

Vermont Environmental Report

November/December 1980

A Bimonthly Newsletter Published by the Vermont Natural Resources Council

Vol. 1 No. 8



Everything in its Path: I-93 Marches Into Vermont

The Vermont Natural Resources Council, the Vermont Grange and four St. Johnsbury farmers have filed a lawsuit to halt construction of I-93 in northeastern Vermont, touching off yet another round in the seven-year long battle to defeat the highway. Route 93 was designed to bisect New Hampshire and catch the northeastern corner of Vermont before joining Route 91 near St. Johnsbury. It is one link in a nationwide network of four-lane, high-speed limited access highways conceived and developed in the 1950's. The interstate network is 93% finished, but according to official estimates, it will cost as much to build the remaining 7% as has been spent on the entire system to date. Construction of the unfinished portions has been blocked by an avalanche of lawsuits, injunctions and legislative action initiated by local citizens concerned about the economic and environmental impact of the roads. In the aftermath of the Arab oil crisis, these superhighways seem like an expensive luxury at best, and many people regard them as a waste of land, building materials and public dollars.

The I-93 controversy erupted locally in 1974, when New

England was still reeling from the impact of soaring fuel bills and long lines at the gas pump. Conservationists in New Hampshire joined forces to stop or at least scale down the highway when they learned that it would squeeze through Franconia Notch, site of the famous "Old Man in the Mountain," a natural rock formation so like a human face that it can send shivers down the spine of a passing motorist. Constructing a four-lane highway through the notch would involve extensive blasting which might unsettle the Old Man; it would also mean filling a good portion of nearby Profile Lake.

Meanwhile, on the other side of the Connecticut River, the Vermont Transportation Advisory Board recommended that the State create a new agency to provide more comprehensive transportation planning, that it build no new four-lane highways, and that it concentrate instead on maintaining and upgrading existing roads. But since the State was already committed to I-93, it built funding for the Vermont portion into the budget of the newly-created Transportation Agency. There were efforts to delete the freeway from the budget in 1975 and 1979, but

neither bill won the approval of the General Assembly.

The legislature did rule, however, that "construction of Interstate 93 shall not proceed unless and until it is determined that the State of New Hampshire will construct the highway to the Vermont border." That ruling disposed of the issue until 1978, when both sides of the Franconia Notch dispute agreed to construction of a two-lane parkway through the notch. Their compromise gave the green light to the Vermont Agency of Transportation, which announced that construction would begin in October of 1980.

On October 7th, Harvey Carter of Bennington, who had represented an organization called "Save the Old Man" in New Hampshire, filed the suit on behalf of VNRC and the farmers. The plaintiffs charged that the Federal Highway Administration, the U.S. Department of Transportation and the Vermont Department of Transportation used outmoded data to justify the need for the highway, and that they failed to adequately consider the effects of taking and dividing up highly productive agricultural land.

According to VNRC attorney Darby Bradley, "what we're asking for with this suit is an honest assessment of both the primary and secondary effects of the interstate on agricultural lands." Not only will the road pass through two good farms, but locating an interchange so close to the farms will create intense development pressure in the area.

Joseph and Pauline Gingue own 138 acres and lease an additional 350 acres near St. Johnsbury for their herd of dairy cows. John and Frances Gingue own and operate a 457-acre dairy farm which employs two adult sons and two full-time farmhands. One of the sons lives on the farm with his family. The farms have been

in the Gingue family since the 1930's. I-93 would cut through both of them, consuming nearly fifty acres and preventing access to between fifty and two hundred additional acres. At a press conference on October 7th, Joseph Gingue said that I-93 would cut off 25% of his herd, making it difficult for him to continue farming. John Gingue said the highway would force him to reduce his herd to sixty head and "two families can't live on that."

The lawsuit calls for a Supplemental Environmental Impact Statement to address the agricultural issue and to investigate alternatives to construction of a four-lane freeway in light of post oil embargo circumstances. Darby Bradley says that the original EIS, completed in 1974, "summarily dismissed the no-build alternative" because of a projected high volume traffic over the new road. However, actual traffic on Route 18, which parallels the path of I-93, is much lower than anticipated. The State highway carries between 2000 and 3000 cars per day; that figure would have to more than double in twenty years to match the EIS projection of 6900 cars per day by the year 2000.

Nevertheless, the big road has won the support of local residents. The St. Johnsbury Town Meeting voted overwhelmingly against a proposal to reject Interstate 93 in 1978, and they soundly defeated a similar measure earlier this year. Some area businessmen see I-93 as the answer to St. Johnsbury's chronic bouts with unemployment and recession. I-93, they argue, would funnel tourist dollars into the Northeast Kingdom, and better highways would persuade more industries to locate in St. Johnsbury's new industrial park. Businesses would spring up around the interchange of 93 and 91 just as they did near the junction of 89 and 91 in White River Junction, (I-93, Page Eight)

In this issue:

- Vermont's leading environmentalists identify and offer solutions to the most critical problems of the coming decade page 2
- Should we protect our farmland by keeping developers off it or by keeping farmers on it? page 3
- Darby Bradley proposes Act 250 revisions page 4
- A primer on writing an effective letter to your senator or congressman by Mo Udall page 5

Vermont's Environment: An Agenda for the 80's

For the past year, Vermonters representing conservation organizations, government, universities and the general public have been working together to identify issues and develop strategies that will enable us to both use and protect our state's natural resources in the coming decade. Vermont's Environment: An Agenda for the Eighties grew out of their discussions. We reprint portions of the Agenda here in the hope that it will stimulate further discussion. This statement represents the ideas and opinions of many different people; the committee members who have signed their names below do not necessarily agree with every detail of its contents.

