

# VERMONT ENVIRONMENTAL REPORT

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## IN THIS ISSUE

- ENVIRONMENTAL AGENCY OFFERS SKI STANDARDS
- KINGS HILL APPLICATION CALLED CRITICAL
- INTERVENTION POSSIBLE IN F.P.C. RELICENSING
- BILLBOARD LOBBY ENTERS VERMONT SIGN FIGHT

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## TWO VERMONT FOREST AREAS

### ELIGIBLE UNDER AIKEN ACT

Two Vermont forest tracts totalling 15,000 acres are eligible for possible designation as "wild areas" under provisions of new legislation co-sponsored and reported by Sen. George D. Aiken. The Bristol Cliffs area of the Green Mountain National Forest and the Lye Brook area near Manchester are potentially subject to wild area classification but until this eligibility is certified no exploitative activity, including timber harvesting, can take place.

The significance of Aiken's bill was underscored the day after it was sent to the House. President Nixon then sent to Congress legislation calling for the protection of 16 additional forest areas but none of these were in the east.

The legislation, which is enabling, is designed to sequester large tracts of land in the eastern United States and maintain them in their current primitive state. All such areas heretofore had been west of the 100th meridian.

### GOVERNOR'S CONFERENCE

"The Vermont Forest and Man: Which Way?" is the theme of the fifth annual Governor's Conference on Natural Resources which will be held at the Capitol Theatre in Montpelier October 19 and 20. Speakers will include Governor Davis, Carl H. Reidel, Director of UVM's Environmental Program, the Rev. Brendan J. Whittaker of Brandon, Arthur F. Heitman, Commissioner of Forests and Parks and Jim Wilkinson, Director of Forests. Workshops on a variety of topics relating to forest products, recreation, management and planning will be conducted.

(If you receive more than one copy of this publication, please recycle it.)

the organic gardener, Catharine Osgood Foster, Vintage Books, New York, \$2.95.

A longtime member of the VNRC, Kit Foster of Bennington is the author of this splendidly informative book on gardening, "according to the old Vermont principles of respect for the land and the world of nature." Mrs. Foster had been an organic gardener for years without knowing it, she writes, returning to the soil what was taken from it and relying on natural cycles of control. Her book is an invaluable source of practical and interesting facts on basic botany, soils, seed ordering, garden layout, companionate planting of flowers, vegetables and herbs, composting, natural pest control, including recipes for homemade sprays (try garlic and red pepper), directions for making insect traps and much more.

A reference section alphabetically lists entries from "acerola" and "apples" to "watercress" and is crammed with advice on how to plant, grow and harvest, even mouth-watering recipes. Intelligently organized and gracefully written, the book is a pleasure to read. Decorative line drawings by Karl Stuecklen and a striking design make it an unusually handsome paperback to stuff into the Christmas stockings of both experienced and novice gardeners. Very helpful appendices and index.

Susan Bartlett

PAINE OBJECTS TO LOOPHOLE  
IN TUGBOAT LICENSING REGS

Peter S. Paine, Jr., general counsel for the Lake Champlain Committee, has strenuously objected to what he regards as a potentially serious loophole in the Coast Guard's proposed regulations governing tugboat operators on inland waterways.

Paine told a hearing in New York last month he was unhappy with language in the regulations not required by a newly-enacted federal law. Paine said a grandfather clause in the proposals would allow any operator of a towing vessel with a year's experience as of June, 1974, to avoid most of the licensing requirements including those stipulating familiarity with pollution prevention and control methods.

The proposed regulations were issued as a result of a new federal law which, for the first time, requires the licensing of towing vessel operators on inland waterways. Up to now anyone could run a tugboat on Lake Champlain.

Letters from individuals interested in these regulations should be addressed to the Executive Secretary, Marine Safety Council, Room 8234, 400 Seventh Ave., S.W., Washington, D.C. 20590.

COMMENTS INVITED ON WATERLINE REGULATIONS

The Water Resources Board will welcome written comments until November 10 on proposed rules to define the line below which anyone wishing to fill, build a dock, or extend a pipe in a lake or pond must obtain a permit. Development above this line will be covered by shoreland zoning regulations.

The rules would set the line at mean water level. For Lake Champlain it would be 95.5 feet above sea level. For other lakes and ponds it would be determined by the elevation of the outlet or spillway plus the average depth of water flowing over it.

BILLBOARD LOBBY ENTERS VERMONT

SIGN TEST COMPENSATION DISPUTE

The national billboard lobby is reportedly funnelling substantial resources into opposing Vermont's suit testing a U.S. attorney general's opinion requiring compensation for removal of billboards along federally-supported highways. The lobby is expected to join the U.S. Department of Transportation in the case as a friend of court.

Vermont has already received Transportation Secretary John Volpe's preliminary finding that the state will lose 10% of its 1973 highway funds, about \$3 million, if it does not compensate sign owners. The formal ruling which Vermont will appeal to U.S. District Court was expected early this month.

