

Vermont Environmental Report

PUBLISHED MONTHLY BY THE VERMONT NATURAL RESOURCES COUNCIL, A NON-PROFIT CITIZENS' CONSERVATION ORGANIZATION, SUPPORTED BY MEMBERSHIP DUES AND CONTRIBUTIONS. VNRC, 26 STATE STREET, MONTPELIER, VERMONT, 05602. (802) 223-2328. CHAIRMAN: DAVID R. MARVIN; EXECUTIVE DIRECTOR: SEWARD WEBER; EDITOR: NAT FROTHINGHAM.

1977 General Assembly:

Environmentalists Score Solid Gains - Next Session Will Face a Long Agenda

What follows is a reprint from the 15th and final issue of the 1977 Weekly Legislative Alert. Readers of the VER should be aware that this summary of legislative events is a general statement on the outcome of environmental legislation that is partly "straight reporting" and partly editorial comment.

1. Gains

Environmentalists can find a measure of encouragement in the outcome of the 1977 Session of the General Assembly that adjourned in the early hours of Sunday, April 24th. There were modest, but important, gains in the long, difficult struggle to confront the environmental problems that face us.

These gains were among the most significant.

- After a tough, two-year fight, the enactment of a ban on phosphates in household detergents. Phosphates have been contaminating our rivers, lakes and streams and clogging our waters with algae blooms. This ban is an important step toward eliminating phosphate pollution at its source.

- A beginning in the massive effort to curb energy waste with the passage of a bill that provides low-interest loan money to Vermonters for home insulation.
- A Scenic Roads Bill, passed in this Session after more than a decade of consideration in both houses of the Assembly. This bill demonstrates that environmental concerns and economic issues can be successfully resolved.
- Now, with the passage of H.261 (which is the companion piece to legislation enacted in 1975), -- Vermont has what has been termed "the strongest nuclear control measures in the nation." The 1975 law requires legislative approval for further nuclear plant construction. The new law requires legislative review prior to the designation or construction of nuclear waste storage sites or reprocessing facilities.

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- Real progress toward the eventual goal of property tax reform and a more equitable way of distributing state aid to education. Because of key Senate amendments in the final days of the Session, for the first time, **managed forest land** can now be covered by tax stabilization agreements. And an important principle has been established with the passage of H.16, that the "Use Value" of land may be substituted for the "Fair Market Value" in estimating the "wealth" of a town for state aid to education purposes. That the House Education Committee should have adopted a new state aid to education formula for full legislative consideration next year after years of debate is indeed a remarkable advance.
- Key amendments to Gov. Snelling's economic development assistance bill, H.422. One amendment provides for public involvement in the private, non-profit development corporations that would receive grants under the new legislation. A second amendment requires that local towns write letters of endorsement attached to any application for grants to such corporations. A third amendment, resisted by Gov. Snelling, but added at the 11th hour, requires that all development activities be consistent with comprehensive regional plans.

The 1977 Session was as notable for bills that were **not passed** as for bills that were. **Not passed** was legislation requested by the Governor that would have struck a provision for a Land Use Plan from Act 250. Gov. Snelling's recommendations to delete the Land Use Plan failed to include suggestions for how Act 250 might be strengthened to meet the need for planning for economic growth. The General Assembly chose not to act precipitately by weakening Act 250 with debilitating amendments. Instead, a summer study committee will review the need for changes in Vermont's fundamental land use and development law.

2. Still Awaiting Action

The 1977 Assembly found some of the all-encompassing and more complicated issues both the most per-

sistent and the most difficult to address effectively. Still awaiting action as the Session adjourned are the many intractable problems that surround the question of energy planning, management and conservation.

The subject of energy touches practically every concern of Government and has repercussions on almost all aspects of our lives. Is there a public concern that is not in some way related to energy? Agriculture, transportation, housing, welfare, natural resource management, education, tax revenues: all are affected. Given the pervasive nature of this problem it is no wonder that a part-time, citizen Assembly finds itself confounded as it seeks to address so wide a subject and finds postponement an available alternative to concrete action.