This document puts forth proposals calling for a major redirection of our lives over the next ten years. The forces of change are already at work. We have the choice of trying to control them or of letting them control us. If we take charge, we must do so in an imaginative way. What we do in the eighties will affect us for a long, long time. In this *Agenda for the Eighties* we discuss programs and policies which we believe will most benefit Vermont. Our idea of Vermont's future is a visionary one; we hope to stimulate as much debate as possible in order to arrive at a clear and practical set of goals for our future. We urge you to read critically, respond constructively, and to contribute your ideas to those presented here. Please send your comments to: Monty Fischer, c/o Lake Champlain Basin Program, 177 Battery Street, Burlington, Vermont 05401.

VERMONT AT A CROSSROADS

The flood of 1927 washed out our rural past along with our roads and bridges. With the rebuilding and modernizing of our state following the flood, we began a hurried journey that has changed our economy and some of our values.

Now a time of greater uncertainty is at hand. The oil-fed global economy is tightening around our lives. The materials from which we build our daily lives are becoming scarcer and more expensive. But the time ahead of us need not be one of grimness and anxiety. A resurgence of Vermont's traditional values can sustain us through the lean years ahead if we are willing to change, plan and make decisions. In drawing up this agenda, we have built upon the values and commitments that have been Vermont's strength in the past and which will surely be the foundation of its future: individual freedom, a sense of community, self-reliance, independent thought, frugality and respect for the land.

ENERGY SELF-RELIANCE

We can now see the decline of the Age of Oil, but every potential substitute form of energy has some disturbing environmental implications. Wind power suggests mountaintop wind turbines; atomic energy entails a deadly legacy of radioactive wastes; hydroelectric generation may endanger our lakes and rivers.

We must produce more of the energy we need here in Vermont, relying upon a careful mix of energy from a variety of small-scale sources. The Forest Resource Advisory Council is already at work upon a plan for the wise use of Vermont's forest resources, and the Power Planning Division of the newly-reorganized Public Service Board should be charged with devising an energy plan for Vermont which includes specific goals and objectives. In our daily lives, we must be more careful to conserve energy. We must travel less and rediscover our homes and families.

FOOD SELF-RELIANCE

Though Vermont is the most agricultural state in New England, it imports more than eighty per cent of its food. We harbor one

third of the New England region's remaining agricultural lands, but our farmland is rapidly disappearing. We are too dependent on others for the food we eat and our own marketing and processing industries have withered.

We need to grow, market and process more food here. In addition to maintaining the vitality of the dairy industry, we should aim to produce at least half of the food we now import by 1990. We must find better ways to keep farmland in farming, and the best way to do that is to make agriculture profitable. Management training, low-interest loans and revised inheritance laws may be required to help new farmers get started. We must allocate money for a program of development rights purchase of selected agricultural lands in some parts of the state. Elsewhere, tax incentives, land trusts, relief from nuisance ordinances and agricultural districting will help the farming community maintain its vitality and retain its essential network of grain dealers, milk haulers and other support industries. The Department of Agriculture should broaden its efforts to develop a system of local and regional markets and cooperative processing plants for Vermont farm products.

PROTECTING OUR AIR, LAND AND WATER

In the years ahead, Vermont's considerable body of environmental law may come under attack as growth economy proponents, spurred by scarcity, attempt to override environmental safeguards. But the State's environmental laws should be refined and enhanced, not weakened. Vermont should remove itself from the Federal Government's list of potential sites for nuclear waste disposal. Polluters of rivers, lakes air and water should be subject to the moderate principle behind Vermont's water pollution control statutes: clean up your act, with deliberate speed, but clean it up. And since most of Vermont has been given over to settlement and civilization, as much of it as is economically feasible should be left wild. We should encourage and promote State, Federal and private efforts to protect what is left of Vermont's wilderness, with a special emphasis on preserving our endangered plant and animal species.

A STABLE ECONOMY

Vermont has been seen in this century as an impoverished satellite of the national commercial-industrial complex. We have responded to that perception by attempting to bring more of the national economy to Vermont. In view of the dependence of the national economy on such external factors as the price of oil and the size of the Federal budget, we may want to reconsider this policy.

We need maximum employment at decent jobs for all Vermonters. Perhaps we need an economy less dependent on industries like tourism and recreation, which are tied to the price and availability of gasoline. We should give preference to industries which are more closely linked with the productive use of the state's natural resources: stone, wood, clean water and clean air. Cottage industries should also be given every possible encouragement.

HOUSING FOR ALL

Many Vermonters are unable to purchase housing, and others live in housing that is neither decent nor humane. Much of our housing is far from town and work place.

Wherever possible, village life should be revitalized; a healthy downtown reduces gasoline consumption and conserves heat. Some private investors have already seen the value of restoring downtown commercial property. Public resources should be used to refurbish suitable village and city buildings for residential use instead of to promote new development in outlying areas. We should encourage downtown housing which provides an opportunity for residents to grow their own food in community gardens. We recognize that tourism is an important component of the Vermont economy, but second home development is not necessarily a good industry for Vermont. We may want to institute a stiff tax on second homes in order to conserve mountain land, heating oil, gasoline and building materials.

We must ensure that Vermont communities use growth planning as a tool to help them shape their own futures. Local plans should be coordinated with regional plans. Likewise, we must find a new way to finance education.

As long as education is tied to the local property tax, there will be a strong incentive toward mindless growth. Act 250 must be actively and uniformly enforced so that it can continue to serve as the basis for land use controls.

INSTITUTIONS MAY HAVE TO CHANGE

Vermont State Government is small and accessible; most Vermonters would agree that these two characteristics help us to control our State and its programs. But we need some changes in organization to eliminate duplication and maintain flexibility as we begin the shift to a high-cost petroleum economy.

