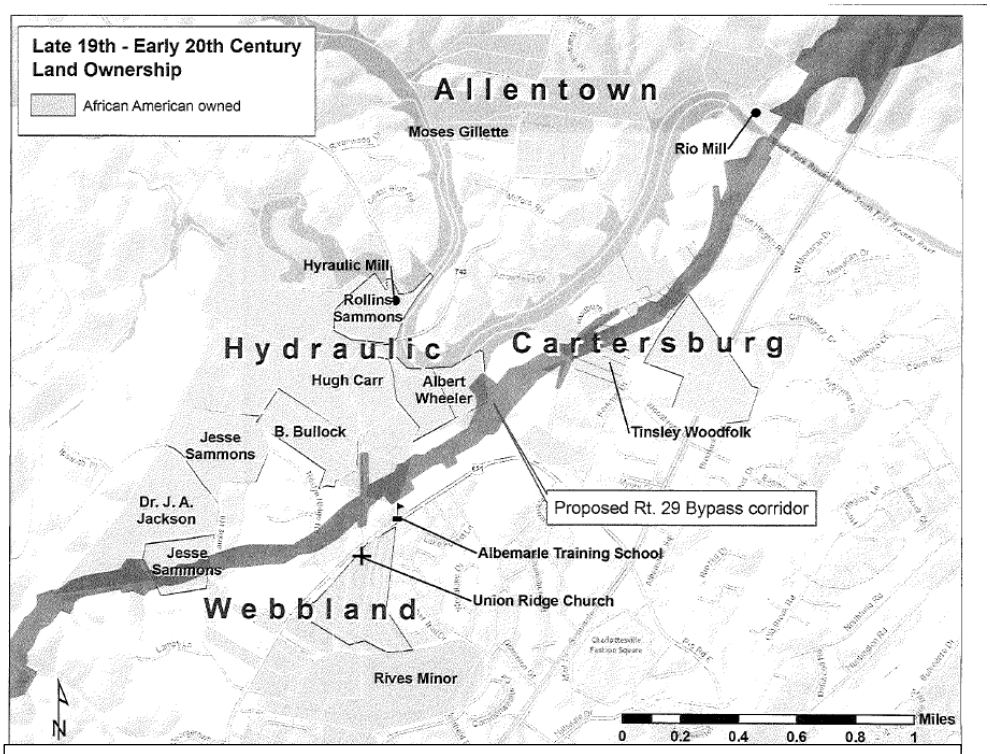


Fig. 1.5. A map depicting the broader African American post-Civil War-era neighborhood of Hydraulic Mills, Union Ridge, Webbland, and Cartersburg, as well as the property relationships among major Black landowners in the area and the geographic centrality of the school and the church to the community. Minor Preston Educational Fund.

Fig. 1.6. Union Ridge Baptist Church in Albemarle County co-founded by Hydraulic Mills landowner Burkley Bullock. Encyclopedia Virginia.

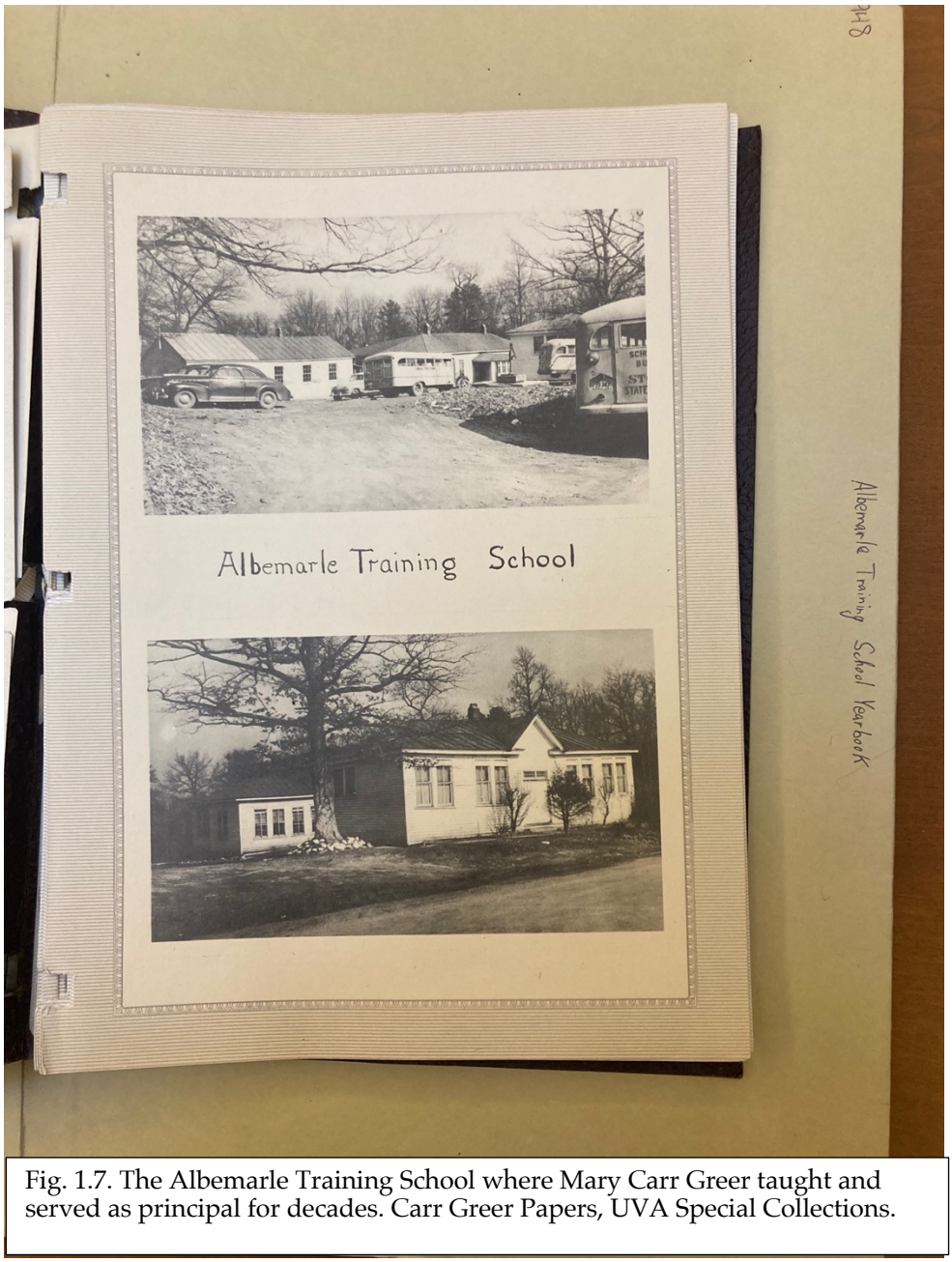
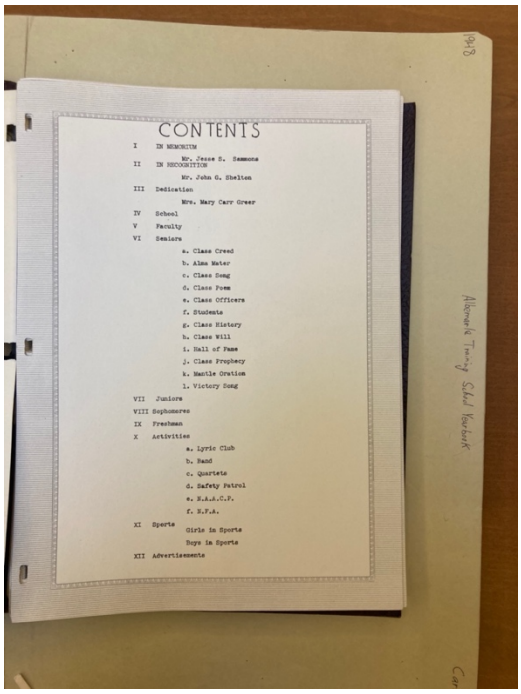
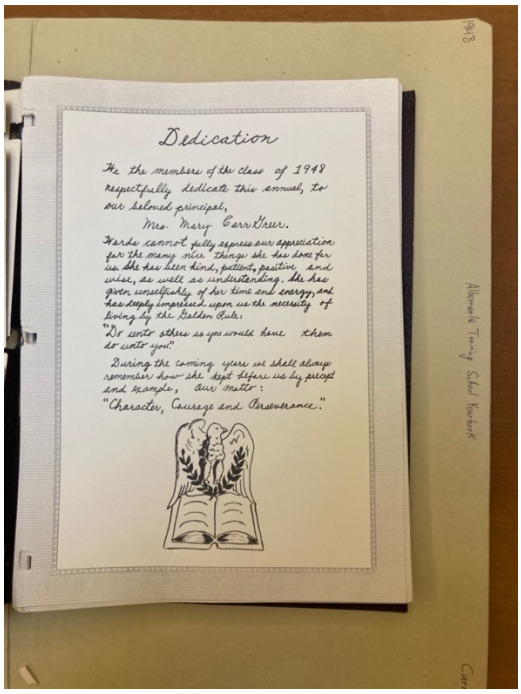
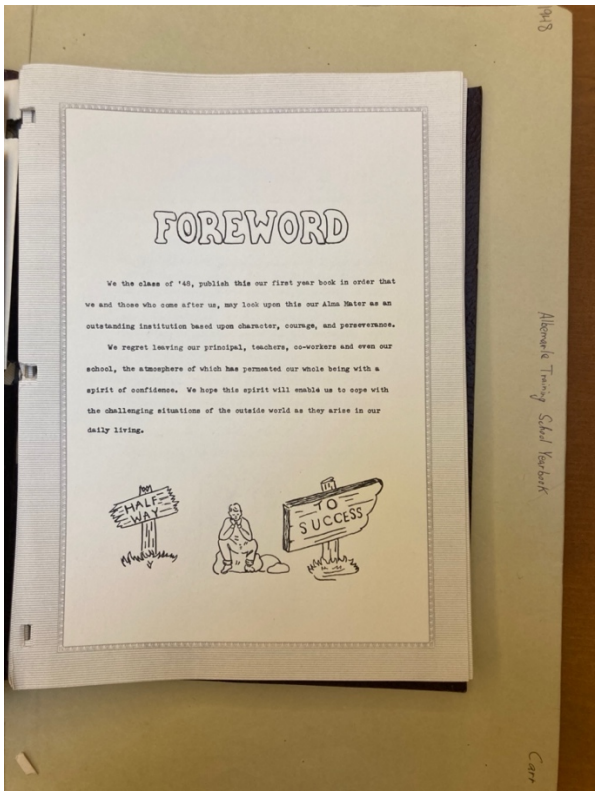


Fig. 1.7. The Albemarle Training School where Mary Carr Greer taught and served as principal for decades. Carr Greer Papers, UVA Special Collections.







Figs. 1.8–1.10. Pages from the 1948 yearbook of the Albemarle Training School. Carr Greer Papers, UVA Special Collections.

Fig. 1.11. Carl Pitner's 1920 map of Albemarle County that clearly identifies the Albemarle Training School. UVA Special Collections.

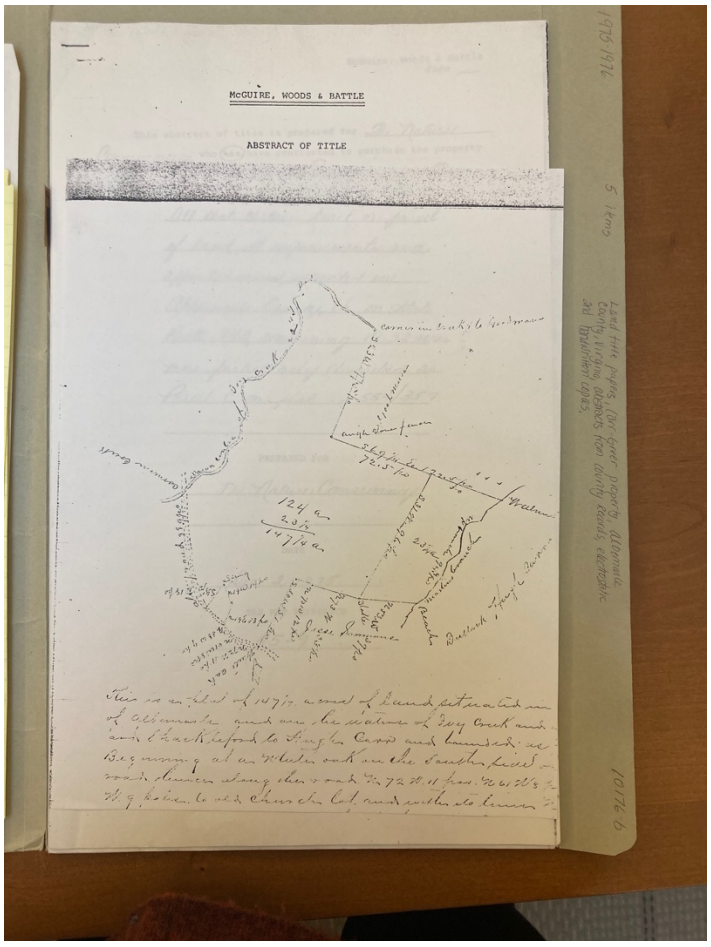


Fig. 1.12. Plat of Hugh Carr's landholdings showing adjacent neighbors. Carr Greer Papers, UVA Special Collections.

Fig. 1.13. The ca. 1880 farmhouse that Hugh Carr built for his family at River View Farm in 2017. Photo by Liz Sargent, Virginia Department of Historic Resources.

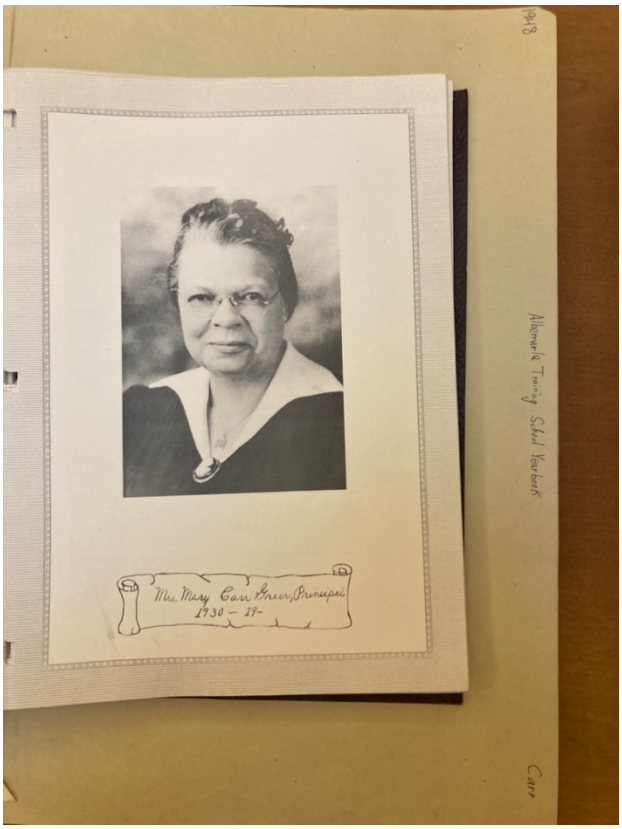
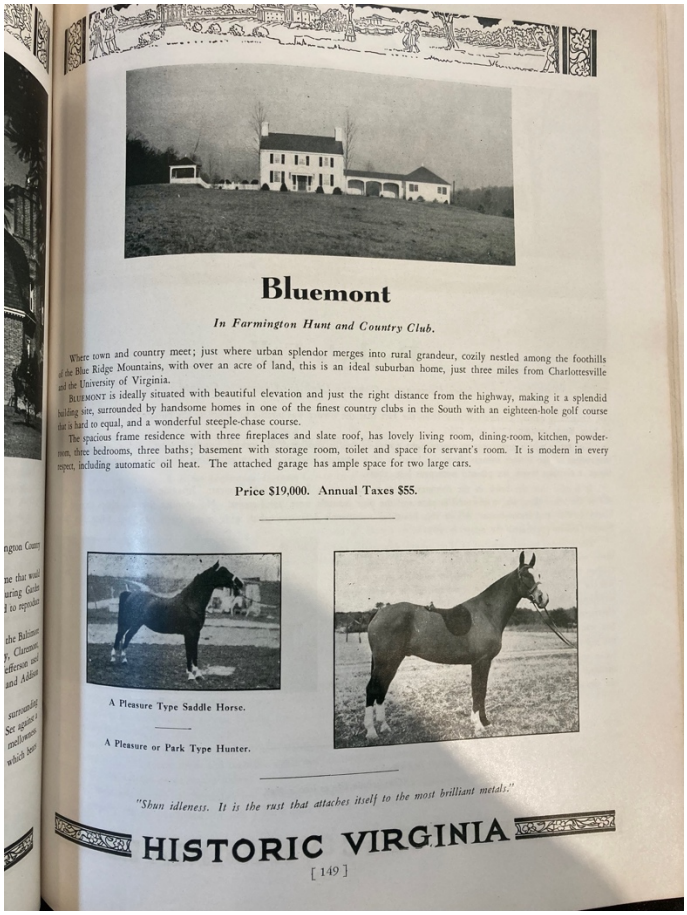


Fig. 1.14. Mary Carr Greer. Carr Greer Papers, UVA Special Collections.