The state contends that the Standard Paper Company of Bellows Falls, owner of the specific sign involved in the case, received adequate and just compensation because it had a five-year period to amortize its investment. Vermont's 1968 sign statute requires no monetary compensation for billboard removal. It does provide for map plazas to replace off-premise signs giving directions.

In a related development the U.S. House of Representatives was ready to debate a Senate-passed bill forcing states to financially compensate billboard owners whose signs are removed under state laws similar to Vermont's.

HEAR YE HEAR YE!

Atty. Gen. James M. Jeffords wants written testimony concerning the deterioration of the southern section of Lake Champlain in conjunction with Vermont's suit relating to the International Paper Co. controversy. Individuals in the Shoreham area of Addison County willing to submit written testimony concerning the degradation of the lake over the past 40 years are urged to contact Jeffords' office. Written testimony is desired now, verbal evidence may be requested later, Jeffords said.

## SKI RESORT PLANNING REQUIREMENTS

### PROPOSED BY ENVIRONMENTAL AGENCY

Vermonters have until late October to submit statements to the Agency of Environmental Conservation concerning proposed regulations on the development of state-owned land by ski resorts.

Representatives from eight of the state's major ski areas appeared before the agency early this month to spell out their opposition to the regulations which would affect any development proposed after January 1. In essence, the regulations would permit ski area expansion only after a long range plan has been submitted to and approved by the Secretary of Environmental Conservation. The plans would apply to both state land and other adjacent property controlled by the ski areas which would be affected by expansion.

Opponents of the proposals argued that they would place certain ski areas in unfavorable competitive positions; impose control over private, as well as state, lands; violate leases now existing between the state and ski areas and grant unilateral decision making power to the Environmental Agency.

Conservationists supporting the proposed regulations emphasized the necessity for long range planning to enable individual towns and the state to intelligently cope with growth and the attendant need for more services. They also criticized the proposals as being too vague on the question of how long a long range plan ought to be.

The VNRC was among the organizations supporting the proposed regulations.

### DEVELOPMENT FIRM GOING TO COURT TO CHALLENGE LONDONDERRY ZONING

Leisure Creations, Inc. is going to court in an effort to overturn the Londonderry Board of Selectmen's decision denying them a development permit. Leisure Creations is planning a 170-unit condominium vacation home complex on 102 acres. The Board denied the permit application under the town's interim zoning ordinance, which calls for "slow, controlled growth" and suggests a moratorium on large projects until the town has adopted a permanent ordinance.

The major issue appears to be the possible impact of the development on the municipal school system. The elementary school is now at capacity and there are fears of overcrowding with any new influx of people. Harry Littleton, a school director, says there is a 10-15% increase in enrollment each year under normal conditions. William Polk, chairman of the local planning commission, feels it is difficult to keep the development exclusively for second-home occupancy.

UPPER VALLEY GROUP WEIGHS INTERVENTION  
IN WILDER - F. P. C. RE-LICENSING CASE

For Land's Sake, a group disturbed by increasing erosion in the upper Connecticut River Valley, may intervene in the Federal Power Commission's license renewal proceeding for New England Power's Wilder Dam. The FPC has assured Sen. George D. Aiken that it will accept the group's testimony even though the original deadline for intervention has passed.

Members of the new organization think present operating policies at the 22-year-old dam are endangering the scenic and recreational values of the Connecticut River Valley which the U.S. Bureau of Outdoor Recreation wants to preserve. For Land's Sake is working with the Sierra Club and may broaden its action to include three other dams on the river--those at Bellows Falls, Turners Falls, and Vernon. The group would also like to see "development" in the state's Act 250 defined to include dam relicensing.

Landowners along Wilder Lake, which stretches north nearly 40 miles to Newbury, find the rate of bank erosion accelerating. For Land's Sake vice president Lyman Allen of East Thetford says he lost a 30 by 10 foot section last spring. While currents, runoff, ice, and boat waves are probably partially responsible for the erosion, Allen believes New England Power is maintaining higher water levels and frequently raising and lowering the level thus causing much of the problem. The company bought flowage rights from the landowners but the group is looking further into the extent of these rights.

Lawrence Dingman, a geologist who heads the group, points out that the banks are lake deposited silt. The silt is very susceptible to erosion which not only destroys land and scenery but also restricts access, causes siltation, and impairs water quality and fishing. For Land's Sake has asked New England Power to join it in requesting a federal study of the erosion to serve as a basis to evaluate the costs and benefits of various measures to reduce it. The Vermont Water Resources Department is supporting the request, but the power company has not replied.

Apparently an environment impact statement for the Wilder Dam license has not been filed. Dingman said he reviewed an Army Corps of Engineers statement on the Connecticut River Basin Comprehensive Plan and found that erosion problems were almost totally ignored.

ENVIRONMENTAL NEWS HIGHLIGHTS DURING SEPTEMBER INCLUDED ....