We must be sure that government is as lean and efficient as possible without jeopardizing essential programs. We must constantly strive for better-coordinated local, state, regional and federal programs. Transferring some programs from Montpelier to regional offices might bring them closer to the people they serve. Regional commissions should expand their role in helping communities establish economic, social and environmental priorities. More public dollars should be used to support mass transit and village-wide heating systems and we must find better ways to market local products. Finally, the University of Vermont Co-operative Extension Service should place more emphasis on community education and service. It could assist churches, granges and other volunteer organizations and aid the development of co-ops.

How would these ideas work? Are they impossible or visionary? We think not. We believe they are the most practical choices for Vermont in the decade ahead. Vermont can become poorer as the national economy retrenches and stagnates for lack of affordable petroleum, or it can protect itself by returning to a smaller, healthier, more self-reliant way of life. We must decide what kind of future we want and make the choices that will help us attain it.

Monty Fischer	Anne Baker
Richard Brooks	Carl Reidel
Richard Cowart	Ron Albee
Leonard Wilson	Peg Garland
Richard Carbin	Don Hooper
Martin Johnson	Cheryl King
William Darrow	

Commentary

Farmland: Keeping Developers Off It versus Keeping Farmers On It

Steve Kerr

Farmland preservation is one of the most critical issues of the 1980's. We're losing our farms at an alarming rate. For the past thirty-five years, we've relied on increases in productivity to make up for the loss of acreage, but these increases are leveling off. In the future, we must concentrate on maintaining the land base as well as increasing per acre yield if we are to meet the growing demand for food and fiber.

Vermont has more land in farms than any other state in New England, yet we import more than eighty per cent of our food. Growth and development are taking our best agricultural lands. The rich river bottom land which makes the best farms also attracts commercial and residential developers. We're losing farmland piece-by-piece to a host of small developments rather than to a handful of large ones, and every farm that's lost affects the economic viability of the farms around it. The location of a shopping mall or an interstate access affects not just the land upon which it is built but all the farmland in the area by channeling growth into that area.

Preserving farmland isn't just a matter of curbing growth; changing people's attitudes is at least as important. Too many people see farming as a quaint way of life or as an adjunct to the tourist industry instead of as an irreplaceable resource that is essential to the production of food. As a result, we don't give agriculture the respect and protection it needs.

Farming is a persistent, productive, native industry. It produces goods, provides jobs and generates tax revenues. Relatively few Vermont sites are suitable for farming; commercial, industrial and residential developments can be adapted to a wider variety of natural settings. When we site developments on or near farmland, we jeopardize our agricultural industry. We should plan for the overall economic growth of the state so that we don't diminish an existing industry while developing a new one.

One way to protect farmland is to keep developers off it through development rights purchase, zoning restrictions or land trusts (see *Report From: The Ottauquechee Regional Land Trust* on page 5). Massachusetts has earmarked \$10,000,000 over the next two years for development rights purchase and New Hampshire has set aside \$3,000,000. But this method can have some curious and unanticipated results. In Massachusetts, agricultural land purchase has become a very political issue. The State has purchased property in almost every county, including a very expensive parcel on Martha's Vineyard. In Connecticut, the State purchased development rights to a large farm and turned it over to a chicken farmer. But this chicken farmer had a large, mechanized, multi-building operation. To local residents, it looked like just another kind of factory - an egg factory.

As for zoning, it has not proven a very effective method of preserving farmland in Vermont. Towns have too many economic and political pressures on their land, and they must consider their tax bases. The land along the Connecticut River in Windsor County compares with the best land anywhere in the world in terms of fertility, irrigation potential, access to markets and a well-developed net-

work of support industries, yet the Town of Windsor zoned much of this land for industrial development.

Agricultural districting may provide an alternative to zoning. This system offers tax stabilization for farmers who sign a pact prohibiting the sewer and water connections that a large commercial or industrial development needs. It doesn't prevent farmers from selling to developers; it just makes development less attractive. While this system has, unfortunately, proven most successful in areas where there is little or no development pressure, it may be a partial solution for Vermont.

Another way to preserve farmland is to make farming more profitable. The goals of agricultural development are (1) to increase opportunities for farmers (2) to increase farmers' incomes and (3) to increase the number and variety of jobs in agriculture. There are a number of ways to do this. The Agriculture Department is looking into cooperative storage, regional processing facilities, and cooperative marketing and transportation to make farming more efficient and to reduce costs. If Vermont farmers could store large enough quantities of grain, they could take advantage of lower rates for large-volume shipments. Piggy-back milk-hauling could reduce transportation costs, but we also need to improve transportation networks. We need to decide which roads and bridges are most critical and concentrate on maintaining and improving them.

We should also find ways to make it possible for qualified new farmers to get into the business. We could create an Agricultural Development Authority (like the Vermont Industrial Development Authority) which could either guarantee loans or loan money directly to farm purchasers. We could also set up a program like the one established by Minnesota's Family Farm Security Act. This Act enables people who have assets of less than \$50,000 and who intend to own and operate a farm to borrow money at a low interest rate if they take an approved farm management course. As soon as their assets exceed \$100,000, they are transferred to more traditional lending programs. That provision eliminates long-term mortgages and makes the money available to other farmers. Those selling farms get a tax break if they sell their farms to someone participating in this program, which is one more inducement to sell to another farmer rather than to a developer.

Here in Vermont, one of the most successful ways of preserving agricultural lands is on a case-by-case basis with the assistance and cooperation of private developers. More and more developers are becoming aware of the agricultural issue and incorporating it into their plans. By working with the Department of Agriculture and the Agency of Environmental Conservation, developers can avoid public controversy and lengthy Act 250 proceedings.