As President Carter's recent speech to the Nation pointed out so dramatically, the question of energy is now too urgent to be ignored any longer. Somehow the Legislature, as a first act of new business next January, will have to organize itself to attack this kind of issue. The old legislative structures of sharply defined Committee responsibilities are simply incapable of responding to issues of this kind. One proposal in the 1977 Session that held some promise for seizing on energy problems was a bill that would have created a Joint (House-Senate) Energy Committee. Such a Committee, its sponsors argued, needed to be fully-staffed, fully-funded, and fully-empowered to address energy issues. But it failed to gain approval in the closing hours of the Session.

3. The Upcoming Agenda

Demanding attention on the environmental agenda as we look ahead are problems that have been with us for a long time but whose need for consideration is just now beginning to penetrate the public consciousness. The waste in our society is prodigious: solid wastes building up on the land, human wastes polluting our waters, the waste and under-management of the State's forest resource, the destruction of agricultural land and the decline of the independent family farm, and perhaps the greatest waste of all, -- the under-employment and unemployment of human energy and human resources. Perhaps as alarming in another way is the grim statistic from the National Institutes of Health in Bethesda, Maryland that warns that as much as "70 to 90 percent of all cancers in humans may be **environmentally induced.**"

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(Our italics.) And all this is happening in a Vermont that is geographically the most isolated, the coldest, the poorest, and perhaps the most vulnerable of all the New England states.

What is becoming clear even as the apprehension of our national energy problem deepens, is that the next and succeeding sessions of the General Assembly will have to exhibit an extraordinary degree of

sophistication and a rare degree of cooperation and vision if Vermonters are to survive the coming age of scarcity, not just of energy, but of diminishing raw materials, -- and not be driven into poverty, or driven out of the State. In the chambers of the Assembly in this Session there was little talk of self-sufficiency, self-reliance, and cooperative enterprise, as if these expressions had gone out-of-date. But it is precisely these qualities and the acts and policies of Government that liberate these qualities that may be needed in the years ahead.

ENVIRONMENTAL BILLS:

The following is an end-of-Session report on the status of selected environmental bills that saw some action in the 1977 General Assembly.

<u>Number & Sponsor</u>	<u>Purpose of the Bill</u>	<u>End-of-Session Status Report</u>
H.8 (Carse)	To identify and protect natural areas.	Passed the House, PENDING in the Vermont Senate.
16 (Giuliani, et al.)	To provide for uniform property assessments for state aid to education purposes. (Amended to include the "use value" principle.)	PASSED
H.45 (Bartholomew)	To prohibit the use of salt and chloride compounds on state highways.	SUMMER STUDY COMMITTEE
H.48 (Bartholomew)	To improve and protect the water quality of the state through a restriction on the sale and use of household detergents containing phosphorus.	PASSED
H.68 (Stanion & Bonnett)	To prohibit the inclusion of the cost of promotional advertising in electric rates.	PENDING
H.126 (Baker et al.)	Ban on aerosol sprays.	Passed the House, PENDING in the Vermont Senate.
H.128 (Carse)	Farm, forest and open space land tax reform, state aid to education reform.	RESTING in House Ways & Means
H.154 (Foster et al.)	To protect scenic roads.	PASSED
H.155 (Mulligan)	To provide a Solid Waste Management Program for the state.	PASSED
H.166 (Kunin)	To require the Vermont Housing Finance Agency to adopt standards for the insulation of buildings; to provide lower interest rates for persons financing buildings which are in compliance with those standards; and to permit the issuance of loans for the rehabilitation of residential housing.	PASSED