Fig. 1.15. The demonstration barn Conly Greer built on the River View Farm property in the 1930s and which still stands today. Ivy Creek Foundation Papers, UVA Special Collections.



Bluemont

In Farmington Hunt and Country Club.

Where town and country meet; just where urban splendor merges into rural grandeur, cozily nestled among the foothills of the Blue Ridge Mountains, with over an acre of land, this is an ideal suburban home, just three miles from Charlottesville and the University of Virginia.

BLUEMONT is ideally situated with beautiful elevation and just the right distance from the highway, making it a splendid building site, surrounded by handsome homes in one of the finest country clubs in the South with an eighteen-hole golf course that is hard to equal, and a wonderful steeple-chase course.

The spacious frame residence with three fireplaces and slate roof, has lovely living room, dining-room, kitchen, powder-room, three bedrooms, three baths; basement with storage room, toilet and space for servant's room. It is modern in every respect, including automatic oil heat. The attached garage has ample space for two large cars.

Price $19,000. Annual Taxes $55.

A Pleasure Type Saddle Horse.

A Pleasure or Park Type Hunter.

"Shun idleness. It is the rust that attaches itself to the most brilliant metals."

HISTORIC VIRGINIA

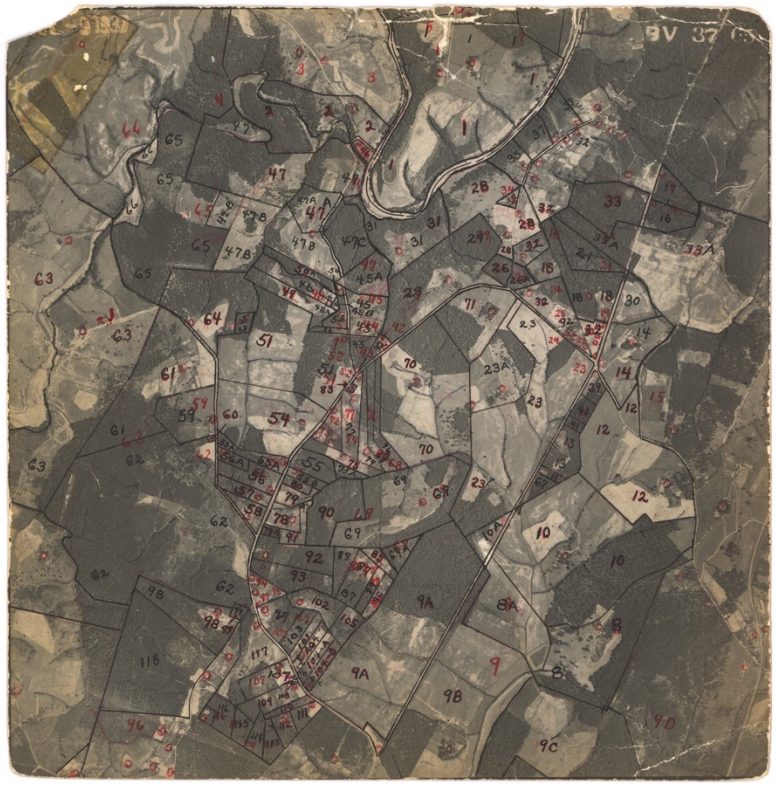
[149]

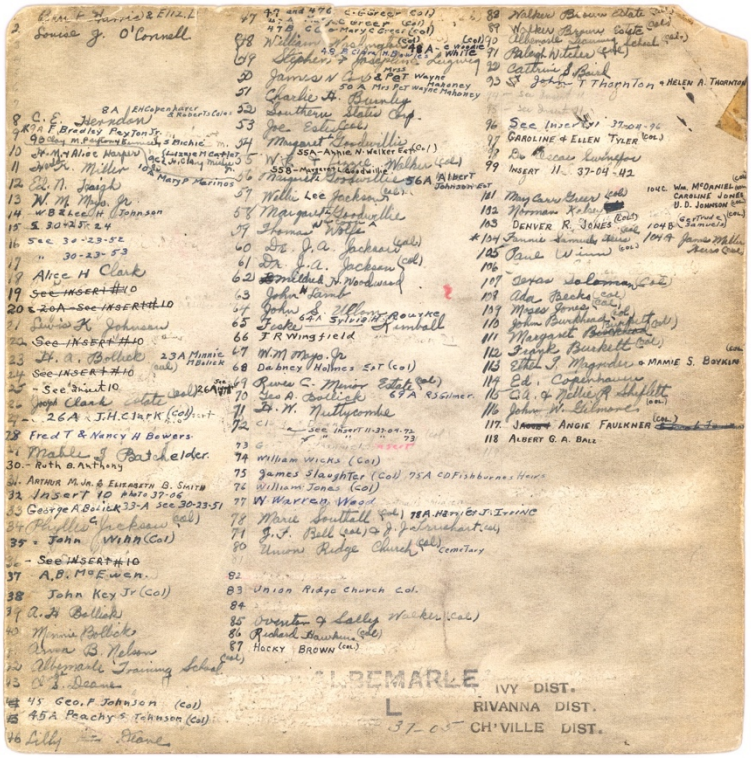
Fig. 1.16. A 1948 real estate booklet advertising the idealized rural life to wealthy urban transplants. Roy Wheeler Papers, UVA Special Collections.

Fig. 1.17. A postcard depicting the colonial revival-style Monticello Hotel built in 1926 in Charlottesville's Court Square. City of Charlottesville.

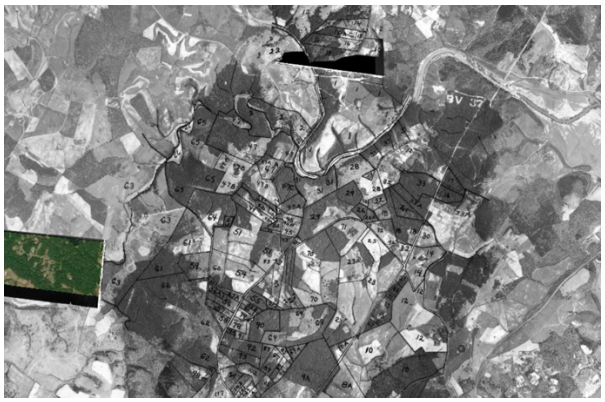
Fig. 1.18. The neo-Jeffersonian villa at Shack Mountain designed by Fiske Kimball as a retirement house on property adjacent to River View Farm in 1935. Virginia Department of Historic Resources.

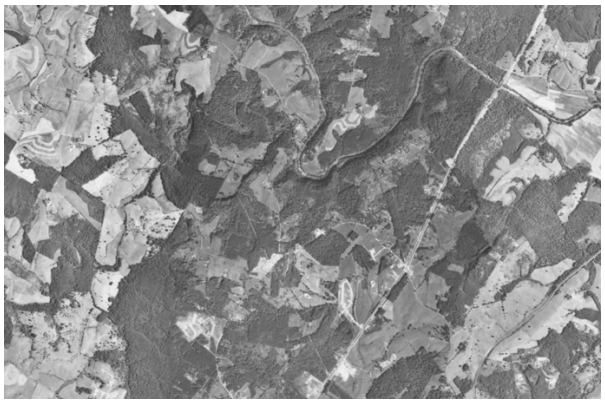
Fig. 1.19. A 1972 aerial photograph of the 29 North corridor showing suburbanization encroaching on the Hydraulic Mills neighborhood that's in the northwest quadrant of the image. Ivy Creek Foundation Papers, UVA Special Collections.





Figs. 1.20–1.21. A 1937 aerial photograph with the plats of Hydraulic Mills overlaid and the names of the property owners and their race identified on the back. Central Virginia History Researchers.





Figs. 1.22–1.25. Aerial images from 1937, 1957, 1966, and 1974 showing the changes over time to the rural character of the Hydraulic Mills neighborhood as well as the changes to the landscape as a result of the creation of the South Fork Rivanna Reservoir. UVA Library.

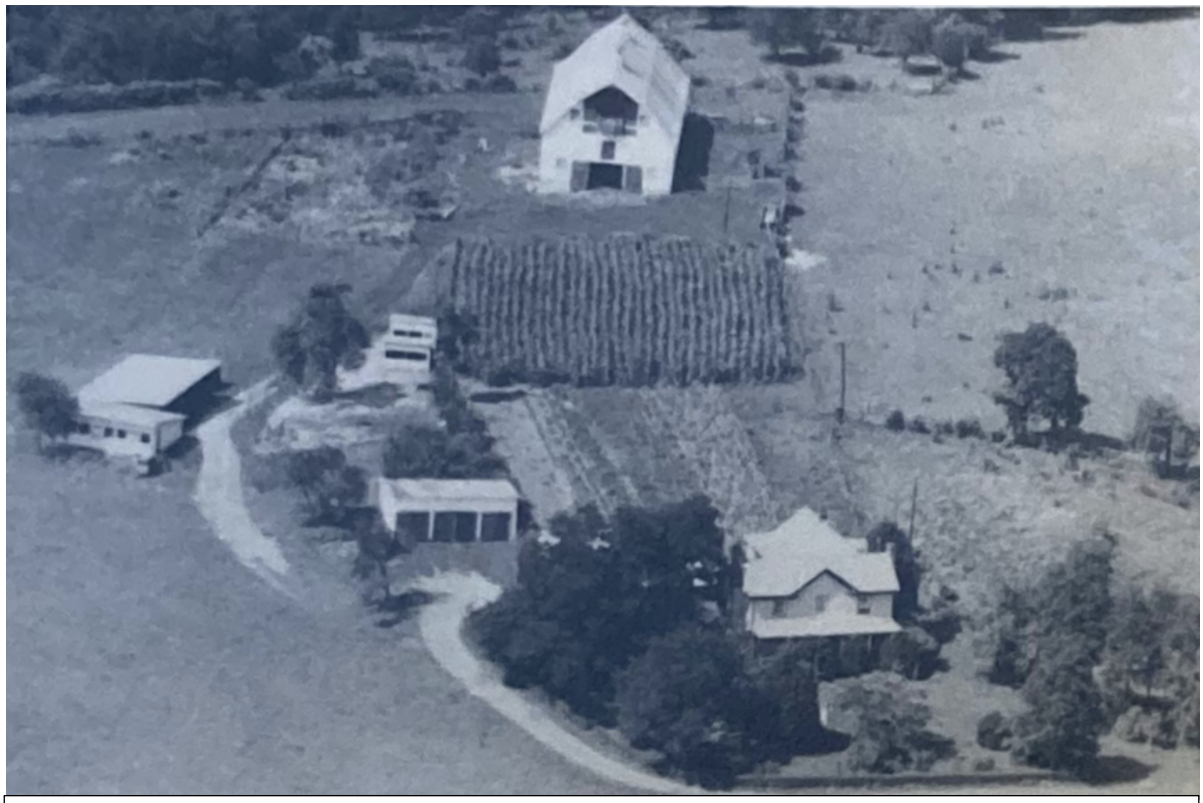
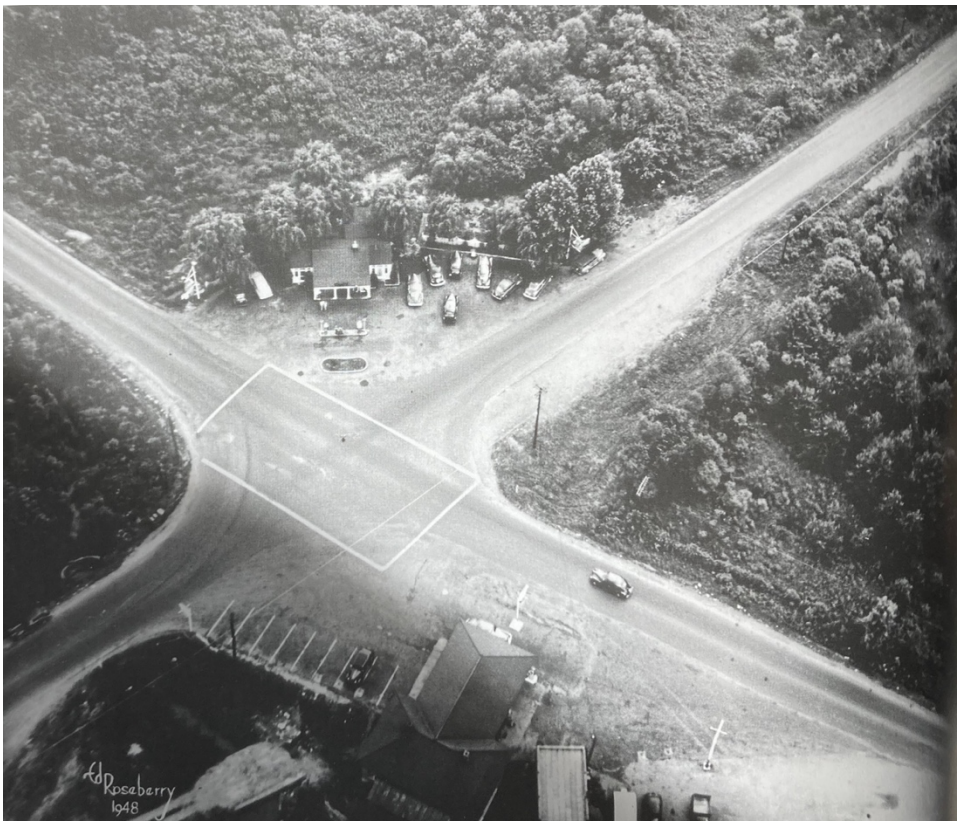
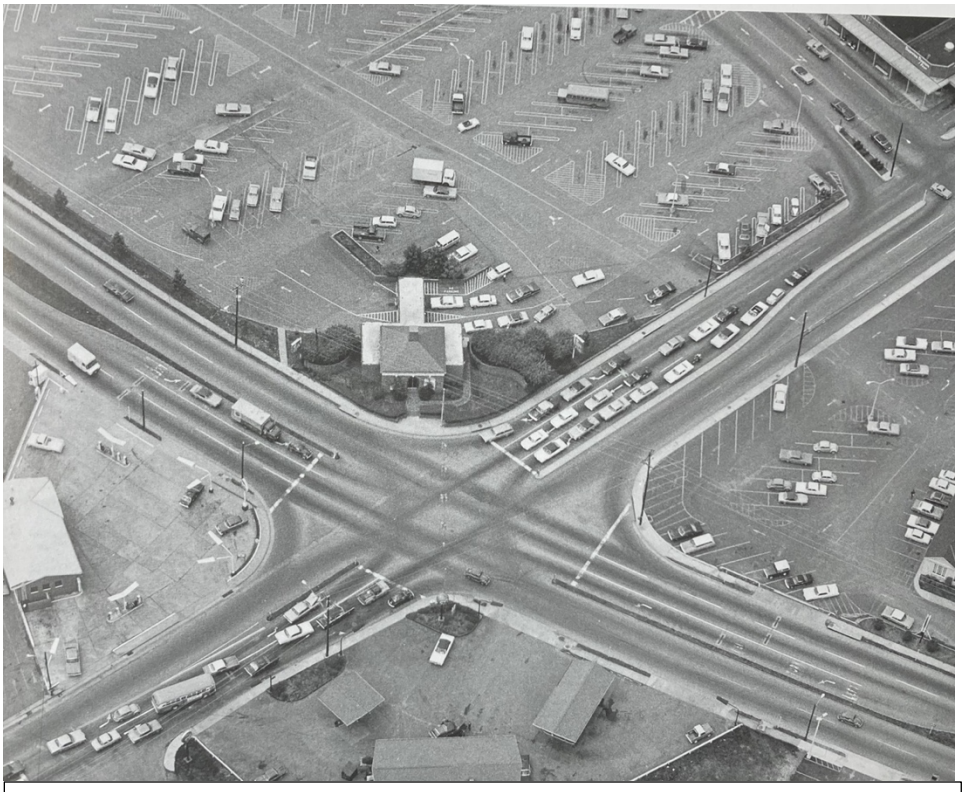


Fig. 1.26. River View Farm in the mid-20th century. Carr Greer Papers, UVA Special Collections.