Agriculture is vital to Vermont, and farmland preservation must receive high priority. I am concerned that people latch onto ideas like development rights purchase and think, "okay, that problem is solved." The issue is much more fundamental and more complex. It's going to take a variety of solutions and a lot of hard work. The problem won't begin to be solved until people accept that farming is one of our most critical industries and translate that concern into public action. (Based on interviews with Steve Kerr on September 11, October 29 and November 18, 1980).

Steve Kerr is Director of Agricultural Development for the Vermont Department of Agriculture.



lettersletters

Editor, Vermont Environmental Report

As a resident of Waterford, I'd like to add another voice of protest regarding the plan to bring a freeway through this area of Vermont. I'd like to add the following to your list of complaints: (1) This area is rich in farmland and farming is vital to our existence. Why should we destroy two farms to build more unnecessary miles of concrete highways? (2) Although I drive from Waterford to St. Johnsbury at least four times a week, I have yet to encounter enough traffic on Route 18 to be persuaded that there is a need for another traffic light, let alone a freeway! All that is needed is an occasional passing lane. (3) In view of today's gas prices, the reduction in traffic, and inflated living costs, there is no justification for this frivolous venture, in spite of the "years of planning" that have gone into it. I invite anyone to take a ride from Waterford to St. Johnsbury any day of the week to verify my statements.

Sincerely,
Louise Bray
Waterford, VT

Calendar

Friday, December 12

"Environmental Protection: Is Regulation Working?" The Third Annual Environmental Law Conference sponsored by the Vermont Law School and the Vermont Natural Resources Council will begin at 8:45 a.m. at the Cortina Inn in Killington, Vermont. \$25.00 (\$20.00 for VNRC members) includes registration and lunch. For more information, call Connie Howe at 223-2328.

Wednesday, January 7

Hearing on the Juster Mall's application for a permit to discharge sewage into Airport Brook in Berlin. The hearing begins at 1:00 p.m. at the Pavilion Auditorium in Montpelier. Call Cheryl King at 828-3361 for details.

Friday, January 23

SWEEP at MEEP. The quarterly meeting of Statewide Environmental Education People (SWEEP) will be held at the Montpelier Environmental Education Program (MEEP) classroom at the East State Street School in Montpelier beginning at 10:30 a.m. George Tanner at 828-3111 will provide further information about the meeting.

In Brief



A FEW ADJUSTMENTS

Most Vermonters can identify Act 250 as Vermont's landmark environmental law. Somewhat fewer recognize that the law enacted by the 1970 legislature celebrated its tenth anniversary this year. But how many Vermonters know that Act 250 is an unfinished project, an experiment that was never completed? The architects of Act 250 drafted a two-part bill including regulatory and planning components. But a statewide land use plan, a critical part of the planning section, was never adopted by the legislature.

In the absence of a statewide land use plan, Vermont has relied heavily on the Environmental Board and the District Commissions to create guidelines for developers on a case-by-case basis. Many developers now include environmental considerations in their plans in order to avoid the expense and delay of court proceedings. Supporters of the original Act 250 legislation have counted their blessings and, for the most part, discouraged a reopening of the debate. Some argue that in this era of retrenchment, foes of Act 250 could use the amendment and revision process to dismantle or weaken the Act.

Nevertheless, there are signs that when the 1981 General Assembly convenes, friends of Act 250 will propose amendments to strengthen the law and correct some of its problems. Participants in an Act 250 conference in June proposed several amendments to the Act. The Environmental Board will issue a report on the conference later this fall. In the meantime, as part of VNRC's preparations for the upcoming General Assembly, staff attorney Darby Bradley drafted a lengthy memorandum in which he urged the Council to support a number of changes and additions to Vermont's principal environmental law. A summary of that memorandum follows:

SHRIMP TAILS AND BOWLING ALLEYS

Act 250 applies only to "developments" and "subdivisions." The Act defines a subdivision as the division of land for resale into ten or more "lots" within a radius of five miles over a ten-year period. A "lot" is defined as a parcel of land of less than ten acres. Therefore, a developer can subdivide land into an unlimited number of parcels, each 10.1 acres or larger, without ever creating a "subdivision." In order to escape Act 250's jurisdiction, many developers have created "bowling alley" or "shrimp tail" subdivisions where the lots are, say, 200 feet wide and one half mile deep, so that the total acreage is over ten acres.

There are several ways to eliminate this loophole. One is to increase the size of a "lot" from ten to thirty or fifty acres. Another suggestion is to remove the acreage limitation altogether and simply require the subdivider to apply for an Act 250 permit when (s)he creates the tenth parcel or lot, whatever the size. VNRC should make a strong statement in favor of eliminating the ten-acre loophole and it should work with the Environmental Board and the House Natural Resources Committee to hammer out the best solution.

THE BUCK STOPS WHERE?

The decisions of the District Environmental Commissions can be appealed to the Environmental Board. Permit applicants also have the option of removing the appeal to the Vermont Superior Court. This provision was tacked on to the statute in 1973 to provide added protection for developers. Some developers have chosen a Superior Court appeal because they believe that they can use formal rules of evidence, which are more strictly enforced in judicial proceedings, to their advantage, or

because they think the expense of a Superior Court trial will discourage their opponents. But in fact, the Superior Court generally upholds the decisions of the District Commissions. The Environmental Board also processes appeals more quickly and its decisions are more consistent than the courts, where so few Act 250 cases are tried. VNRC should support the removal of the Superior Court appeals provision from the statute.