LOG of ENVIRONMENTAL BILLS *continued*

H.174 (Smith et al.)	Local income tax in lieu of property tax for education expenses.	ADVANCED from House Education to House Ways & Means.
H.203 (Robinson)	To require modification of the Milton-Colchester bridge project so as to limit construction to a bridge with minimal approaches.	PASSED
H.229/S.59 (Urie/Gibb)	To delete from Act 250 the requirement for a state land use plan.	SUMMER STUDY COMMITTEES
H.261 (Babcock et al.)	To require legislative approval for the transportation and storage of radioactive waste in the state and for the construction of any waste reprocessing facility in the state.	PASSED
H.298 (Carse & Lloyd)	To establish a forestry development commission.	SUMMER STUDY COMMITTEE
H.305 (Colvin) H.418 (Babcock) H.444 (Bonnett)	All three bills are state aid to education bills, combined into House Education Committee state aid proposal.	RESTING in House Education Committee.
H.353 (Beattie)	To authorize the Agency of Environmental Conservation to continue to certify non-professional engineers to do field work on one-lot subdivisions.	PASSED
H.361 (Hoyt)	Homestead property tax rebate; farm, forest, and open space land tax reform; state aid to education reform.	ADVANCED from House Ways & Means to House Appropriation
H.379 (Allard)	To convert the heating plant of the State Hospital at Waterbury from oil to wood. (Bill incorporated into H.441).	PASSED
H.405 (Stone et al.)	To provide for the use of refillable containers and to prohibit the sale of metal containers connected with plastic rings.	PENDING
H.422 (Swainbank et al.)	To encourage economic development in the state through the awarding of grants to eligible development corporations.	PASSED
H.446 (Natural Resources Committee)	To permit the Vermont Home Mortgage Guarantee Board to guarantee loans for on-site sewage systems.	PASSED
JRH 35	To direct the state highway department to study the feasibility of utilizing federal funds to promote car-pooling.	PASSED
JRH 43	To urge Vermont's Congressional delegation to support funding for alternative practices of waste treatment, including septic systems, chemical, and mound systems.	PASSED
S.64 (Scott)	To establish municipal conservation commissions.	PENDING

Readers of the VER who wish to obtain copies of individual bills that have been signed into law should direct their requests to the SECRETARY OF STATE, c/o the Pavilion Office Building, Montpelier, Vermont, 05602.

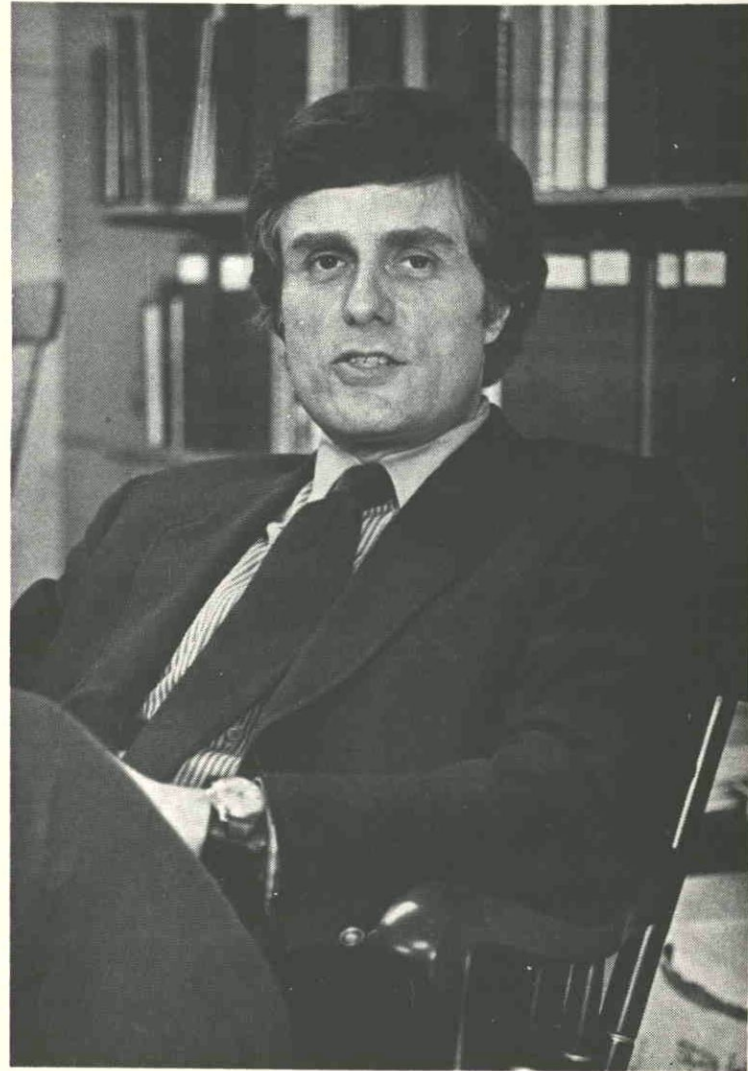
Readers of the VER may wish to obtain single copies of the VPIRG ROLL CALL REPORT FOR 1977. This REPORT is being assembled and will be available no later than June 1st. For a copy of the REPORT, write VPIRG, 26 State Street, Montpelier, Vermont, 05602.