Fig. 2.1. Photograph by Ed Roseberry showing the inundation of the historic center of Hydraulic Mills and the submersion of the truss bridge that had linked the Black agricultural community on both sides of the Rivanna River near its confluence with Ivy Creek. *Flash: The Photography of Ed Roseberry, Charlottesville, Virginia 1940s-1970s*. (C'ville Images: Charlottesville, VA, 2016).





Figs. 2.2 and 2.3. Ed Roseberry photographs showing the intersection of Barracks Road and Emmet Street in 1948 (above) and 1972 (below). *Flash: The Photography of Ed Roseberry*.

Fig. 2.4. Photograph of the 1895 fire at the Rotunda building. Holsinger Studio. UVA Library.

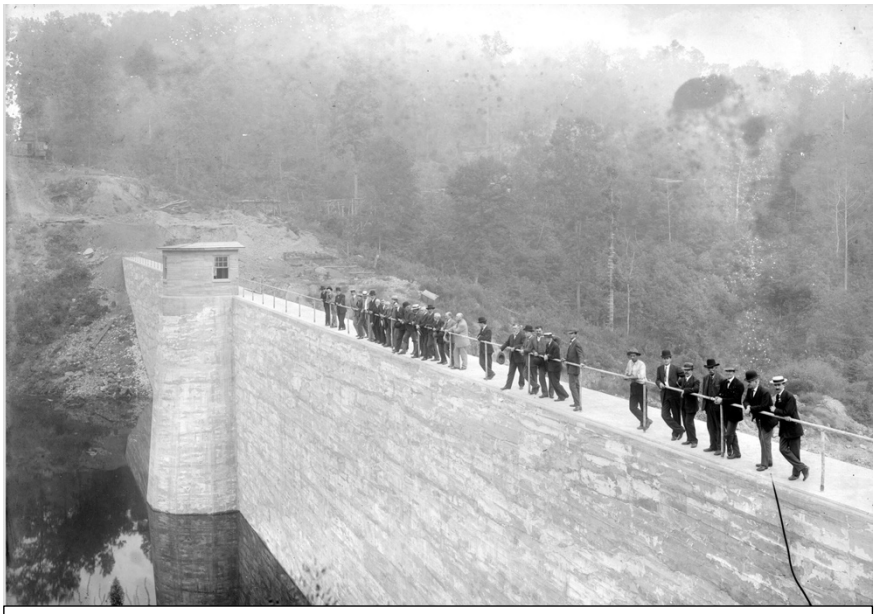


Fig. 2.5. The "monolithic, cyclopean concrete dam" constructed by the city in 1908 to serve the water needs of its growing population. Holsinger Studio. UVA Library.

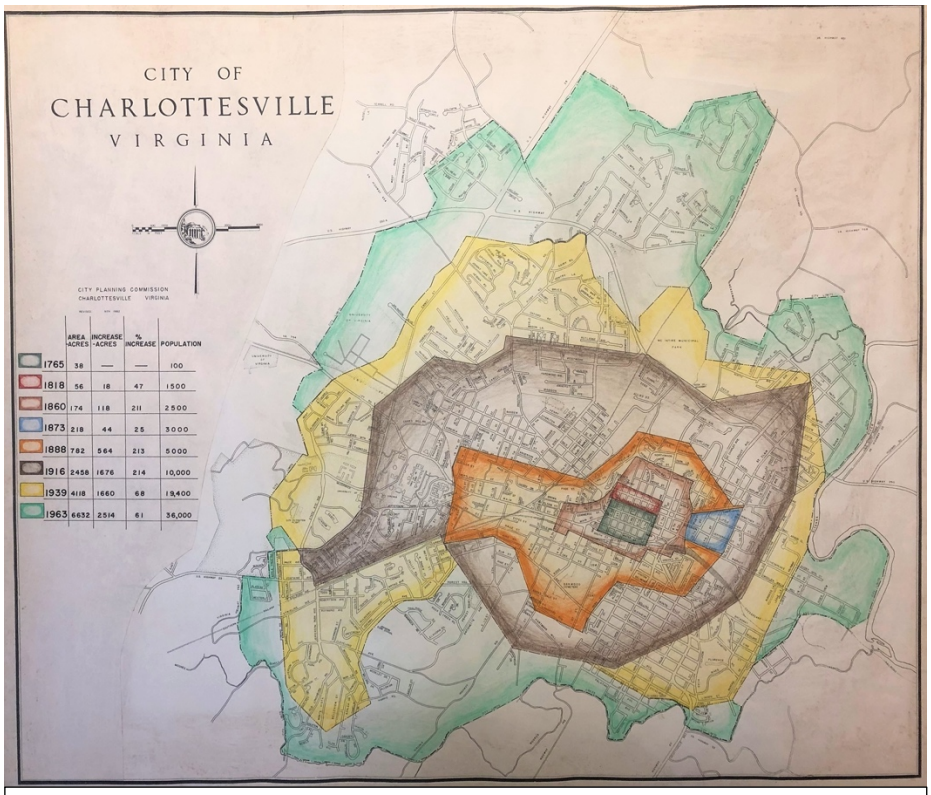


Fig. 2.6. Map of annexations by the City of Charlottesville through 1963. City of Charlottesville.

Fig. 2.7. The Hoover Dam spanning the Colorado River in Clark County, Nevada. Library of Congress.

Fig. 2.8. Ed Roseberry's image of Vinegar Hill from Charlottesville's downtown after the historically Black neighborhood had been razed under urban renewal. *Flash: The Photography of Ed Roseberry*.

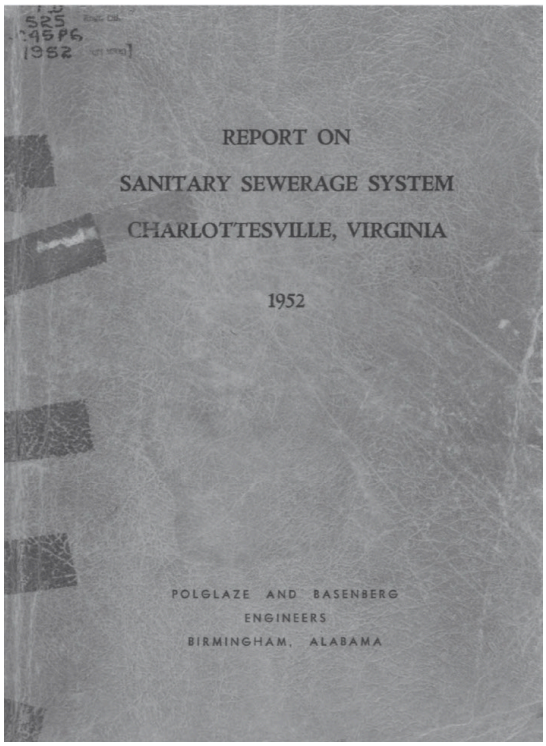


Fig. 2.9. The cover of the Polglaze and Basenberg report that described sewage manholes in the Vinegar Hill neighborhood as overcapacity. HathiTrust.

PROS & CONS
URBAN RENEWAL

There are many subjects which should be discussed when consideration for Urban Renewal is being made. There are certainly pros and cons to the subject; and in fairness to all concerned, all subjects have an important bearing on the final decision.

Advantages of Urban Renewal

Slums. Urban Renewal will eliminate slums where neighborhood conditions and dwellings have become detrimental to health, safety and morals, and where the social and economic liabilities so greatly outweigh the assets that rehabilitation is neither practical nor feasible. In an average city, slums account for 33 per cent of the population; 45 per cent of the major crimes; 55 per cent of juvenile delinquency; 50 per cent of arrests, 60 per cent of Tuberculosis victims; 50 per cent of disease; 35 per cent of fires; 45 per cent of total city service costs, and contribute 6 per cent of the tax revenues. No current data on these matters are available for Charlottesville. Earlier studies made by Committees working on these matters developed information for Charlottesville that indicates a similar pattern.

Financing. When a community desires to undertake Urban Renewal projects with Federal assistance, it must contribute its share of the project cost either in cash or in the form of local grants in aid—such as public facilities and improvements. The Federal contribution may amount to as much as 2/3 of the net project cost.

Rehousing. There must be a plan to facilitate the rehousing in decent, safe and sanitary dwellings for all families displaced by Urban Renewal and other Governmental activities. Under the provisions of Section 221 of the National Housing Act, the FHA can insure loans or liberal terms for new or rehabilitated low-cost private relocation housing anywhere in the community. Eligibility for this housing are new families in the Urban Renewal area or those displaced by any other type of Governmental activity.

Preference for admission to new or existing low-rent public housing is provided for displaced families of low income. The Public Housing Administration, a constituent of the Housing and Home Finance Agency, upon application of the local housing authority, and with the cooperation and approval of local government, contracts to make development loans and pay annual subsidies for public housing projects, within the maximum number of units authorized by Congress.

The proponents of Urban Renewal advance the following arguments:

1. Five slums and spot-blog downtown districts
2. Wide streets and plentiful parking areas
3. Pleasant parks, apartments and office buildings
4. Reduces the number of slum areas in the city.
5. Provides for orderly renewal of worn-out and obsolete areas.
6. Furthermore, it maximizes overcrowded conditions

Move traffic congestion
Dwindling business
Outmoded buildings
Disorganized use of downtown property
Falling property values
Starving civic costs

The Opponents of Urban Renewal str'and Public Housing cite the following arguments:

Government Interference—History reveals that Governmental assistance has been accompanied by, or has in effect constituted, Governmental intervention. Some degree is understandable, once the decision has been made to assist. The Government, no less than a private investor, denies an accounting of its funds and must establish rules designed to lessen the risk.

Housing Laws. Our Housing Laws, initiated during a period of general economic depression, are regarded by some as incompatible with current conditions.

Public housing is administered to the Redevelopment and Housing Authority under the State laws governing such operations. Contracts and agreements made with the Federal Public Housing Authority must be honored.

Who Pays for Public Housing. The local property tax payer and the U. S. Income Tax payer pay for public housing. The tenants of public housing pay rents based upon their income. Each family is required to pay not less than 20 per cent of its income for rent, including utilities. Only in rare instances has this covered the full cost of operating and managing the low-rent projects.

The Cost of Public Housing. The Housing Act of 1949, as amended in 1956 provides that the cost of building and equipping dwelling units cannot exceed $2,500 per room except in high-cost areas where it may be as much as $3,000 for elderly people, excluding the cost of land and nonnal dwelling facilities. The size of the units varies within each project. The average is two bedrooms, but a few have four bedrooms.

The Federal Government's Increasing Role. The Federal Government has been assuming more and more responsibility for housing and housing policies. If local and State Governments took more initiative in originating and carrying out the necessary programs, less interference would be forthcoming from the Federal agencies. With public housing, as with free public anything, there is obvious a tendency to increase the number of persons eligible to benefit and to expand the area of authority.

The Moral and Social Effects of Public Housing. There is evidence that public housing is characterized by a confusion in its basic objectives, that it has fostered attitudes upon the earnings and initiative of its occupants, that it has deterred the production of rental housing by private industry, and that it has permitted the growth of power hierarchies, in the form of public housing management. The claims of the public housers that public housing eliminates slums, that it helps low-income families who could otherwise not afford decent housing, that it reduces crime, juvenile delinquency and other anti-social behavior, are questioned.

Public Housing Tenant Morale. In public housing projects, there is a rule that tenants' income may not increase more than 20 per cent over the income earned at the time of acceptance when income and employment are steadily rising, income inevitably increase if the tenant is ambitious. Thus, if his income exceeds the amount set by the Authority, the tenant either hides the fact, or his wife withdraws from the labor market, or he has to move out. These are harsh choices. There have been instances where recipients of housing projects refused overtime work and promotions for fear of being made to vacate their project home.

Slum Clearance No Justification for Public Housing. Research indicates that a substantial number of persons whose total income appears adequate to allow them to live in homes that most people would consider standard, prefer to allocate their income in such a way as to minimize their outlay for housing. As is also shown, many people prefer remaining in what are widely considered to be slum conditions, rather than to live in public housing projects that carry with them restrictions and disciplines of long established customs and relationships. Even in circumstances where slum clearance is essential or inevitable, it is said to be erroneous to conclude that public housing necessarily provides an acceptable solution.

Juvenile Delinquency and Public Housing. Supporters of public housing frequently base their appeal on the relationship of substandard housing and slum dwellings with a high instance of crime and delinquency. These contentions do not reveal why some of the families living in slums or other substandard dwellings do not possess the social ills which reportedly contribute to the living conditions. For that matter, they do not explain why one boy in a family may be incorrigible, while his three or four brothers, living in the same environment, are not. Where social behavior is concerned, the effect of public housing is difficult to determine.

The above information from the following sources:

Housing and Home Finance Agency
"ABC's of Urban Renewal"
National Assoc. of Real-Estate Boards

This information provided by the Mayor's committee for public information on public housing and urban renewal.

19 Stage Shows Prepare to Reopen in New York Monday

Mirror Turns Ape's Heart Away From Cat

Lone Survivor Gets Married

THE BEST BUY IN TOWN!
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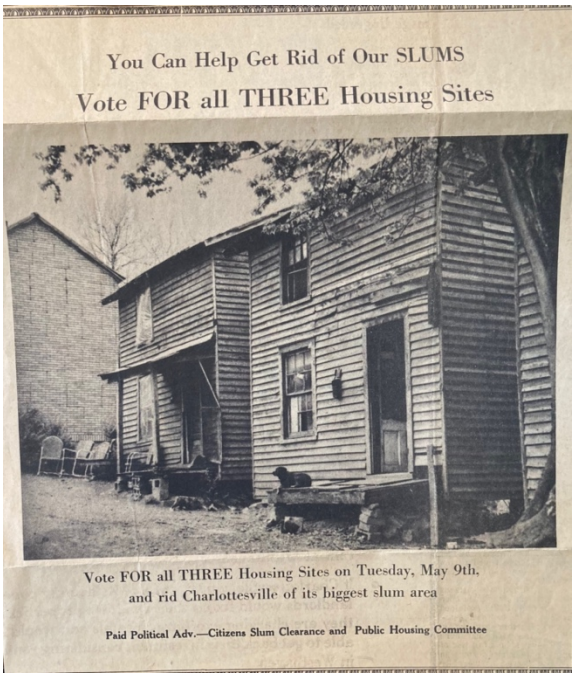
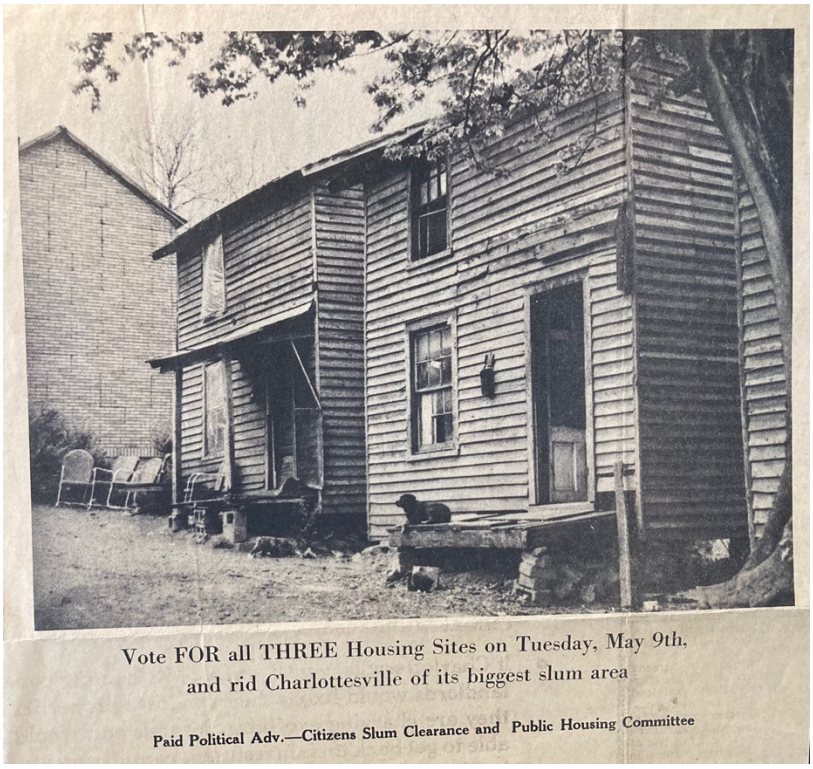




Figs. 2.10–2.12. Examples of the local media campaign to raze Vinegar Hill under urban renewal. UVA Library. Albemarle-Charlottesville Historical Society.