BURLINGTON - The Vermont Re-Clamation Company, which eliminated its cardboard and newspaper recycling operations in June, has now shut down its glass reclamation project. James Fayette, a bottler who set up the center in April, 1971, said he was discontinuing operations because of financial difficulties.

BOSTON - The New England River Basins Commission has proposed that each New England state institute a surcharge on electric power bills to finance research on power plant site development. Monies derived from the "Environmental Trust Fund" would underwrite site acquisition and evaluation as well as techniques for power generation.

MONTPELIER - Almost 800 development permits representing \$280 million in costs have been issued since the inception of Act 250 in June of 1970. These were among the figures released by the Agency of Environmental Conservation last month in what the Vermont press speculated was an effort to counter charges of "extremism" in the administration of that law.

BURLINGTON - The Vermont Health Board has delayed for an additional three months the imposition of a directive forcing towns to cease the pollution of their drinking water by communities using their water supplies for recreational purposes. The original restrictions, scheduled to take effect in August now won't be promulgated until January.

MONTPELIER - Two key members of the House Committee on Natural Resources were defeated for renomination in the September primary election. Marshall G. Hutchins of Lincoln, the committee's vice chairman and Randolph T. Major of Westminster, its clerk, were both strong environmental advocates.

MONTPELIER - Water Resources Commissioner Martin L. Johnson has threatened to resign his sensitive post because of what he calls a "lack of professionalism" in the parent Agency of Environmental Conservation. Johnson indicated he was unhappy with the role played by the environmental agency in the amendments to Vermont's Clean Waters Act passed last winter.

BOLTON - Assistant Secretary Schuyler M. Jackson of the Agency of Environmental Conservation says difficulties in the administration of Act 250 can be solved administratively. Jackson told an audience here that changes in the law, including a simplification of its application procedures, could be accomplished without legislative amendments.

WOODSTOCK'S RECYCLING CENTER

FIFTY TONS, NINE MONTHS LATER

Woodstock's Redu-Center, a community recycling project conducted by the local League of Women Voters, has collected and trucked to Connecticut more than 50 tons of glass and aluminum waste in the nine months since its inception. The center, staffed for six hours each Saturday with volunteer personnel including a truck driver, has realized \$10 per ton of recycled waste, a profit that will be reduced by half when the necessity arises to employ a driver.

Directors of the operation say they tally between 70 and 100 weekly trips by individuals and firms turning in cans and bottles and that the quantity frequently reaches two tons a day during the summer months. Frank Teagle, Jr., who works with the LWV on the project, says participants have realized the greatest satisfaction "knowing we have saved a significant amount of space in the fast-filling Weathersfield dump which Woodstock uses." Teagle invites inquiries from other communities interested in instituting recycling projects.

MAINE ADOPTS INTERIM

LAND USE REGULATIONS

Maine's Land Use Regulation Commission has adopted temporary standards zoning more than half the state into four use classifications. The interim regulations will determine the future direction of land use for the state's wildlands - primarily organized townships - and affect 10 of the state's 17 million acres.

The regulations approved by the six member commission set the state's wildlands into four use categories - protection, management, holding and development. The commission has until next July to draw precise boundaries for the four types of district and an additional three years to establish permanent land use regulations governing their use. Uses permitted without special authorization include forestry, agriculture and mineral extraction.

In general, the use classifications freeze areas of land now being utilized for these four broad purposes. Protection districts represent lands held by the government or private owners for "conservation, recreational, historic, archaeological or scientific purposes."

KINGS HILL DEVELOPMENT PLAN  
SEEN AS TEST CASE FOR STATE

The proposed Kings Hill development in the Westford-Milton area -- which would be the largest residential development in northern Vermont -- remains in the Act 250 application process after four District #4 Environmental Commission hearings. Green Mountain Meadows Corporation of Burlington has proposed a mammoth 1,320-unit residential development on 1,200 acres. The present application concerns a 33-unit subdivision -- one part of the total plan.

Westford has a population of 381 and the implications of the development would be dramatic, especially on the municipal school system. Westford residents are in the top one-quarter of the tax bracket and pay above average school taxes. The 33-unit subdivision alone could cause an even greater burden on the school system. Population density and settlement problems appear to be another major consideration.

Montpelier Atty. Jonathan N. Brownell, who represents the Town of Westford, considers the development a "regional issue" concerning growth in the rapidly urbanizing Burlington area, and a "test case for the state". There appears to be questions regarding all of the ten Act 250 criteria but the most critical may be the consideration of where future development in the Burlington region should occur. Many seem to doubt whether Westford is such an area.

ENVIRONMENTAL/ECONOMIC CONFERENCE PLANNED

The V.N.R.C. will co-sponsor with the Conservation Law Foundation and other New England environmental groups a day-long conference on Saturday, December 2, on the new charitable tax rules and incentives which relate to environmental problems. The meeting will be held at John Hancock Hall, Boston beginning at 9:15 a.m.

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