The ETV interview with Robert Klein and presentation of portions of his "Natural Areas" slide-tape originally scheduled for viewing on May 12th has now been changed to WEDNESDAY evening, MAY 25TH, at 7:30 P.M.

CARL REIDEL:

"help make that future possible..."

The Conservation Movement in America, and in Vermont, has always been a people movement. Throughout our history, significant conservation achievements have been marked by strong citizen involvement through conservation organizations like VNRC. Act 250 and a wide range of environmental protection and management laws were possible because of the organized people-efforts of VNRC. The future will be no different. Progress in environmental conservation will depend on the ever-increasing involvement by the people of Vermont. Help make that future possible by enlisting a young person for VNRC membership. Will you join me in giving one or more young people a gift membership to VNRC, and pledge to renew it for a few years? I'll send a personal note of welcome to your new member, and one of VNRC's attractive sew-on emblems, -- a symbol of VNRC support that can be worn on a shirt or backpack. Complete the following gift-membership form and help insure growing and vigorous support for the conservation of Vermont's natural resources.



Carl Reidel: Vice-Chairman of the VNRC Board of Directors; Director of the UVM Environmental Studies Program; Vice-Chairman of the Green Mountain Chapter of the Society of American Foresters; National Vice-President of the American Forestry Association.

VNRC MEMBERSHIP RATES:	INDIVIDUAL	\$10.00
	FAMILY	\$12.50

Response Form

My Name _____ Address _____

Zip _____

I enclose \$ _____ for _____ VNRC gift memberships.

TO: _____

I prefer that VNRC designate a Vermont student as the recipient(s) of my gift membership(s).

(Please return this response form to: VNRC, 26 State St., Montpelier, Vt.)

● **USING OUR COMMUNITIES: An Outline for Action in Vermont Schools ... A REVIEW - by Naki Stevens**

Schoolchildren throughout Vermont are writing town histories, touring city hospitals and mapping natural areas. Some are publishing their own newspapers and running their own stores. Behind this activity is a growing awareness in Vermont educational circles of changing methods of teaching and learning. Animated by the concept of "community studies" -- teachers are extending the bounds of the four walls of the classroom to embrace their local communities.

Using Our Communities: An Outline for Action in Vermont Schools, edited by Casey Murrow, is a 63-page compendium of projects, resources and ideas for the Vermont teacher who would like to try out the "field study approach" to education. As the author, Casey Murrow, states in his introduction, "Our local communities in Vermont offer a vast resource for teachers and students who want to draw the world outside the school into the curriculum to make a richer and more useful experience for children."

● hough field trips and out-of-school projects have often been labelled as "frivolous" by critics, community studies, as explained in Murrow's booklet, does in fact offer broad and enlivened possibilities for students when they return to the classroom to exercise their basic "Three R's" skills. By mapping a natural area, children practice and enlarge their skills in math, writing, reading and drawing. Because children find themselves in a richer, less predictable, a more real, and therefore a more exciting learning environment, they are often able to share with each other a quickened motivation.