Figs. 2.13 and 2.14. An Ed Roseberry image of a Vinegar Hill building being demolished (above) and a 1942 photograph of the construction of the Tennessee Valley Authority's Douglas Dam in Sevier County, Tennessee. *Flash: The Photography of Ed Roseberry.* Library of Congress.

Figs. 2.15–2.17. A Native American fishing for salmon at Celilo Falls in 1941 (top); a historical marker at Celilo Falls (middle); the Dalles Dam at Celilo Falls in 2018. Library of Congress.

2.18. Spurgeon Moss and his wife on their property in Louisa County that was partly seized for the development of Lake Anna. Moss inherited from his grandfather who had purchased the land after emancipation in 1877. Albemarle Charlottesville Historical Society.

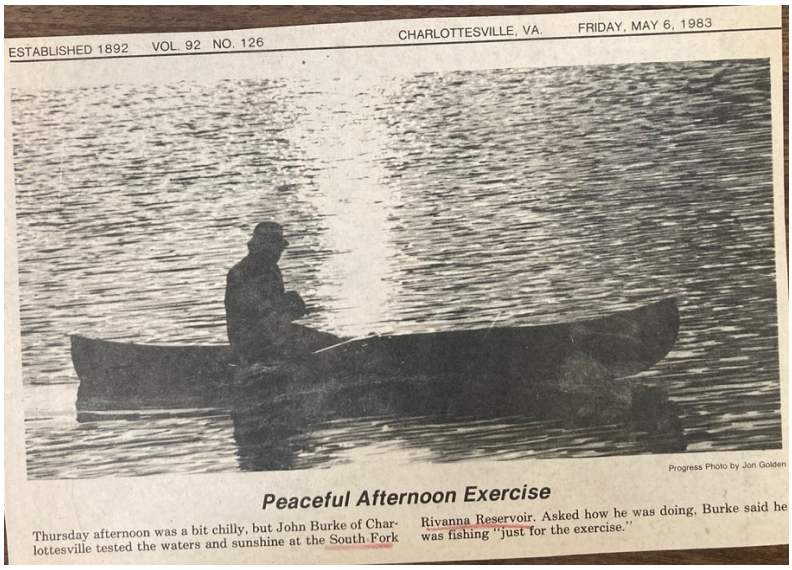
2.19. Aerial view of the Vinegar Hill neighborhood in the center of Charlottesville after urban renewal. City of Charlottesville.

2.20. The South Fork Rivanna dam. Cvillepedia.

Progress Photo by Jim Carpenter

Ah, This Is the Life!

Those relaxing moments when you can leave your cares ashore and go after the big ones in a quiet lake are moments to cherish. That's just what these men were doing Thursday when they dropped their lines into the Rivanna River Reservoir. The beauty and tranquility of such a scene, especially in the springtime, is seldom far from the toughts of any avid fisherman.



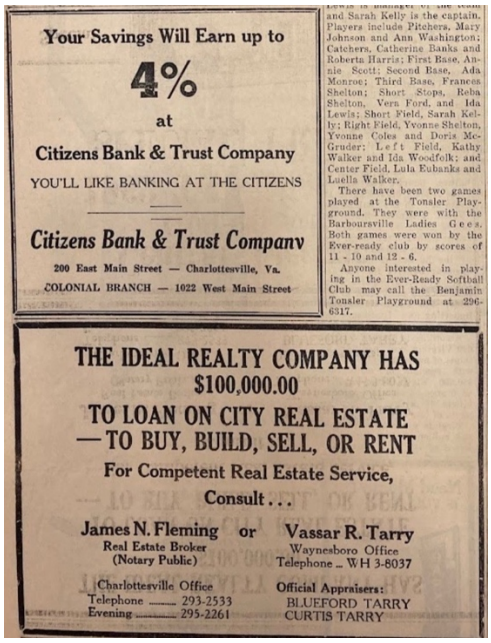
ESTABLISHED 1892 VOL. 92 NO. 126 CHARLOTTESVILLE, VA. FRIDAY, MAY 6, 1983

Progress Photo by Jon Golden

Peaceful Afternoon Exercise

Thursday afternoon was a bit chilly, but John Burke of Charlottesville tested the waters and sunshine at the South Fork Rivanna Reservoir. Asked how he was doing, Burke said he was fishing "just for the exercise."

Fig. 3.1 (top) and 3.2 (bottom). Two photographs published in *The Daily Progress* illustrating how the South Fork Rivanna River was naturalized as an environmental oasis. Albemarle Charlottesville Historical Society.



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COLONIAL BRANCH — 1022 West Main Street

and Sarah Kelly is the captain. Players include Pitchers, Mary Johnson and Ann Washington; Catchers, Catherine Banks and Roberta Harris; First Base, Annie Scott; Second Base, Ada Monroe; Third Base, Frances Shelton; Short Stops, Reba Shelton, Vera Ford, and Ida Lewis; Short Field, Sarah Kelly; Right Field, Yvonne Shelton, Yvonne Coles and Doris McGruder; Left Field, Kathy Walker and Ida Woodfolk; and Center Field, Lula Eubanks and Luella Walker.

There have been two games played at the Tonsler Playground. They were with the Barboursville Ladies Gees. Both games were won by the Ever-ready club by scores of 11 - 10 and 12 - 6.

Anyone interested in playing in the Ever-Ready Softball Club may call the Benjamin Tonsler Playground at 296-6317.

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Waynesboro Office
Telephone .. WH 3-8037

Charlottesville Office
Telephone 293-2533
Evening 295-2261

Official Appraisers:
BLUEFORD TARRY
CURTIS TARRY

Fig. 3.3. An advertisement for James Fleming's Ideal Realty business. UVA Special Collections.

VOLUME IV—NUMBER 23

Ideal Realty Company Opens Branch Office In Waynesboro

Opened for Business, April 15

The Ideal Realty Company of Charlottesville, announced the opening of a branch office in Waynesboro, Virginia, on Tuesday, April 15. The spacious well-appointed new brick structure is located at 817 E. Main Street of that city.

Officers of the company are James N. Fleeming, broker; V. R. Tarry and Roy C. Preston, associates.

Company Formed Last July

The main office of the agency was opened here last July, shortly after the company was formed. It is located at 115 Fourth Street, N.W.

Mrs. Geneva Anderson, of Charlottesville is general secretary of the company.

Mr. Fleming, a broker is a native of Charlottesville and is a graduate of Wilberforce University, Wilberforce, Ohio.

Mr. Tarry, a native of White Hall, Virginia, has been a resident of Waynesboro for the past 20 years, having established his home there in 1938. During the past 18 years he has been engaged in building, buying and selling real estate.

Mr. Preston, also a native of Charlottesville, has lived here most of his life and has been dealing in real estate involving town and country property for 25 years.

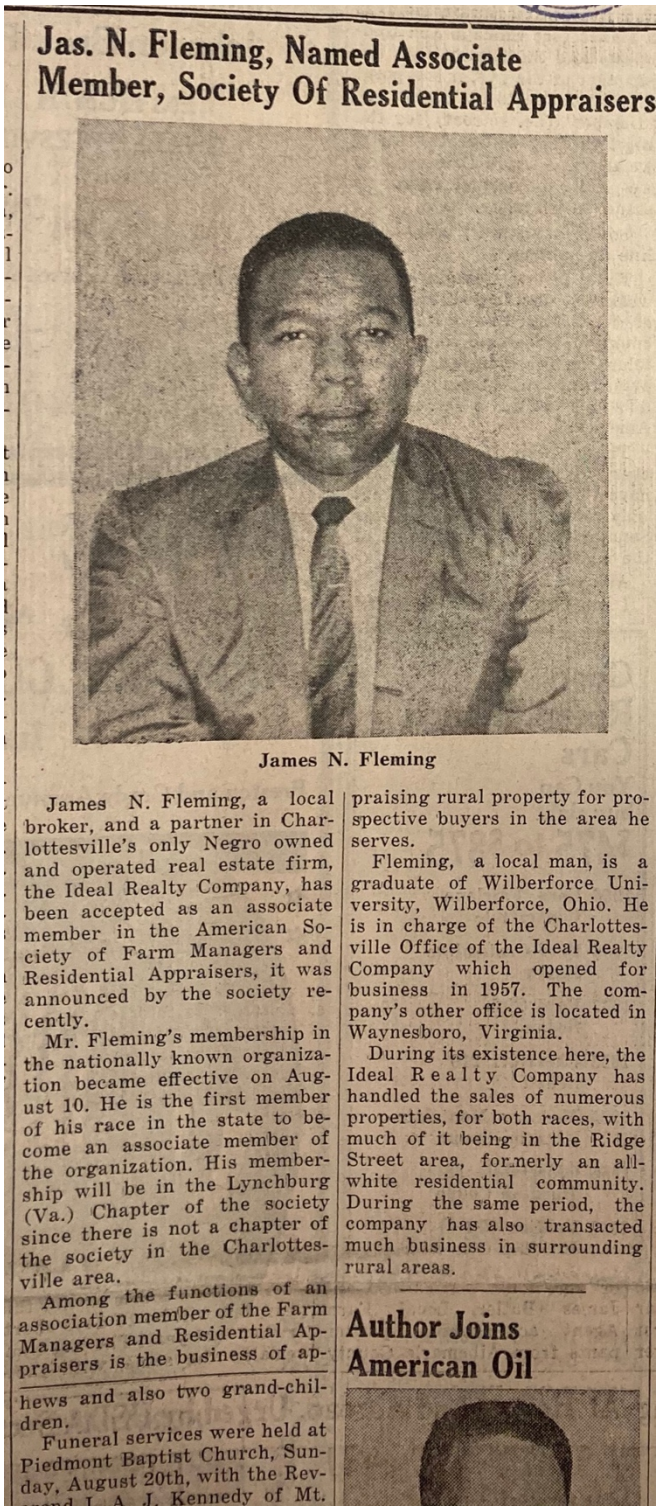
A Successful Business

Since its establishment here, the Ideal Realty Company has handled the sales of several choice pieces of real estate involving both city and county property. Their most outstanding transaction which was of much benefit to the community was the selling of the property located at 410 Ridge Street to the Charlottesville - Albemarle

(Continued on page 4)

Shown left to right are Roy C. Prestor, associate; James N. Fleming, broker, and V. R. Tarry, associate, who formed the Ideal Realty Company at Charlottesville in July, 1957. They have extended their operations to Waynesboro, Virginia, where a branch office was opened April 15.

Fig. 3.4. An article in the Black newspaper, *The Charlottesville Albemarle Tribune* announces the opening of Ideal Realty's Waynesboro office. UVA Special Collections.



Jas. N. Fleming, Named Associate Member, Society Of Residential Appraisers

James N. Fleming

James N. Fleming, a local broker, and a partner in Charlottesville's only Negro owned and operated real estate firm, the Ideal Realty Company, has been accepted as an associate member in the American Society of Farm Managers and Residential Appraisers, it was announced by the society recently.

Mr. Fleming's membership in the nationally known organization became effective on August 10. He is the first member of his race in the state to become an associate member of the organization. His membership will be in the Lynchburg (Va.) Chapter of the society since there is not a chapter of the society in the Charlottesville area.

Among the functions of an association member of the Farm Managers and Residential Appraisers is the business of appraising rural property for prospective buyers in the area he serves.

Fleming, a local man, is a graduate of Wilberforce University, Wilberforce, Ohio. He is in charge of the Charlottesville Office of the Ideal Realty Company which opened for business in 1957. The company's other office is located in Waynesboro, Virginia.

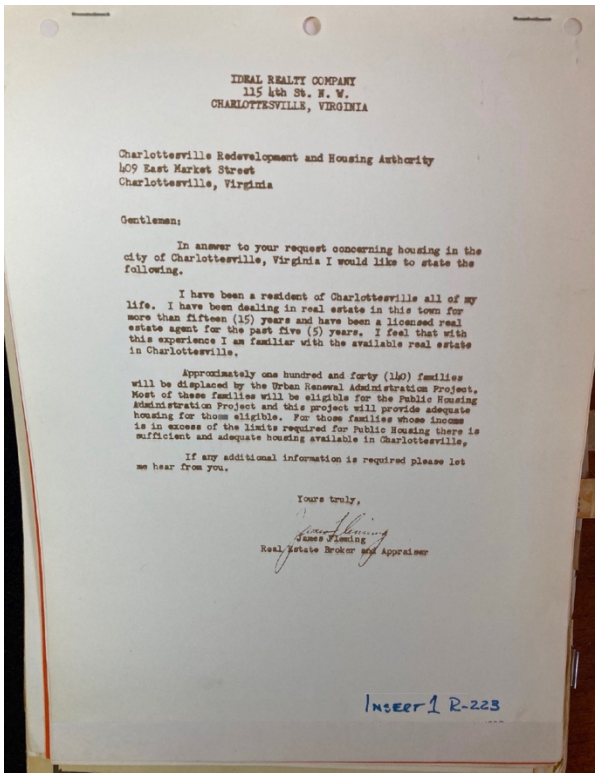
During its existence here, the Ideal Realty Company has handled the sales of numerous properties, for both races, with much of it being in the Ridge Street area, formerly an all-white residential community. During the same period, the company has also transacted much business in surrounding rural areas.

hews and also two grand-children.

Funeral services were held at Piedmont Baptist Church, Sunday, August 20th, with the Rev-

Author Joins American Oil

Fig. 3.5. An article in the Black newspaper, *The Charlottesville Albemarle Tribune* reports on Fleming's recognition by the American Society of Farm Managers and Residential Appraisers. UVA Special Collections.



IDEAL REALTY COMPANY
115 4th St. N. W.
CHARLOTTESVILLE, VIRGINIA

Charlottesville Redevelopment and Housing Authority
409 East Market Street
Charlottesville, Virginia

Gentlemen:

In answer to your request concerning housing in the city of Charlottesville, Virginia I would like to state the following.

I have been a resident of Charlottesville all of my life. I have been dealing in real estate in this town for more than fifteen (15) years and have been a licensed real estate agent for the past five (5) years. I feel that with this experience I am familiar with the available real estate in Charlottesville.