MALL-ADAPTED

Last year, VNRC worked on a bill to cope with large commercial developments like the Pyramid and Berlin malls through the planning provisions of Act 250 rather than the case-by-case method. Under the provisions of this bill, a shopping center of over 100,000 square feet in area would receive an Act 250 permit only if local and regional plans specifically provided for a shopping center of that size in that location.

The intent of the legislation is to require town and regional planning commissions to plan affirmatively for major retail shopping centers. The figure of 100,000 square feet was selected because regional impact can be gauged by the anticipated presence of two or more "anchor" department stores. Major chains like J.C. Penney and Sears require at least 50,000 square feet, so a regional mall usually has well over 100,000 square feet of floor space.

Reviewing major shopping centers on a case-by-case basis is costly and time-consuming, and it is a severe drain on the staff and resources of the District Commissions, the Environmental Board, the Agency of Environmental Conservation and everyone else involved, including the applicant. If we require local and regional planning commissions to make affirmative

decisions about these developments, the rules of the game will become much clearer and the entire system should benefit.

THE PROBLEM OF ENFORCEMENT

One of the major problems identified at the Act 250 tenth anniversary conference was the difficulty of enforcement. The Protection Division of the Agency of Environmental Conservation handles enforcement, but the Agency does not have enough inspectors to make routine checks on compliance with the conditions of Act 250 permits.

Another aspect of the enforcement problem is that there are no real penalties for developers who begin construction before obtaining a permit. Theoretically, the developer who does so is liable to criminal fines and imprisonment. But in practice, all the Agency and the Board have done is to require that the person apply for a permit.

The Environmental Board should be permitted to enter into an "assurance of discontinuance" with the violator. They should have the power to assess a civil penalty which would have an upward limit and which would be reviewable by a court. The State should continue to seek voluntary compliance, but the penalty would remove the incentive for willful violation.

DOLLARS AND SENSE

Vermont is probably in far less danger of losing Act 250's protection through legislative amendment than through a gradual erosion of the program through the budgetary process. The problem of adequate staff to administer the program has been growing steadily over the years, and some people think that it has already reached crisis proportions.

The Board heard a record number of appeals this year; the number of applications for permits is also growing at a modest rate, despite the recession. But the most significant increase is in the number of projects costing \$1,000,000 or more. These projects drain the resources of the District Coordinators, the District Commissions, and (because they are the cases most likely to be appealed) the Environmental Board.

The major cases also put a severe strain on the Agency of Environmental Conservation, which has primary responsibility for reviewing Act 250 applications. The Agency has only one attorney to coordinate the review, and this attorney often has two or more hearings at the same time. The severity of the problem becomes more apparent when one considers that the Agency's regional offices make only infrequent site inspections of projects due, again, to insufficient staff.

The Environmental Board needs an additional staff person for the Montpelier office. It also needs a "permit compliance coordinator" because of the new emphasis on enforcement. The Agency of Environmental Conservation needs another attorney to review permit applications, and it needs adequate staffing at the regional level. Review of Act 250 applications should be part of the job description for regional engineers.

The Board of Directors and staff of the Vermont Natural Resources Council would very much like to hear your opinions of the proposed Act 250 revisions. You may obtain copies of the complete memo by writing to VNRC, 7 Main Street, Montpelier, Vermont 05602.

Report From:

The Ottauquechee Regional Land Trust

Richard W. Carbin

Last May, the Woodstock Country School went on the market after severe financial problems forced the private preparatory school to close its doors. Sale of the South Woodstock facility's 328 acres and buildings was complicated by the terms of the school's charter, which emphasized environmental education and use of the school property as a learning resource. The Country School Board asked the Ottauquechee Regional Land Trust (ORLT) to help negotiate a sale that would enable the school to meet both its environmental concerns and its financial obligations.

The Ottauquechee Regional Land Trust is a Woodstock-based community organization which uses private action to protect local farm and timber land. Before making a substantial commitment of time and money to the project, the ORLT asked for the protection of the right of first refusal on the property. The School Board agreed, and the Trust began working with a potential purchaser who planned to place conservation restrictions on the land. Negotiations were nearly completed when the Country School accepted a \$1,065,000 offer from the Sandell Development Corporation of Cambridge, Massachusetts. The ORLT, with the aid of local residents, matched the purchase price and exercised its right of first refusal. Over fifty South Woodstock residents loaned their credit to the Trust to help finance the purchase. In October, the Ottauquechee Regional Land Trust assumed ownership of the Woodstock Country School. A committee composed of local residents and ORLT Board members is currently working on a land use plan for the property which will emphasize conservation of natural resources and aim toward reestablishing a working farm on the property. Resale of the school, with the conservation restrictions, will enable the Trust to discharge its debt.

Earlier this year, the Trust, with considerable help from VNRC, successfully negotiated a protection agreement for a 1200-acre tract in Tinnmouth. The land was owned by six families, two of whom wished to sell their interests. A young couple rented and farmed 200 acres of the land and wanted to buy it, but they could not afford to pay its full development value. The Trust helped draw up a comprehensive land use plan for the property. The owners donated the conservation restrictions to the ORLT and the Agency of Environmental Conservation and earned a substantial tax credit. The farming couple purchased their farm at its re-

duced "use" value with the assistance of a Farmers Home Administration loan. The combination of the farm sale and the tax credit enabled the remaining four families to buy out the two who wished to sell their rights to the land (see *The Tinnmouth Agreement: Land Conservation without Regulation* in the January/February VER).

"... No matter how distasteful the idea might be to conservationists, land in the American economic and social system is treated not as a resource but as a commodity."