Using Our Communities is divided roughly into two sections. The first section touches on the philosophy of community studies and discusses some of the small but nevertheless critical details that go into organizing and carrying out a successful project. Murrow does not seek to minimize or conceal some of the difficulties. "Teachers must plan to meet these two major issues," he insists, "of where the children will go and what the academic value of the program is." Murrow also notes the following problems: the importance of well thought out transportation schemes, safety, staying in touch with parents, the proper handling of students, and the complications that may arise from any need for additional instructors.

The second section of Murrow's booklet, divided into topic headings, reports on many of the successful community studies projects undertaken in Vermont in recent years.

One such project took some unexpected and exciting turns. An upper elementary class in Burlington tackled the often dry subject of "Government" by deciding to identify and by seeking to solve a local problem. They chose as their concern a dilapidated section of sidewalk leading to the local high school. The class wrote letters to the Mayor, the Police Department, the City Aldermen and the two local newspapers. Interest was kindled within the government and in a short time the delighted children watched as a huge city bulldozer tore into a cliff outside the high school to make room for a new sidewalk. Not only did the students see a specific change in the city environment as a result of their efforts, but they also gained a firsthand knowledge of the workings of local government.

It is the documentation of just this type of innovative learning experience that makes **Using Our Communities** such a helpful reference for Vermont teachers. Casey Murrow is straightforward and realistic about his claims for the community studies approach. Limitations exist. Prudence and careful preparation are important. But the opportunity is there, and this guidebook takes the interested teacher one step further down the road of educational know-how.

(This review of Casey Murrow's booklet was written by Naki Stevens, Coordinator of the 1977 Weekly Legislative Alert, who has been with VNRC since January.)

Copies of Using Our Communities may be obtained by writing Casey Murrow, Project Director, Box 156, Marlboro, Vermont, 05344.

The Shelburne Spinners, -- a cooperative of handspinnors in Burlington, is sponsoring a wool pool at the Farm Barn on the Shelburne Farms in Shelburne on Saturday, June 11th, from 9:00 a.m. until 4:00 p.m. The Spinners want to buy 5,000 pounds of Vermont wool. Vermont sheepbreeders should write for more information on the specifications of the wool that will be accepted for purchase. Please write: Barbara Kaufman, Shelburne Spinners, 2 Howard Street, Burlington, Vt., 05401.

LAND CONSERVATION TRUST INAUGURATED....

Within the past month, citizens in the Woodstock area who are concerned with the threat of development pressures on their region's farm and forest lands, have formed a new land conservation entity, known as the "Ottauquechee Regional Land Trust."

VNRC Staff Attorney, Darby Bradley, who is advising the new Trust, talked about this new and experimental land conservation effort.

Bradley explained that the Ottauquechee effort is not the first example of a land trust in Vermont. The Abnaki Land Trust in Putney purchases land and then leases it over a long period of time to individuals who wish to farm or homestead. What makes the Ottauquechee Regional Land Trust different is that this is the first time that a land trust has been formed in Vermont specifically for the purpose of acquiring **conservation restrictions** or **open space easements** in land. A conservation restriction or easement leaves the title and responsibility for management of a given parcel of land in the hands of the owner, but restricts his uses to agricultural forestry and similar activities. The landowner, in essence, gives up the right to develop the property affected by the restriction.

It was the thinking of the founders of the Trust that this device could be used to conserve productive agricultural and forest soils and to preserve significant natural or scenic areas. Since a landowner's participation is not mandatory, the non-regulatory approach of the Trust would also complement the efforts to protect these lands through local zoning regulations and Act 250.