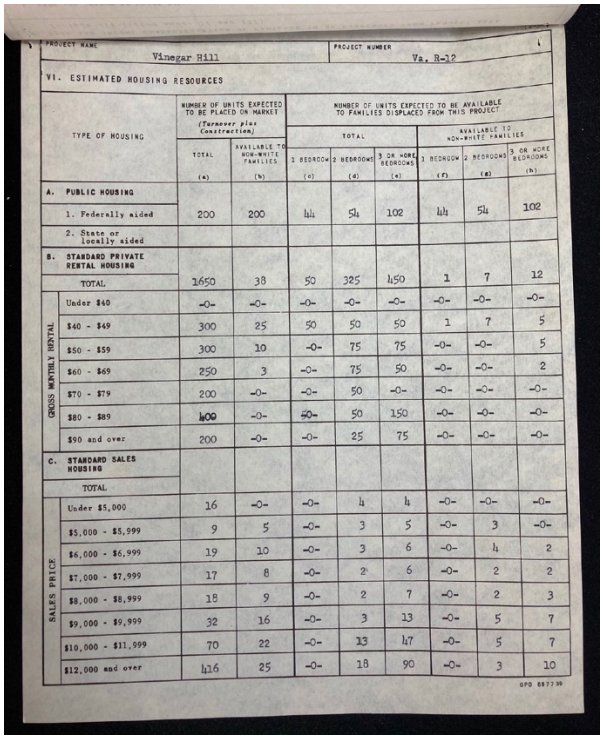
Approximately one hundred and forty (140) families will be displaced by the Urban Renewal Administration Project. Most of these families will be eligible for the Public Housing Administration Project and this project will provide adequate housing for those eligible. For those families whose income is in excess of the limits required for Public Housing there is sufficient and adequate housing available in Charlottesville.

If any additional information is required please let me hear from you.

Yours truly,

James Fleming
Real Estate Broker and Appraiser

Insert 1 R-223



PROJECT NAME: Vinegar Hill
PROJECT NUMBER: Va. R-12

VI. ESTIMATED HOUSING RESOURCES

TYPE OF HOUSING	NUMBER OF UNITS EXPECTED TO BE PLACED ON MARKET (Turnover plus Construction)		NUMBER OF UNITS EXPECTED TO BE AVAILABLE TO FAMILIES DISPLACED FROM THIS PROJECT					
			TOTAL			AVAILABLE TO NON-WHITE FAMILIES		
	TOTAL (a)	AVAILABLE TO NON-WHITE FAMILIES (b)	1 BEDROOM (c)	2 BEDROOMS (d)	3 OR MORE BEDROOMS (e)	1 BEDROOM (f)	2 BEDROOMS (g)	3 OR MORE BEDROOMS (h)
A. PUBLIC HOUSING								
1. Federally aided	200	200	44	54	102	44	54	102
2. State or locally aided								
B. STANDARD PRIVATE RENTAL HOUSING								
TOTAL	1650	38	50	385	450	1	7	12
GROSS MONTHLY RENTAL: Under $40	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
$40 - $49	300	25	50	50	50	1	7	5
$50 - $59	300	10	-0-	75	75	-0-	-0-	5
$60 - $69	250	3	-0-	75	50	-0-	-0-	2
$70 - $79	200	-0-	-0-	50	-0-	-0-	-0-	-0-
$80 - $89	400	-0-	50	50	150	-0-	-0-	-0-
$90 and over	200	-0-	-0-	25	75	-0-	-0-	-0-
C. STANDARD SALES HOUSING								
TOTAL								
SALES PRICE: Under $5,000	16	-0-	-0-	4	4	-0-	-0-	-0-
$5,000 - $5,999	9	5	-0-	3	5	-0-	3	-0-
$6,000 - $6,999	19	10	-0-	3	6	-0-	4	2
$7,000 - $7,999	17	8	-0-	2	6	-0-	2	2
$8,000 - $8,999	18	9	-0-	2	7	-0-	2	3
$9,000 - $9,999	32	16	-0-	3	13	-0-	5	7
$10,000 - $11,999	70	22	-0-	13	47	-0-	5	7
$12,000 and over	416	25	-0-	18	90	-0-	3	10

GPO 887730

Figs. 3.6 (top) and 3.7 (bottom). James Fleming's correspondence to the Charlottesville Redevelopment and Housing Authority in support of the razing of Vinegar Hill. UVA Special Collections.

Fleming Resigns From Planners

COR 4-18-73

James Fleming announced Tuesday his resignation from the Charlottesville Planning Commission effective May 1.

In a letter to Mayor Francis Fife, Fleming said he had recently been named to the board of directors of the Cavalier-Country Bank that has been formed in Albemarle County, the executive committee of the board of directors of Virginia State College, and to the board of directors of International Management Ltd.

"These three positions have added a considerable amount of responsibility to my portfolio," Fleming said in his letter of resignation.

"I've enjoyed working with him," Planning Commission Chairman Virginia Schatz said today. "He brought a lot of valuable expertise in the field of real estate to the Planning Commission."

Fleming was appointed to the Planning Commission in 1969, and was up for reappointment in August.

In February he was appointed by City Council to the Landlord-Tenant Relations Committee.

A native of Charlottesville, Fleming is president of Ideal Realty Company. He was the first black in the country to become a senior residential appraiser, and is the only one in Charlottesville. In 1966 he was named broker of the year by the Virginia Real Estate Brokers. He serves as an appraiser for the General Services Administration and the U.S. Justice Department.

In 1967 he was awarded the honor scroll for civic responsibility by the Omega Psi Phi Fraternity.

In 1961 Fleming became the first black to be appointed to an official position in Charlottesville when he was named a commissioner of the Charlottesville Housing Authority. He served on the commission for eight years.

He was also the first black to be named to the Planning Commission.

JAMES FLEMING

Fig. 3.9. Newspaper coverage of Fleming's resignation from the Charlottesville Planning Commission in the early 1970s. Albemarle Charlottesville Historical Society.

On GOP Ticket

Fleming, Hill Run For Council

By NEIL OSBORN
of The Progress Staff

James M. Hill Jr. and James N. Fleming will run as Republicans for City Council and seem determined to focus their campaign on City Hall spending.

The two were nominated Monday night by an exuberant convention of city Republicans after Bernard Morin, chairman of the nominations committee, condemned the current Democrat Council for "failure to understand the wishes of the people of Charlottesville."

"I'm a hardheaded businessman," Hill told the convention. "I've always worked for an outfit which said if you spend a dollar you need something in return."

Inflation and spiraling city expenditures "somehow, somewhere have to be stopped," he said in an interview later.

Fleming took up the theme of fiscal responsibility and city spending by reminding the convention that he has "much experience of budgets."

The indications are that the two candidates will launch a more detailed attack on the financial record of Council once campaign planning meetings have been completed.

Hill, 49, has lived for more than 10 years in Charlottesville. A native of Washington, D.C., he served in the Marine Corps from 1942 to 1946.

He later graduated from the University of Missouri with a business degree and worked for the Martin Marietta Stone Company. He is currently employed by the Virginia Land Company.

As president of Ideal Realty Company, Fleming, 43, is also involved with real estate. Charlottesville born, Fleming graduated from Jefferson High School and from Wilberfore University in Indiana. He later took a course in advanced real estate at Purdue University, Indiana.

He served for three years on the City Planning Commission and for eight years was a commissioner for the Charlottesville Redevelopment and Housing Authority.

It now seems unlikely that any Independent candidates will appear, so Hill and Fleming will face a straight fight with Democrats Mayor Francis Fife and Councilor Charles Barbour for the two Council seats up for grabs in May.

JAMES N. FLEMING

JAMES M. HILL, JR.

State/Local & Area

Tuesday Afternoon, March 5, 1974
Charlottesville, Virginia—B1

Fig. 3.10. Newspaper announcement of Fleming's bid for Charlottesville City Council on the Republican ticket. James Madison Regional Library Microfiche.

Fig. 3.11. Homes in Richmond, Virginia's Frederick Douglass Court. The Cultural Landscape Foundation.

Fig. 3.12. Levtittown, Pennsylvania, ca. 1959. Public domain.

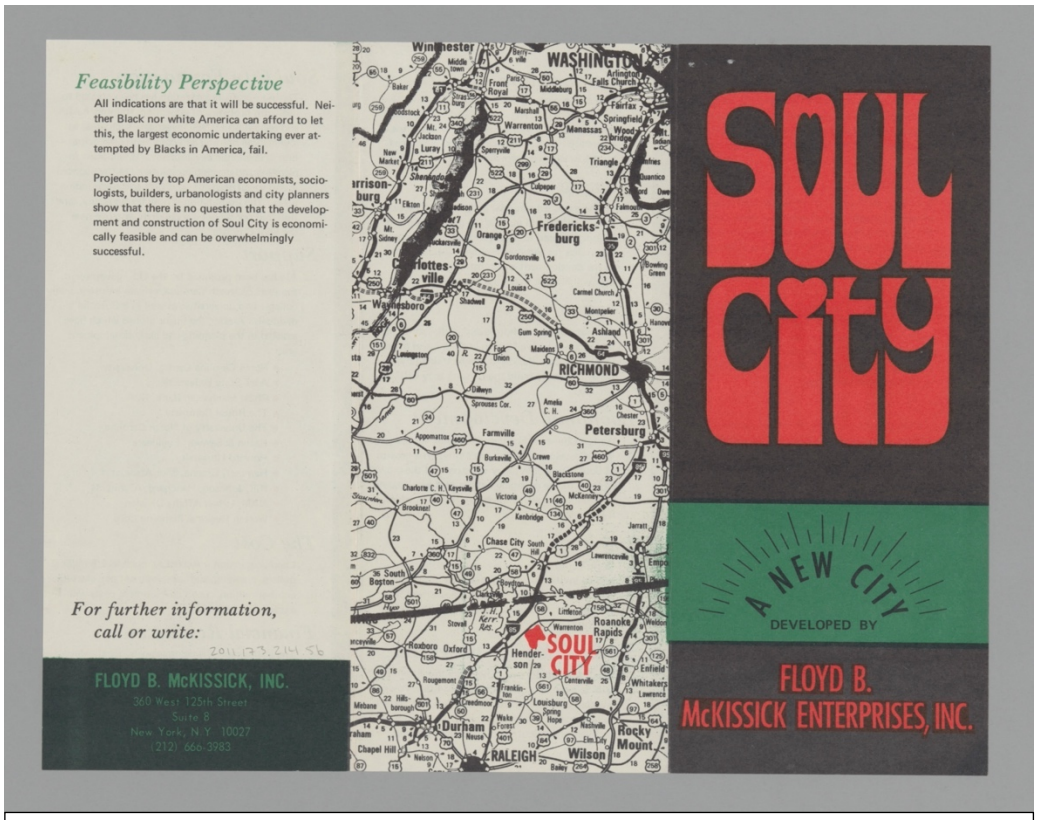
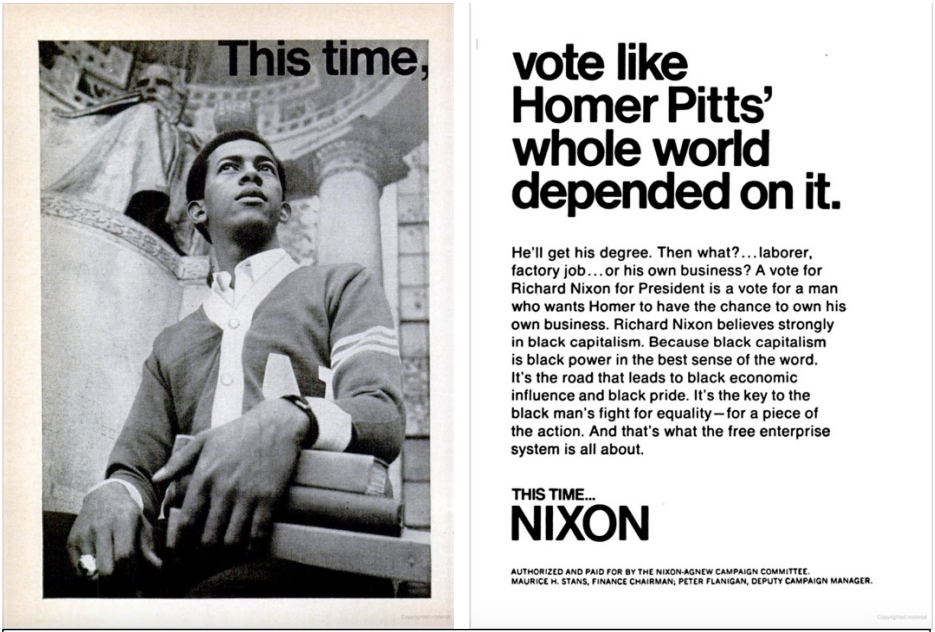
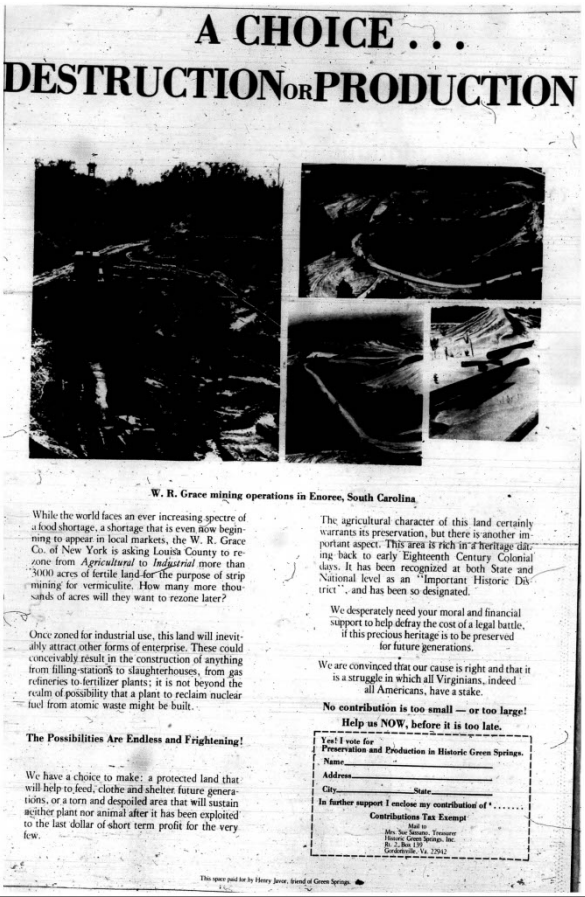


Fig. 3.13. 1971 promotional pamphlet for Soul City, North Carolina. Collection of the Smithsonian National Museum of African American History and Culture, Gift of Savanna Vaughn and C. Warfield Clark, M.D.



Figs. 3.14 and 3.15. Advertisement for Richard Nixon's presidential campaign in the November 7, 1968 issue of *Jet Magazine*. *Jet Magazine* Archives via University of Virginia Library.



A CHOICE . . .
DESTRUCTION OR PRODUCTION

W. R. Grace mining operations in Enoree, South Carolina

While the world faces an ever increasing spectre of a food shortage, a shortage that is even now beginning to appear in local markets, the W. R. Grace Co. of New York is asking Louisa County to rezone from *Agricultural* to *Industrial* more than 3000 acres of fertile land for the purpose of strip mining for vermiculite. How many more thousands of acres will they want to rezone later?

Once zoned for industrial use, this land will inevitably attract other forms of enterprise. These could conceivably result in the construction of anything from filling-stations to slaughterhouses, from gas refineries to fertilizer plants; it is not beyond the realm of possibility that a plant to reclaim nuclear fuel from atomic waste might be built.

The Possibilities Are Endless and Frightening!

We have a choice to make: a protected land that will help to feed, clothe and shelter future generations, or a torn and despoiled area that will sustain neither plant nor animal after it has been exploited to the last dollar of short term profit for the very few.

The agricultural character of this land certainly warrants its preservation, but there is another important aspect. This area is rich in a heritage dating back to early Eighteenth Century Colonial days. It has been recognized at both State and National level as an "Important Historic District", and has been so designated.

We desperately need your moral and financial support to help defray the cost of a legal battle, if this precious heritage is to be preserved for future generations.