With two major victories to its credit, the ORLT has proven that private action can be at least as effective as public programs in protecting farm and forest land. During the first two-and-a-half years of its existence, the Trust operated on a total budget of \$1000, relying on volunteer labor and assistance from the Ottauquechee Regional Planning and Development Commission. But the number of requests for assistance convinced the ORLT Board that it needed a full-time professionally-staffed office. The Board raised \$30,000 over the summer and hired Richard W. Carbin, former director of the Ottauquechee Regional Planning Commission, as its executive director. The ORLT currently has eighteen projects in the works, which, if successful, would give more than 8000 acres permanent protection from development.

"... The Ottauquechee Regional Land Trust uses the same techniques available to the private sector - right of first refusal, option to purchase, traditional financing - to gain control over land that deserves to be protected from development."

The ORLT grew out of efforts of the Regional Planning Commission to find alternative methods of implementing town and regional plans. The Commission was particularly concerned about the failure of the zoning process and other regulatory methods to protect farmland and potentially productive timber land. From their explorations of private approaches to land use, the Commissioners concluded that no matter how distasteful the idea might be to conservationists, land in the American economic and social system is treated not as a resource but as a commodity. The tradition of private property rights in this country is so strong that even when the argument of "the public good" is used to affect

individual land use decisions, there will always be strong emotional opposition. Any attempt to conserve land as a resource must recognize and respond to this basic American ethic.

This tradition works to the advantage of land developers and speculators, giving them more control over what happens to our land than anyone else, including government. Certainly, public programs have had an impact on land uses and will continue to do so. But the Ottauquechee Regional Land Trust uses the same techniques available to the private sector - right of first refusal, option to purchase, traditional financing - to gain control over land that deserves to be protected from development.

The Trust, as a private, non-profit corporation, can use tax laws governing property transfers and charitable contributions to

assist its land conservation program. Contributions of land or rights to land for conservation purposes are tax deductible. For people in the fifty per cent or above tax bracket, this can be a powerful incentive to enter into a land trust program, making it possible in many cases to realize a higher cash return from donations of land or rights to land than from outright sale. This does not mean, however, that this approach is only available to the wealthy. A conservation program can be tailored to meet the needs of almost any landowner.

The ORLT welcomes inquiries from anyone interested in its program. For more information, call or write Richard W. Carbin, Executive Director, Ottauquechee Regional Land Trust, 39 Central Street, Woodstock, Vermont 05091 (802)457-2369.

BETWEEN A ROCK AND A HARD PLACE

Many Vermont towns are struggling with wastewater disposal problems. Some have failing septic systems; others find their old treatment plants are overloaded. And once wastewater contaminates a well or river, it can be very expensive to clean it up. The best way to handle wastewater treatment problems is to stop them before they get started.

VNRC, with a grant from the National Science Foundation, has produced a twenty minute slide/tape show entitled *Between a Rock and A Hard Place: Sewage Planning in Vermont*. The show describes some of the problems facing Vermont towns and looks at what one town has done to resolve them. The show is aimed at town managers and selectmen, but other groups will also find it interesting and informative. Mary Hooper, producer of the show and Director of VNRC's Sewage Planning Project, will be glad to make a presentation. Please give her a call if you are interested.

ENDANGERED IN VERMONT

We lose another bird or mammal species every year and new species are not evolving fast enough to take their places. Many plant species are also threatened by human activities. A Missouri botanist contends that for every plant lost, ten to thirty dependent species, including other plants, insects and higher animals, disappear. These are among the disturbing conclusions of *Endangered in Vermont*, a slide show prepared by the Central Vermont Audubon Society.

The Montpelier group produced the twenty-minute slide show to help speed passage of an Endangered Species bill. The bill, which would make Vermont eligible for federal funding for the protection of endangered species, has twice failed to pass the Vermont legislature.

If you would like to show *Endangered in Vermont* to your friends, call Debbie Haskins at 456-7473. The Audubon Society is also looking for people to support the Endangered Species bill at public hearings. If you're interested, call Jean Vissering at 828-3375 or 223-6584.

SHELBURNE CHARMS

Many of those who attended this year's VNRC annual meeting were fascinated by the extraordinary physical setting of Shelburne Farms. If you're curious about its history, buildings, activities and current mission, please write Shelburne Farms Resources, Shelburne, Vermont 05482. You'll receive a brochure and newsletters about the farm.

THE GEOLOGY OF LAKE CHAMPLAIN

The Vermont Geological Society has just released the proceedings of its February symposium. Copies of *The Geology of the Lake Champlain Basin and Vicinity* may be obtained by mailing a check for \$4.00 to Stewart Clark, Treasurer, Vermont Geological Society, Box 304, Montpelier, Vermont 05602.

YOUR RIGHT TO WRITE



Morris K. Udall

Do Senators and Congressmen read letters from their constituents? Does their mail affect the way they vote? At least one U.S. Congressman thinks so. Mo Udall's tribute to the power of a persuasive letter first appeared in the 1977 Congressional Record.

Mr. Speaker, surprisingly few people ever write their Congressman. Perhaps ninety per cent of our citizens live and die without ever taking pen in hand and expressing a single opinion to the man or woman who represents them in Congress -- a person whose vote may decide what price they will pay for the acts of Government, either in dollars or in human lives.

This reluctance to communicate results from the typical and understandable feeling that Congressmen have no time or inclination to read their mail, that a letter probably will not be answered or answered satisfactorily, that one letter will not make any difference anyway. Based on my own sixteen years' experience, and speaking for myself, I can state flatly that most of these notions are wrong. On several occasions a single, thoughtful, factually persuasive letter did change my mind or cause me to initiate a review of a previous judgement. Nearly every day my faith is renewed by one or more informative and helpful letters giving me a better understanding of the thinking of my constituents.