According to Bradley, the next step for the Trust is to develop a two-year land conservation program in the Woodstock area and to obtain a tax-exempt status to insure that contributions to the Trust can be tax-deductible. The Ottauquechee Trust plans to begin actual acquisition of conservation restrictions or easements before the end of the year. The Regional Land Trust is being coordinated by the Ottauquechee Regional Planning Commission with legal assistance from the VNRC Environmental Law Service.

For further information, please contact the Ottauquechee Regional Planning Commission, 39 Central Street, Woodstock, Vermont, 05091, or the Vermont Natural Resources Council.

MICHELE FROME LEADS NEW PROJECT: A Vermont Workbook on Sewage Treatment Choices

● On April 19, voters in the Central Vermont town of Marshfield turned down a \$120,000 bond issue to finance a sewage treatment plant; opponents of the project argued that the estimated annual household tax of \$140 for construction and operation of the proposed plant was much too costly for many residents to pay. ● Southeast of Burlington, in the town of St. George, -- Jean Ankeney heads a community citizens committee that is seeking new solutions for thirty houses that have inadequate septic systems. ● And in northwestern Vermont, the East Fairfield Fire District No. 1, is considering construction of a sewage treatment facility to serve about 250 people, but Don Schramm, a concerned citizen and Clivus Multrum dealer, thinks that installing waterless toilets might be an answer for East Fairfield Village.

These and similar problems exist throughout Vermont. A 1974 study published by the Agency of Environmental Conservation found that "most municipal treatment facilities proposed for the smaller Vermont communities have high user costs associated with them." Not only in Vermont, but throughout the nation-at-large, small communities are finding conventional sewage treatment too expensive, even with the current federal and state financial assistance. Other, less costly, methods may exist, but information on them is limited and not readily available.

Starting in May, the Vermont Natural Resources Council is embarking on a new project aimed at meeting the need for information on sewage treatment choices. The project, supported as part of

Vermont's "208" Water Quality Planning Program, will produce a **Workbook on Sewage Treatment Alternatives for Vermont Communities**. This Workbook will be a self-help guide for town officials and

Frome continued...

citizens engaged in seeking solutions to their sewage treatment problems.

The **Workbook on Sewage Treatment Alternatives** will serve three purposes. First, it will be a planning tool. It will guide communities step-by-step through such questions as: "How is our sewage being treated now?" "What are the limits of our soils and hillsides?" "What impact will our plans for sewage treatment have on our less developed areas?" "How shall we allocate the capacity in our present treatment plant?" A second purpose of the Workbook will be to provide a popular catalog of the various sewage treatment technologies that are available, from waterless toilets to conventional advanced wastewater treatment facilities. It will discuss their costs, advantages and disadvantages. Thirdly, the Workbook will be a reference for town officials and interested citizens. It will decipher the maze of laws, government programs, and sources of help.

The Director of the VNRC Workbook Project will be Michele Frome, who returns to the Council this month after serving as Assistant Director of the Conservation Society of Southern Vermont. Frome, a graduate of Williams College, worked for the VNRC in 1974 and 1975. During this period she organized the 1974 statewide workshop on public participation in water

programs and wrote **For the Sake of the Lake: A Handbook for Lake Associations.**

"This Workbook will not be just another government-funded study," argues Project Director Frome, adding, "It will be something that people can use." Last month Frome attended an EPA-sponsored national conference on 'Sewage Treatment Alternatives for Small Communities.' She is convinced there is a need for such a workbook. She reports, "At the Washington D.C. conference it was pointed out repeatedly that, even on a national level, information on alternatives is **not** readily available."

Frome continues. "I know there are a lot of people in Vermont who are talking about sewage treatment, looking for new answers, -- selectmen, planners, homeowners, engineers, and the like." Says Frome, "People don't want to pollute, but they don't want to spend a lot of money for sewage treatment plants either."

Michele Frome is determined that the Workbook she will produce will meet a need for practical help and information. For the next six months, Frome will be talking to people, both experts and non-experts, gathering information, and preparing a 'draft' Workbook. Then she will take this draft Workbook "on the road" -- as she puts it -- testing out its usefulness in selected communities that are coping with real problems. The final, completed Workbook will be ready for publication in the summer of 1978.