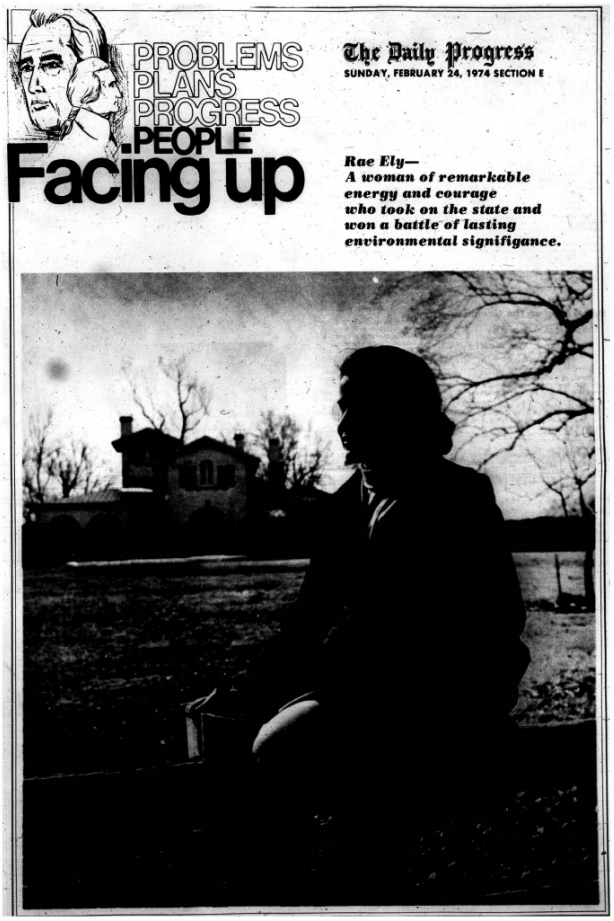
We are convinced that our cause is right and that it is a struggle in which all Virginians, indeed all Americans, have a stake.

No contribution is too small — or too large!

Help us NOW, before it is too late.

Yes! I vote for Preservation and Production in Historic Green Springs.
Name_____
Address_____
City_____ State_____
In further support I enclose my contribution of $_____
Contributions Tax Exempt
Mail to:
Mrs. Sue Simms, Treasurer
Historic Green Springs, Inc.
Rt. 2, Box 139
Gordonsville, Va. 22942

This space paid for by Henry Javor, friend of Green Springs.

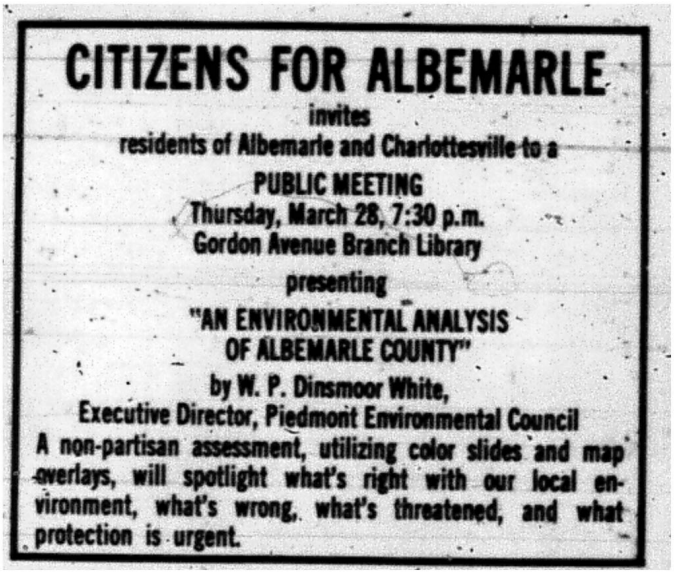


PROBLEMS
PLANS
PROGRESS
PEOPLE
Facing up

The Daily Progress
SUNDAY, FEBRUARY 24, 1974 SECTION E

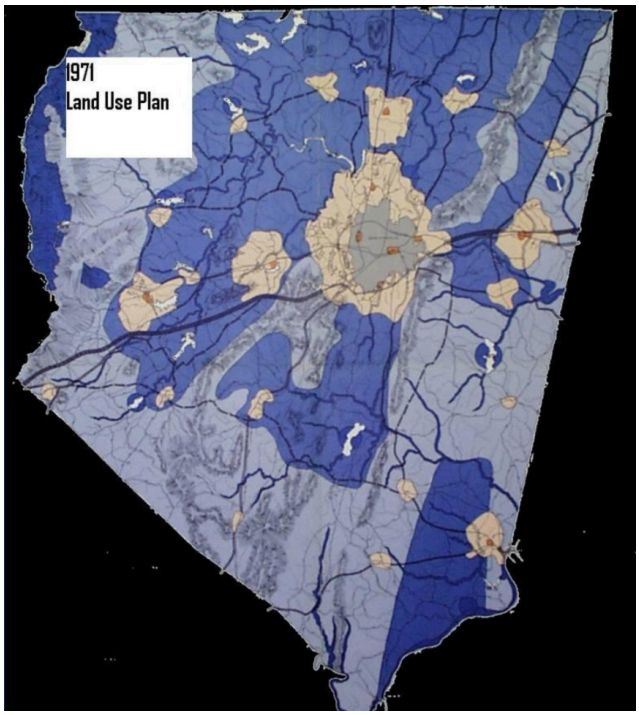
Rae Ely—
A woman of remarkable energy and courage who took on the state and won a battle of lasting environmental signifigance.

Figs. 3.16 and 3.17. An advertisement run by Green Springs preservationists in the local paper (left) and *The Daily Progress* announcement of Rae Ely as its Citizen of the Year in 1974. JMRL Microfiche.

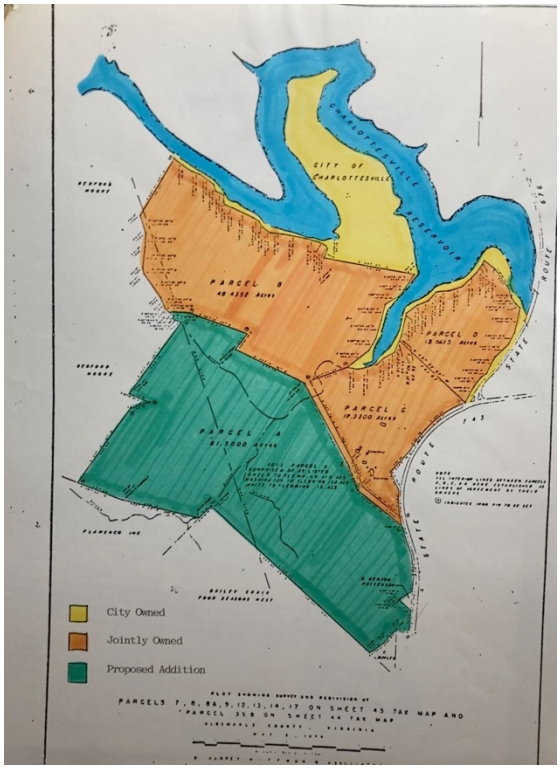


CITIZENS FOR ALBEMARLE
invites
residents of Albemarle and Charlottesville to a
PUBLIC MEETING
Thursday, March 28, 7:30 p.m.
Gordon Avenue Branch Library
presenting
"AN ENVIRONMENTAL ANALYSIS OF ALBEMARLE COUNTY"
by W. P. Dinsmoor White,
Executive Director, Piedmont Environmental Council
A non-partisan assessment, utilizing color slides and map overlays, will spotlight what's right with our local environment, what's wrong, what's threatened, and what protection is urgent.

Figs. 3.18. A 1974 advertisement for Citizens for Albemarle. JMRL Microfiche.



Figs. 3.19. 1971 Land Use Map for Albemarle County showing community clusters where development would be concentrated. Albemarle County.



Figs. 3.20. Map showing the relationship of the Rann Preserve (orange) to city-held land (yellow) to Fleming's parcel (green) to the Bedford Moore's land (left, not colored). Ivy Creek Foundation Archives.

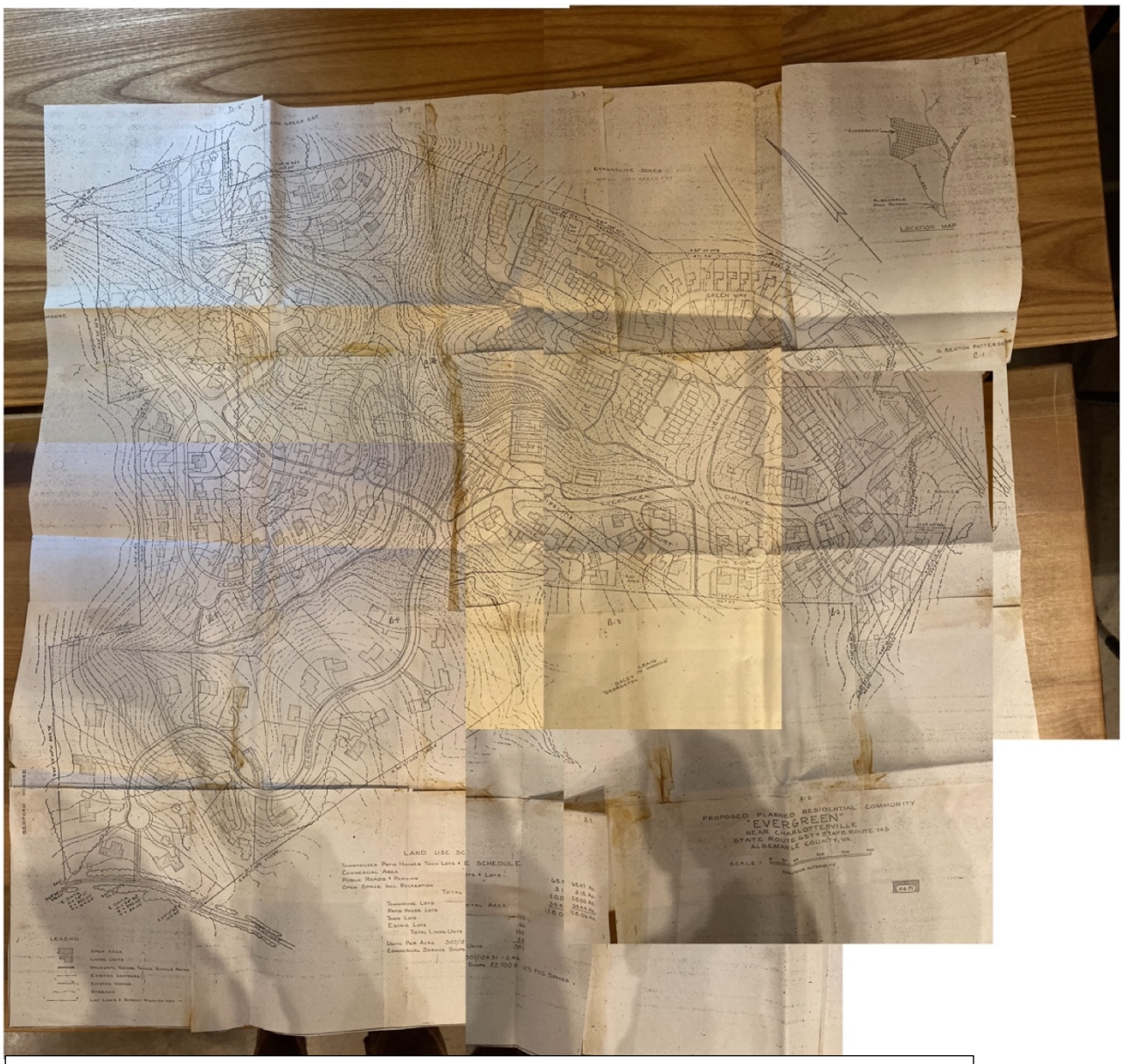


Fig. 4.1. James Fleming's proposed plans for the Evergreen residential development. Ivy Creek Foundation Archives.

'Evergreen' Called 'Detrimental' to Reservoir

By BEN CRITZER
Of The Progress Staff

A proposed 835 -acre, 128-acre planned community on Hydraulic Rd. scheduled for review Monday by the Albemarle County Planning Commission, would be "detrimental" to the already polluted South Fork Rivanna Reservoir and would have "undesirable" side effects, according to two state regulatory agencies.

In two separate letters to the county planning office concerning land developer James N. Fleming's proposed Evergreen Planned Community near Hydraulic Rd and Lamb's Rd (Rt. 601), officials of the State Water Control Board and the Virginia Department of Health voiced opposition to what has become a controversial local issue. Both agencies noted disfavor with Fleming's plans because of the proximity of the proposed community to the reservoir, a major water source for Charlottesville and urban Albemarle County that has a growing pollution problem.

The letters were in response to inquiries made to the state agencies by the planning office shortly after Fleming presented his proposal to the commission Dec. 3. Action on the request was deferred by the commission until Jan. 6.

In a letter dated Dec. 8 state Health Department Director of Sanitary Engineering Krieh H. Bartsch noted that "this department is of the opinion that a development of this nature would indeed be detrimental to the reservoir which is already experiencing problems."

According to Bartsch, "Storm runoff, especially the first flush, would contain many pollutants which could be detrimental to the quality of water in the reservoir.

"The first flush would contain many heavy metals, which are a result of the exhaust of internal combustion engines; pesticides, herbicides, nutrients, and during period of winter snowfall, salts," Bartsch said in his letter.

The sanitary director also noted that "siltation resulting during and after construction would also pose a serious problem."

Pollution to the reservoir is, according to some experts, slowly killing the water supply. At least one environmental scientist has estimated that the Rivanna will be unusable as a water source within 9 years if pollution, apparently from fertilizers and the resulting aquatic plants, is not halted.

Fleming's proposed community is located at its closest point, about 1,500 feet from the reservoir.

In late December, the state health department's Lexington Regional Office made a field investigation of the Evergreen site. According to Assistant Resident Engineer Stephen Young, the health department has not changed its viewpoint concerning development around the reservoir.

"We recommend that steps be taken to see that the water in the reservoir is not affected by development," Young told The Daily Progress Friday.

Although Young said the state health department did not have any specific recommendations about maintaining the water quality in the reservoir, he did comment that, because there is a creek running through the Evergreen property and because by close which serves as a source for the reservoir, is only 600 feet from the site, runoff from the development would be severe.

"Charlottesville doesn't really have another water source. The Rivanna is the life of Charlottesville," Young said.

According to Fleming's proposal, Evergreen would have 35 acres of the 128 acres used for residential housing including townhouses, duplexes and condominiums. The rest of the land would be devoted to an 11-acre lake, open space, recreational areas and commercial development.

Fleming has proposed a residential density of 4.7 dwellings per acre on the 128-acre site—a density that would amount to more than 11 dwelling units per acre for the 70 acres of land planned for residential development.

The county planning staff has recommended a much lower density and some 25 other conditions that Fleming must meet if the proposal is approved. The staff has recommended that Fleming be required to build the dam so it could be used as a sediment basin to prevent soil erosion and storm water runoff from reaching the reservoir.

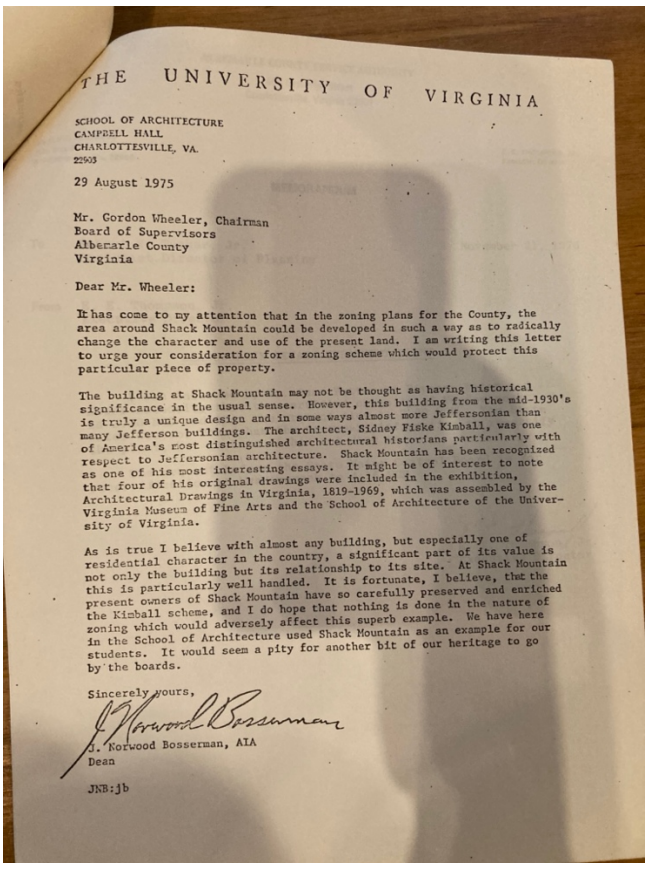
Fleming would also be required, according to the staff, to reserve an "adequate amount" of land which could be used to build a storm water runoff treatment plant to remove fertilizers and other nutrients from runoff before the water reaches the reservoir.