Here are some suggestions that apply to all congressional mail:

1 Address it properly: "Hon. _____, House Office Building, Washington, D.C. 20515." Or "Senator _____, Senate Office Building, Washington, D.C. 20510."

2 Identify the bill or issue: About 20,000 bills are introduced in each Congress; it's important to be specific. If you write about a bill, try to give the bill number or describe it by popular title ("clean air," "minimum wage," etc.).

3 The letter should be timely: Sometimes a bill is out of committee, or has passed the House, before a helpful letter arrives. Inform your Congressman while there is still time to take effective action.

4 Concentrate on your own delegation: The representative of your district and the senators of your State cast your votes in the Congress and want to know your views. Some writers will undertake to contact all 435 Members of the House and 100 Senators, but there is a "congressional courtesy" procedure which provides that all letters written by residents of my district to other Congressmen will simply be referred to me for a reply, and vice versa.

5 Be reasonably brief: I recognize that many issues are

complex, but your opinions and arguments stand a better chance of being read if they are stated as concisely as the subject matter will permit.

6 Write your own views -- not someone else's: A personal letter is far better than a form letter or a signature on a petition. Many people will sign a petition without reading it just to avoid offending the circulator; form letters are readily recognizable -- they usually arrive in batches -- and usually register the sentiments of the person or lobbying group preparing the form. I regret to report that form letters often receive form replies.

7 Give your reasons for taking a stand: Statements like "Vote against H.R. 100; I'm bitterly opposed" don't help me much. But a letter which says, "I'm a small hardware dealer, and H.R. 100 will put me out of business for the following reasons . . ." tells me a lot more.

8 Be constructive: If a bill deals with a problem you admit exists, but you believe the bill is the wrong approach, tell me what the right approach is.

9 If you have expert knowledge, share it with your Congressman: After all, in the next nine to ten months I will have to vote on farm bills, defense bills, and a host of others. I can't possibly be an expert in all these fields; many of my constituents are experts in some of them. I welcome their advice and counsel.

10 Say "well done" when it's deserved: Congressmen appreciate an occasional "well done" from people who believe they have done the right thing. I know I do. But even if you think I went wrong on an issue, I would welcome a letter telling me you disagreed; it may help me on another issue later.

11 Don't make threats or promises. Occasionally, a letter will conclude by saying, "If you vote for this monstrous bill, I'll do everything in my power to defeat you in the next election." A writer has the privilege of making such assertions, of course, but they rarely intimidate a conscientious Member, and they may generate an adverse reaction. He would rather know why you feel so strongly. The reasons may change his mind; the threat probably won't.

12 Don't berate your Congressman: You can't hope to persuade him of your position by calling him names. If you disagree with him, give reasons for your disagreement. Try to keep the dialogue open.

13 Don't pretend to wield vast political influence: Write your Congressman as an individual, not as a self-appointed spokesman for your neighborhood, community or industry. Unsupported claims of political influence will only cast doubt upon the views you express.

14 Do not become a constant "pen pal." Write again and again if you feel like it, but do not try to instruct your Congressman on every issue that comes up. And do not nag him if his votes do not match your precise thinking every time. Remember, he has to consider all his constituents and all points of view.

15 Do not demand a commitment before the facts are in. If you have written a personal letter and stated your reasons for a particular stand, you have a right to know my present thinking on the question. But writers who "demand to know how you will vote on H.R. 100" should bear certain legislative realities

in mind:

- On major bills there are usually two sides to be considered, and you may have heard only one.

- The bill may be 100 pages long with twenty provisions in addition to the one you wrote about, and I may be forced to vote on the bill as a whole, weighing the good with the bad.

- It makes little sense to adopt a firm and unyielding position before a single witness has been heard or a study made of the bill in question.

A bill rarely becomes law in the same form as introduced. It is possible that the bill you write me about, you would oppose when it reached the floor.

16 The votes of your congressman are not his or her votes alone; they represent the votes of all the people in your district. Your representatives need your help in casting these votes. The "ballot box" is not far away. It is painted blue and it reads "U.S. Mail."



WE NEED A WASTE-WATCHER

Would you like to give VNRC a hand while you learn all about an exciting, important, controversial issue? Hazardous waste management is one of the hottest environmental issues of the year, but the Council doesn't have the staff to monitor new developments in the field. If you can spare several hours a month to read articles, attend conferences and brief VNRC staff members, please call Mary Hooper at 223-2328.