ARE YOU ONE OF THESE SPECIAL PEOPLE??

WE WANT TO TALK WITH - - - **Town Officers**, who are struggling with sewage treatment plans; **Engineers**, who are working on innovative solutions; **Homeowners**, who are using waterless toilets; **Service People**, who are installing and maintaining septic systems; and **Others**. IF, you are one of these people, or know someone who fits this description, please telephone Michele Frome (COLLECT) at this number (802) 223-2328, or take a moment to fill out and return this reply form.

(1) What role have you played in dealing with sewage treatment?

Engineer/consultant

Municipal official

Member of lake association
or civic group

Researcher

Sales/Service person

Private homeowner/citizen

OTHER (please specify):

(2) Please describe the sewage treatment problem with which you are familiar, or the assistance that you can provide: (Sorry, space limitations, please use a separate sheet to answer this question.)

(3) Please provide your name, address and phone number below, and return this form to WORKBOOK, c/o Michele Frome, Vermont Natural Resources Council, 26 State Street, Montpelier, Vermont, 05602.

NAME _____ PHONE _____

ADDRESS _____ ZIP _____

FAIRS · CONFERENCES · vnrc workshop

**"RURAL OPPORTUNITES CONFERENCE" SET FOR JUNE 3
IN BENTLEY AUDITORIUM AT JOHNSON STATE COLLEGE**

Vermont Tomorrow and the Vermont Opportunities Industrialization Center have announced plans for an all-day conference that has been called, in the words of its organizers, "to consider the problems and possibilities of increasing economic development while maintaining a sound environment."

The conference will begin with Registration between 8:30 and 9:00 a.m. on Friday morning, June 3rd, at the Bentley Auditorium of Johnson State College, in Johnson, Vermont.

The morning session will open with a panel discussion at 9:00 a.m. that will take up the question of "What's Holding Back the Development of Vermont's Rural Areas?" and at 10:45 a.m. a panel will look at the realities of "organizing, marketing, and financing a business in rural Vermont." In the afternoon two workshops will look at these issues: "Where Is the Money for Rural Development?" and "Strategies for Local Economic Development."

For further information please contact Kate Troast at Vermont Tomorrow, telephone, (802) 223 5296, or write to Vermont Tomorrow, 5 State Street, Montpelier, VT., 05602.

VNRC ANNOUNCES: (1) ANNUAL MEETING DATE -- (2) BOARD NOMINATIONS -- (3) FOREST WORKSHOPS

●The Council has announced that Saturday, September 10th, will be the date of the 1977 VNRC Annual Meeting. Plans are going forward for an event that will include, field trips, a business meeting and an address by a prominent guest speaker. **Please circle September 10th on your calendar.** ●VNRC Board Chairman, David R. Marvin, has appointed a nominating committee to nominate at-large members for a three-year term of office. At least five at-large vacancies will be filled. All VNRC members are urged to suggest candidates for nomination to the nominating committee or to make their own nominations directly to Seward Weber, Secretary of the VNRC Board. **Direct nominations must be submitted to the Secretary in writing and nominees must be willing to serve.** ●VNRC will hold a new series of Forest Management Workshops this coming summer and details of each workshop will be supplied in upcoming issues of the VER.

A second "Toward Tomorrow Fair" will be held at the University of Massachusetts in Amherst between June 24 and 26. Barry Commoner, Ralph Nader and Dick Gregory are among the long list of speakers.

Legislative Draftsman Ed Miller reports that the House Natural Resources Committee will be meeting on Monday, June 27th, at 9:30 a.m. in the State House in Montpelier, to discuss H.298, a bill that would create a Forest Development Commission. At the same time the Committee may also discuss the wide range of bills offered in the 1977 Session on the question of land taxation.

VNRC



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