However in a Dec. 8 letter to the county, SWCB Pollution Control Specialist M. D. Phillips noted that "because runoff from the entire development would flow into the reservoir, considering its location, we (the SWCB) are aware of no practical technology that could be used to control or divert the runoff."

According to Phillips, Evergreen would "not be in

See EVERGREEN, Page C12

Fig. 4.2. *Daily Progress* coverage of Fleming's initial Evergreen proposal and public concern over its potential effects on the South Fork Rivanna Reservoir. Ivy Creek Foundation Archives.



THE UNIVERSITY OF VIRGINIA

SCHOOL OF ARCHITECTURE
CAMPBELL HALL
CHARLOTTESVILLE, VA.
22903

29 August 1975

Mr. Gordon Wheeler, Chairman
Board of Supervisors
Albemarle County
Virginia

Dear Mr. Wheeler:

It has come to my attention that in the zoning plans for the County, the area around Shack Mountain could be developed in such a way as to radically change the character and use of the present land. I am writing this letter to urge your consideration for a zoning scheme which would protect this particular piece of property.

The building at Shack Mountain may not be thought as having historical significance in the usual sense. However, this building from the mid-1930's is truly a unique design and in some ways almost more Jeffersonian than many Jefferson buildings. The architect, Sidney Fiske Kimball, was one of America's most distinguished architectural historians particularly with respect to Jeffersonian architecture. Shack Mountain has been recognized as one of his most interesting essays. It might be of interest to note that four of his original drawings were included in the exhibition, Architectural Drawings in Virginia, 1819-1969, which was assembled by the Virginia Museum of Fine Arts and the School of Architecture of the University of Virginia.

As is true I believe with almost any building, but especially one of residential character in the country, a significant part of its value is not only the building but its relationship to its site. At Shack Mountain this is particularly well handled. It is fortunate, I believe, that the present owners of Shack Mountain have so carefully preserved and enriched the Kimball scheme, and I do hope that nothing is done in the nature of zoning which would adversely affect this superb example. We have here in the School of Architecture used Shack Mountain as an example for our students. It would seem a pity for another bit of our heritage to go by the boards.

Sincerely yours,

J. Norwood Bosserman

J. Norwood Bosserman, AIA
Dean

JNB:jb

Fig. 4.3. Letter from J. Norwood Bosserman, Dean of the UVA Architecture School, to the chairman of the Albemarle County Board of Supervisors on behalf of the Bedford Moores and advocating for the historic significance of Shack Mountain. Ivy Creek Foundation Archives.

Lawyer Speaks for Developer

JeRoyd X Greene Charges Racism

By BEN CRITZER
of The Progress Staff

Black Richmond attorney JeRoyd X Greene Wednesday charged that environmental issues surrounding a proposed 128-acre planned community in Albemarle County are "neatly camouflaged racism."

Greene, who has gained statewide prominence over an alleged politically influenced denial of his appointment as a law professor at the College of William and Mary, made his charges at a meeting of the Albemarle County Board of Supervisors.

Greene is representing local black developer James N. Fleming in Fleming's request to build the 176 million Evergreen Planned Community on Hydraulic Rd. near the possibly pollution endangered South Fork Rivanna Reservoir.

Following a nearly two-hour public hearing Wednesday the board deferred action on Fleming's request until Feb. 12.

Local civic groups, environmentalists and state pollution experts have called for denial or delay of Evergreen because of its proximity to the reservoir. But, Greene said attempts to block Fleming's proposal amounted to a "concerted attack" based on "emotional information" and not on an environmental study of the reservoir or an environmental impact study of the effects of Evergreen on the water source.

Greene told The Daily Progress Wednesday that environmentalists have argued that Fleming's project, planned for development over a 10-year period, "will tip the ecological balance of the reservoir and be the straw that breaks the camel's back."

But, Greene said, "the net effect (of opposition) is to deprive black people of low and moderate income (housing) in the county."

Greene said Wednesday he was contemplating litigation on the Evergreen request if the proposal was turned down by the supervisors.

Greene said, "We don't feel black people should take on environmental concerns when white people and (white) industry are the causes of pollution."

Greene charged that zoning was a "covert means to control (the) entry and development of minorities."

Evergreen, Greene said, was not a "blue sky plan" and he called on the board to give Fleming "the kind of dignity and consideration that Fleming has given you."

Board Chairman Gordon L. Wheeler responded to Greene's charges by noting that no prior decision has been made on Evergreen. Wheeler also said that the board did not base any zoning decision on the race of the applicant.

In a statement to the board, Fleming said, "I must keep asking the question—why white people do not pollute, but black people pollute."

Fleming said a central issue in the Evergreen question that has been evaded concerns the fact that high density zoning and high density development already exists along the reservoir.

Fleming has maintained that he will abide by any requirements to eliminate the danger of possible pollution, but will not accept any reductions in the proposed housing density for Evergreen because a reduction in density would make homes in the community "economically unfeasible."

Under Fleming's proposal, Evergreen would have 804 housing units including townhouses, garden apartments and condominiums at a density of 6.7 dwelling units per acre.

According to Fleming, housing would be in the $20,000 to $30,000 range with single lots selling for from $4,900 to $8,000.

But, the county planning staff and Albemarle County Planning Commission apparently favored a density of 2.5 dwell

See GREENE, Page D2

City/County

THE DAILY PROGRESS
Charlottesville, Va., Thursday, Jan. 23, 1975 D 1

Law Research Computer Shown

A system of computerized legal research which has never been used in Virginia will be demonstrated at the University of Virginia's Law Library February 4-6.

In this system, a lawyer can use a computer terminal to draw cases and statutes from a vast central data bank. The product of the research is displayed on a cathode ray tube and may be printed out for necessary retention," explains Frances Farmer, law librarian.

The system, which is known as Lexis and produced by Mead Data Central, Inc., has "proved in several states to be a fast and complete method of legal research," says Miss Farmer.

Virginia lawyers, government officials, law faculty, students and others are invited to attend the demonstrations of Lexis. The demonstrations will take place at 10 a.m. and at 2, 4 and 8 p.m. each day.

Participants must register for individual sessions in advance by contacting Frances Farmer, Law Librarian, University of Virginia, Charlottesville, Va. 22901, telephone (804) 924-3384.

The law library is in the new School of Law Building on Arlington Boulevard, off Route 29, near the Barracks Road Shopping Center.

Although several federal and state government agencies nationwide have computer systems to scan the law relating to the work of the agency, these systems work with limited data bases and are generally restricted to use by agency personnel, says Miss Farmer.

The Lexis system is designed to include a broader data base of federal and state case and statutory law in a full-text, interactive system. The legal materials placed in the memory of a full-text system, any word, phrase or number can be the basis of the computer's search of the legal materials stored in the computer's memory.

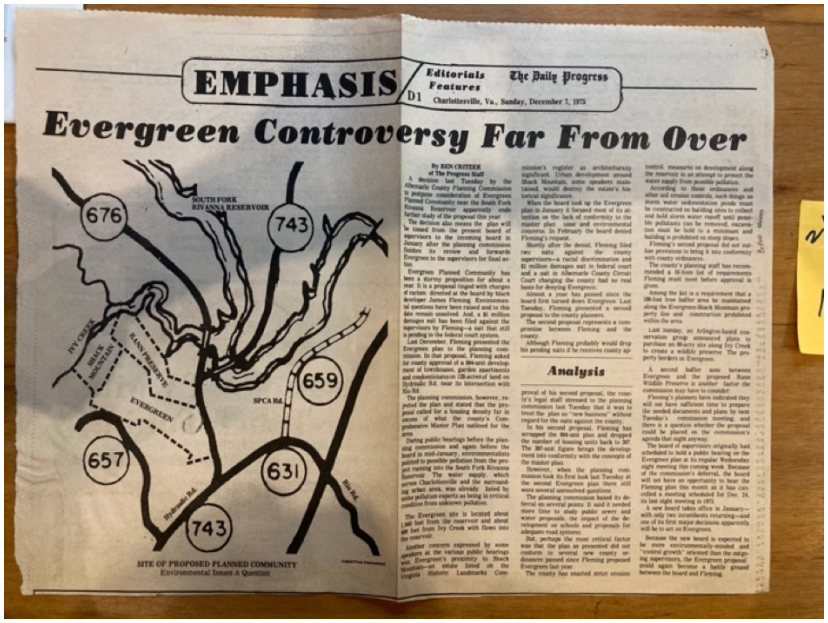
Graves Takes Planning Position

Albemarle County civic leader Joan Graves Wednesday was appointed by the Albemarle County Board of Supervisors to fill a vacant seat on the nine-member Albemarle County Planning Commission.

Graves, who is a local veterinary assistant, is a member of the Charlottesville-Albemarle County League of Women Voters, Citizens for Albemarle and a past president of the

Psychiatry Profes

Fig. 4.4. *Daily Progress* coverage of Fleming's lawyer asserting that the resistance to Evergreen was "neatly camouflaged racism." Ivy Creek Foundation Archives.



EMPHASIS / Editorials Features D1 — The Daily Progress
Charlottesville, Va., Sunday, December 7, 1975

Evergreen Controversy Far From Over

By BEN CRITZER
of The Progress Staff

A decision last Tuesday by the Albemarle County Planning Commission to postpone consideration of Evergreen Planned Community near the South Fork Rivanna Reservoir apparently ends further study of the proposal this year.

The decision also means the plan will be tossed from the present board of supervisors to the incoming board in January after the planning commission finishes its review and forwards Evergreen to the supervisors for final action.

Evergreen Planned Community has been a stormy proposition for about a year. It is a proposal tinged with charges of racism directed at the board by black developer James Fleming. Environmental questions have been raised and to this date remain unsolved. And, a $1 million damages suit has been filed against the supervisors by Fleming—a suit that still is pending in the federal court system.

Last December, Fleming presented the Evergreen plan to the planning commission. In that proposal, Fleming asked for county approval of a 804-unit development of townhouses, garden apartments and condominiums on 128-acres of land on Hydraulic Rd. near its intersection with Rio Rd.

The planning commission, however, rejected the plan and stated that the proposal called for a housing density far in excess of what the county's Comprehensive Master Plan outlined for the area.

During public hearings before the planning commission and again before the board in mid-January, environmentalists pointed to possible pollution from the project running into the South Fork Rivanna Reservoir. The water supply, which serves Charlottesville and the surrounding urban area, was already listed by some pollution experts as being in critical condition from unknown pollution.

The Evergreen site is located about one mile from the reservoir and about one mile from Ivy Creek with flows into the reservoir.

Another concern expressed by some speakers at the various public hearings on Evergreen's proximity to Shack Mountain—an estate listed on the Virginia Historic Landmarks Commission's register as architecturally significant. Urban development around Shack Mountain, some speakers maintained, would destroy the estate's historical significance.

When the board took up the Evergreen plan in January it focused most of its attention on the lack of conformity to the master plan, zone and environmental concerns. In February the board denied Fleming's request.

Shortly after the denial, Fleming filed two suits against the county supervisors—a racial discrimination and $1 million damages suit in federal court and a suit in Albemarle County Circuit Court charging the county had no real basis for denying Evergreen.

Almost a year has passed since the board first turned down Evergreen. Last Tuesday, Fleming presented a second proposal to the county planners.

The second proposal represents a compromise between Fleming and the county.

Although Fleming probably would drop his pending suits if he receives county approval of his second proposal, the county's legal staff stressed to the planning commission last Tuesday that it was to treat the plan as "new business" without regard for the suits against the county.

In his second proposal, Fleming has scrapped the 804-unit plan and dropped the number of housing units back to 367. The 367-unit figure brings the development into conformity with the concepts of the master plan.

However, when the planning commission took its first look last Tuesday at the second Evergreen plan there still were several unresolved questions.

The planning commission based its deferral on several points. It said it needed more time to study public sewer and water proposals, the impact of the development on schools and proposals for adequate road systems.

But, perhaps the most critical factor was that the plan as presented did not conform to several new county ordinances passed since Fleming proposed Evergreen last year.

The county has enacted strict erosion control measures on development along the reservoir in an attempt to protect the water supply from possible pollution.

According to these ordinances and other soil erosion controls, such things as storm water sedimentation ponds must be constructed on building sites to collect and hold storm water runoff until possible pollutants can be removed, excavation must be held to a minimum and building is prohibited on steep slopes.

Fleming's second proposal did not outline provisions to bring it into conformity with county ordinances.

The county's planning staff has recommended a 16-item list of requirements Fleming must meet before approval is given.

Among the list is a requirement that a 200-foot tree buffer area be maintained along the Evergreen-Shack Mountain property line and construction prohibited within the area.

Last January, an Arlington-based conservation group announced plans to purchase an 88-acre site along Ivy Creek to create a wildlife preserve. The property borders on Evergreen.

A second buffer zone between Evergreen and the proposed Rann Wildlife Preserve is another factor the commission may have to consider.

Fleming's planners have indicated they will not have sufficient time to prepare the needed documents and plans by next Tuesday's commission meeting, and there is a question whether the proposal could be placed on the commission's agenda that night anyway.

The board of supervisors originally had scheduled to hold a public hearing on the Evergreen plan at its regular Wednesday night meeting this coming week. Because of the commission's deferral, the board will not have an opportunity to hear the Fleming plan this month as it has cancelled a meeting scheduled for Dec. 24, its last night meeting in 1975.

A new board takes office in January—with only two incumbents returning—and one of its first major decisions apparently will be to act on Evergreen.

Because the new board is expected to be more environmentally-minded and "control-growth" oriented than the outgoing supervisors, the Evergreen proposal could again become a battle ground between the board and Fleming.

Analysis

Fig. 4.5. Fleming submitted revised plans for Evergreen in early December 1975. Ivy Creek Foundation Archives.


Soviet-backed forces score major victories in Angola

'Dismissed' label

Media report

RACISM

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Fig. 4.6. Advertisement placed by James Fleming in the *Cavalier Daily* accusing Bedford Moore of racism. Cavalier Daily Online Archives.


Reservoir Pollution Labeled Less Than Feared

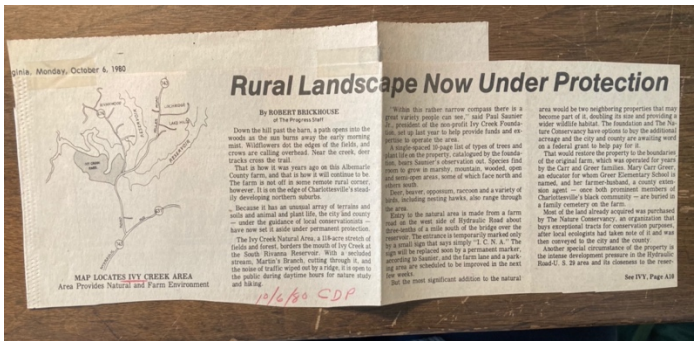
The Daily Progress
State & Local Area
B1

Fig. 4.7. *Daily Progress* coverage of preliminary results for the pollution study of the South Fork Rivanna Reservoir. Ivy Creek Foundation Archives.


Albemarle Delays Fleming Project

JAMES N. FLEMING

Fig. 4.8. Local news coverage of Evergreen delays in early 1977. Ivy Creek Foundation Archives.



ginia, Monday, October 6, 1980

Rural Landscape Now Under Protection

By ROBERT BRICKHOUSE
of The Progress Staff

Down the hill past the barn, a path opens into the woods as the sun burns away the early morning mist. Wildflowers dot the edges of the fields, and crows are calling overhead. Near the creek, deer tracks cross the trail.

That is how it was years ago on this Albemarle County farm, and that is how it will continue to be. The farm is not off in some remote rural corner, however. It is on the edge of Charlottesville's steadily developing northern suburbs.

Because it has an unusual array of terrains and soils and animal and plant life, the city land county — under the guidance of local conservationists — have now set it aside under permanent protection.

The Ivy Creek Natural Area, a 1,8-acre stretch of fields and forest, borders the mouth of Ivy Creek at the South Rivanna Reservoir. With a secluded stream, Martin's Branch, cutting through it, and the noise of traffic wiped out by a ridge, it is open to the public during daytime hours for nature study and hiking.

"Within this rather narrow compass there is a great variety people can see," said Paul Saunier Jr., president of the non-profit Ivy Creek Foundation, set up last year to help provide funds and expertise to operate the area.

A single-spaced 10-page list of types of trees and plant life on the property, catalogued by the foundation, bears Saunier's observation out. Species find room to grow in marshy, mountain, wooded, open and semi-open areas, some of which face north and others south.

Deer, beaver, opossum, raccoon and a variety of birds, including nesting hawks, also range through the area.

Entry to the natural area is made from a farm road on the west side of Hydraulic Road about three-tenths of a mile south of the bridge over the reservoir. The entrance is temporarily marked only by a small sign that says simply "I. C. N. A." The sign will be replaced soon by a permanent marker, according to Saunier, and the farm lane and a parking area are scheduled to be improved in the next few weeks.

But the most significant addition to the natural area would be two neighboring properties that may become part of it, doubling its size and providing a wider wildlife habitat. The foundation and The Nature Conservancy have options to buy the additional acreage and the city and county are awaiting word on a federal grant to help pay for it.

That would restore the property to the boundaries of the original farm, which was operated for years by the Carr and Greer families. Mary Carr Greer, an educator for whom Greer Elementary School is named, and her farmer-husband, a county extension agent — once both prominent members of Charlottesville's black community — are buried in a family cemetery on the farm.

Most of the land already acquired was purchased by The Nature Conservancy, an organization that buys exceptional tracts for conservation purposes, after local ecologists had taken note of it and was then conveyed to the city and the county.

Another special circumstance of the property is the intense development pressure in the Hydraulic Road-U. S. 29 area and its closeness to the reser-

See IVY, Page A10

MAP LOCATES IVY CREEK AREA
Area Provides Natural and Farm Environment

10/6/80 CDP

Fig. 4.9. Coverage of 1980 Rural land protection zoning for Albemarle County. Ivy Creek Foundation Archives.

Fleming Demands Jail, Fines

By BOB GIBSON
of The Progress Staff

Local developer James N. Fleming has asked U.S. District Court Judge James Turk to find the six members of the Albemarle County Board of Supervisors in contempt of an April, 1976 court order and "fine and/or imprison" them for not approving his plans for a 129-acre development near the South Fork Rivanna Reservoir.

Fleming also asked Judge Turk for $5 million in damages he says he has suffered because the board members have "not acted expeditiously to comply with the terms" of the judge's court-ordered settlement of the developer's suit to allow the planned "Evergreen" development.

The developer, in a motion for a show cause order, alleges that the board's conduct toward him during the past 16 months "amounts to a willful and absolutely malicious scheme designed to deny" Fleming his court-ordered rights to proceed with the development.

Fleming's motion also asks Judge Turk to order the board to approve the Evergreen application. The black developer alleges the board has continued to deny him his "civil and constitutional rights...to be free from racial discrimination."

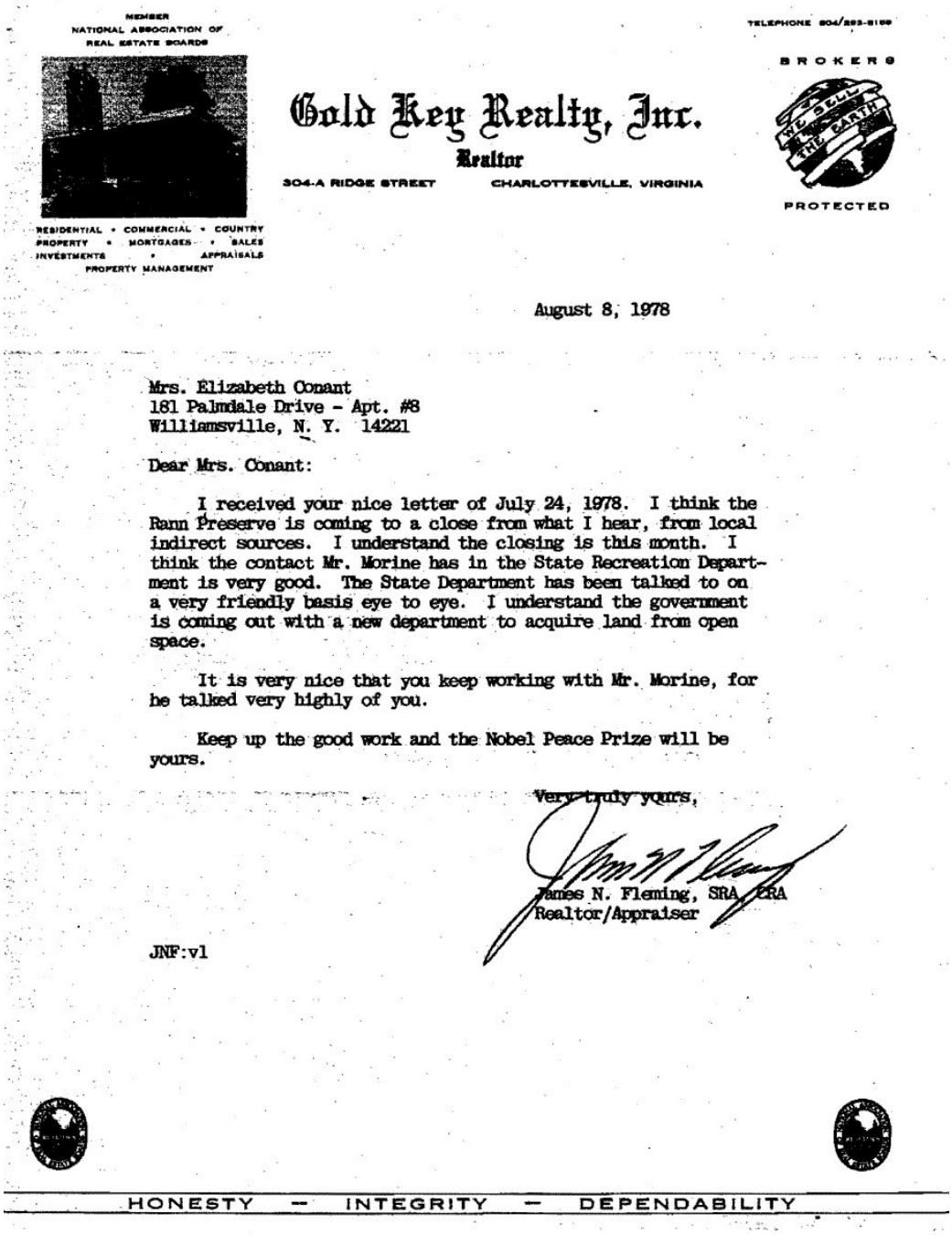
Fleming contends board members have "actively encouraged a continuation of" law suits against him "by giving aid

See FLEMING, Page A14

10/12/77

Fig. 4.10. Reporting on one of Fleming's lawsuits filed against Evergreen opponents. Ivy Creek Foundation Archives.

Fig. 4.11. Sign marking James Fleming's parcel adjacent to the Ivy Creek Natural Area ca. 1978. UVA Special Collections.



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August 8, 1978

Mrs. Elizabeth Conant
181 Palmdale Drive - Apt. #8
Williamsville, N. Y. 14221

Dear Mrs. Conant:

I received your nice letter of July 24, 1978. I think the Rann Preserve is coming to a close from what I hear, from local indirect sources. I understand the closing is this month. I think the contact Mr. Morine has in the State Recreation Department is very good. The State Department has been talked to on a very friendly basis eye to eye. I understand the government is coming out with a new department to acquire land from open space.

It is very nice that you keep working with Mr. Morine, for he talked very highly of you.

Keep up the good work and the Nobel Peace Prize will be yours.

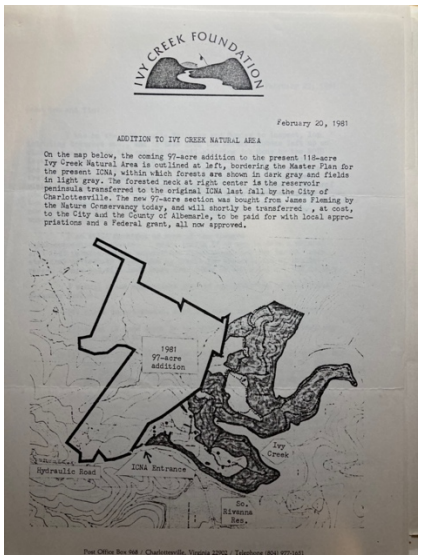
Very truly yours,

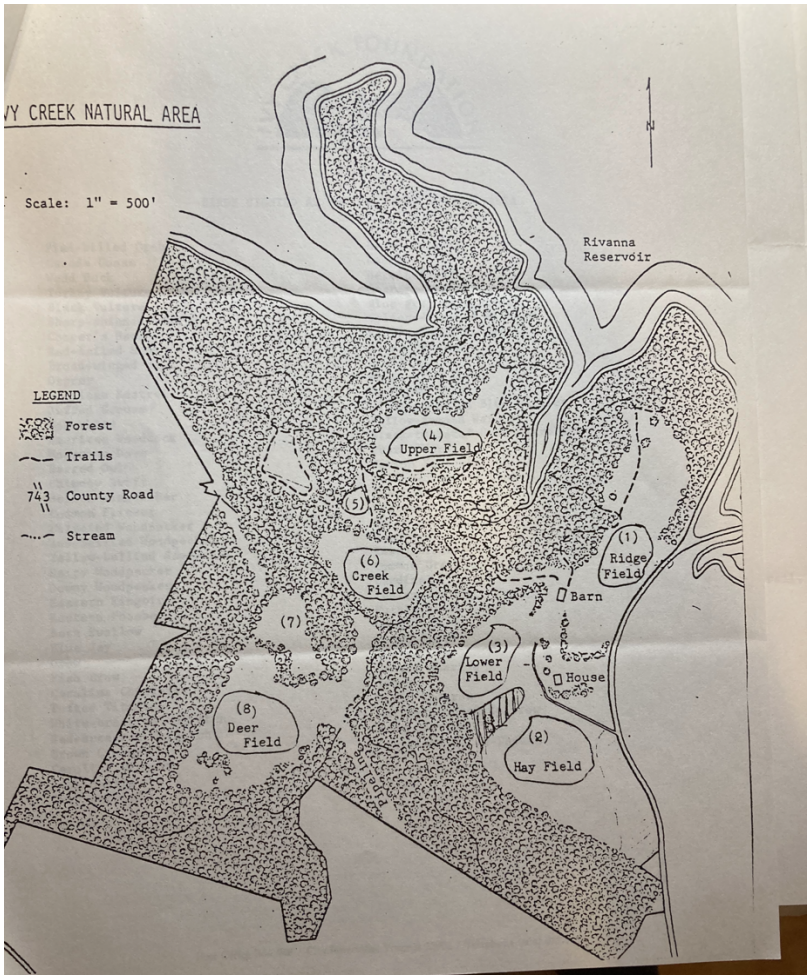
James N. Fleming, SRA, CRA
Realtor/Appraiser

JNF:vl

HONESTY — INTEGRITY — DEPENDABILITY

Fig. 4.12. Letter from James Fleming to Babs Conant teasing Conant about the Nobel Peace Prize. Ivy Creek Foundation Archives.





Figs. 4.13–4.15 (Clockwise from top left). Map showing proposed expanded Ivy Creek Natural Area with the Fleming tract added (Ivy Creek Foundation Archives); James Fleming and Ivy Creek Foundation president Paul Saunier announcing the acquisition of Fleming's land (UVA Special Collections); map of the expanded Ivy Creek Natyral Area in 1981 (Ivy Creek

Fig. 4.16. Images of Preston Avenue prior to its widening in 1974. JMRL Microfiche.

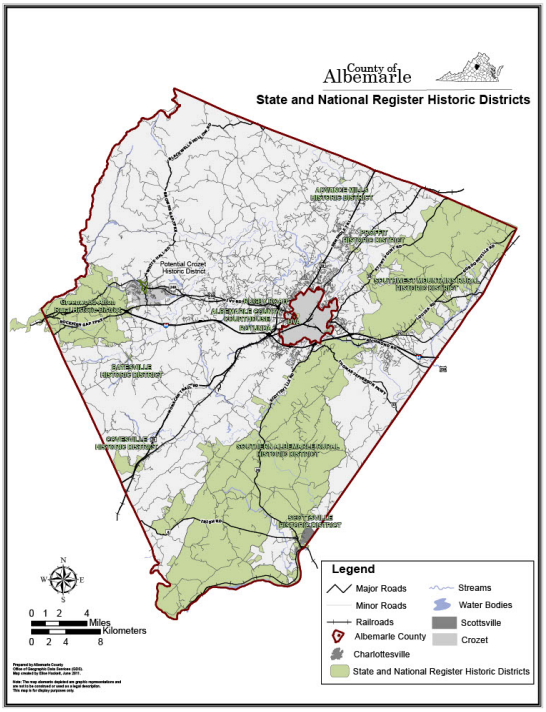


Fig. 4.17. Rural Historic Districts in Albemarle County. Albemarle County.

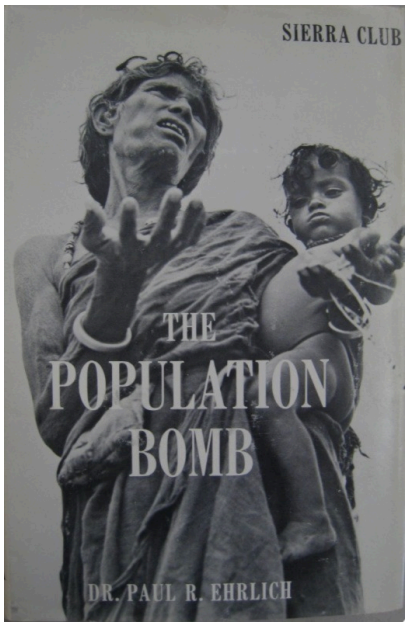


Fig. 4.18. Front cover of the Sierra Club-supported bestselling book *The Population Bomb* by Paul Erlich.

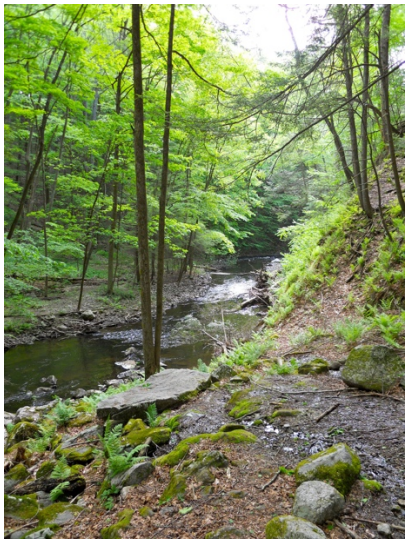


Fig. 4.19. Photograph of the Mianus River Gorge Preserve, operated by The Nature Conservancy, in Bedford, New York. Flickr.

Fig. 4.20. *Landscape* by William Gilpin, February 1, 1794. Royal Academy of Arts, London.