New Members

The Vermont Natural Resources Council welcomes the following new members who joined us in September and October: Fred Lee, Ludlow; Mrs. Thomas Ketchum, Wallingford; Mrs. Mildred Keen, Waterford; Leslie Hutchinson, Randolph; Mark Mazzola, Burlington; Stephen Gage, Burlington; Chris Bumstead, Middlebury; Steven M. L'Heureaux, Waterbury Center; Roselynn Ressa, Burlington; Middlebury Recycling Committee, Middlebury; Michael Weinberger, Woodstock; David Barash, Charlotte; Katharine Smith, Shelburne; David Manley, Burlington; Scott Morgan, Fairfax; Nancy Hunt, Roxbury; Mr. and Mrs. R. W. Ketchum, Barton; Paul Schaberg, Burlington; Dale and Eric Smeltzer, Waterbury; David White, Montpelier; Marion Whitcomb, Springfield; John Gingue, St. Johnsbury; T. Joe Gingue, St. Johnsbury; Beulah Gormley, St. Johnsbury; David and Dorothy Perkins, Shelburne; Vincent Vinci, Troy; Diana Kappel-Smith, Wolcott; Lydia Ouvaroff, Ludlow; Dorothy and David Dushkin, Ludlow; Constance Howe, East Calais; Pat and Jeff Johnson, Barre; Raven/Suskin, Shelburne; Peter J. Chiaravalle, Randolph Center; Northlight Studio Press, Barre; Carlton M. Newton, Jericho; Norman Smith, Montpelier; Warren H. Palm, Milton; Mary Lou Dosey, Burlington; Beverley Wernhoff, Vergennes; Charles V.V. Hardiman, Woodstock; Mr. and Mrs. Daniel Kurzman, Canaan; Lorri Marquez, Burlington; Day Merrill and Peter Deutsh, Brooklyn, New York; Henry and Jean Marcy, St. Johnsbury; John W. Hammer, Montpelier; Richard Rachals, Burlington; Kay Sternenberg, Burlington; Elizabeth Mullikin, Winooski; Mr. and Mrs. J.R. Maguire, Shoreham; Mr. and Mrs. James K. Berman, Greenwich, Connecticut; Mrs. William E.D. Bulkeley, Windsor; Eugene Sabeki, Southington, Connecticut; Gerald S. Davis, Richmond; Ken and Joan Senecal, East Barre; Mr. and Mrs. Thomas J. Watson III, Norwich; Michael Long, Burlington; Maurice Tasker, Sheffield; Roger Lamson, North Hartland; George Karnedy, Barre; Dr. Richard Villamil, Essex Junction; C.S. Kilner, New Canaan, Connecticut; Robert M. Mattuck, Plainfield; Paul M. Harlow, Bellows Falls; William Schmidt, Brattleboro; Mr. and Mrs. Charles B. Gulick, Springfield; Johns Congdon, Moretown; Barbara G. Rhoad, Windsor; Dr. and Mrs. William H. Eichner, Middlebury; The Reilly Family, West Haven, Connecticut; Stuart Tarrant, New York, New York; Gene and Earle Curtis, Marshfield.

The Council

LEGISLATIVE ACTION COMMITTEE SHIFTS INTO HIGH GEAR

A well-orchestrated lobbying effort will fortify VNRC's presence in the General Assembly this year. The Council's Legislative Action Committee has been meeting regularly this fall and has come up with a comprehensive plan for the 1981 legislative session.

Energy conservation, agricultural development and revisions of Vermont's planning law will receive high priority, and the Council will continue to support wetlands protection, an endangered species bill and minimum streamflow regulation. VNRC will work closely with other environmental and conservation groups to support these and other bills and to head off anti-conservation measures such as last year's effort to gut the land gains tax.

The Legislative Action Committee is rounding up volunteers to track bills through the legislature, attend committee hearings and assist the Council staff. We hope to form a statewide grassroots network, and we need people to work with us in their communities. If you'd like to help, please call Seward Weber at the Council.

NOTES FROM THE FALL BOARD MEETING

At its November 12th meeting in Warren, the VNRC Board of Directors dedicated the Council to work for more comprehensive planning for the use of Vermont's rivers. The Board also decided that energy questions should receive more Council attention in the future, and it elected new officers for 1981.

The proposal to study the White River for possible designation as a Wild and Scenic River prompted the discussion of Vermont's rivers. The Directors viewed the White River issue as one of many river-related questions stemming from the pressures of growth and the demand for new energy sources. The Board directed the VNRC staff to encourage better planning for the use of Vermont's waterways.

Up until now, the Council has limited its involvement in energy matters to educating its members and the general public about the environmental impact of different sources of energy. From now on, the Council will become more involved with energy and will try to influence State policy.

New officers elected at the fall meeting include Carl Reidel, Chairman; Edward W. Cronin, Jr., Vice-chairman; Robert J. Klein, Treasurer; and Seward Weber, Secretary. The Board chose Seward Weber, delegate, and Charles Johnson, alternate, to represent VNRC at the 1982 Annual Meeting of the National Wildlife Federation.



VNRC NEEDS A CAR . . . CAN YOU HELP?

If you're about to trade your old buggy for a new one but it won't bring you the trade-in you want, won't you consider donating it to the Council? You can deduct the full book value from your federal income tax and at the same time do VNRC a tremendous service. If this idea might work for you, please call Seward Weber at 223-2328.

NEW MEMBERSHIP SURVEY

Energy conservation, water quality monitoring, farmland retention, law services, education, lobbying . . . where should VNRC channel its resources?

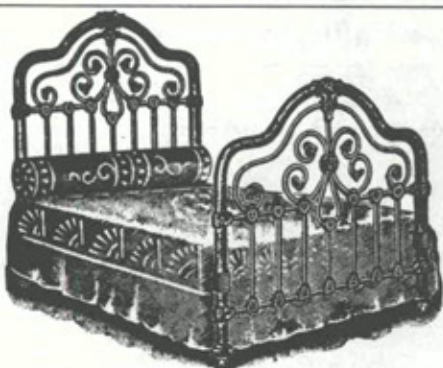
At its summer meeting, the Board of Directors appointed a committee to study the operations of the Council and to identify the issues which should receive highest priority. As part of its work, the committee is preparing a membership survey. It hopes to take a reading of the makeup and interests of the present membership.

The survey will be mailed to VNRC members in January. Please watch for it. Your response will help determine the future of the Council.

COUCHING LION: WET BUT WONDERFUL

Cloudy skies and a steady drizzle discouraged many would-be participants in the October 4th Couching Lion Festival, but the 15-20 people who made the climb had an active, interesting day. Naturalist guides introduced successive groups of hikers to the natural history of the mountain. Musicians and poets scheduled to perform at the hut clearing saved their presentations for a post-climb gathering at Wavell Cowan's (warm, dry) barn.

We'd like to thank the volunteers who helped with the many preparations for the festival: Warner Shedd, Carol Braswell, Virginia Cole, Peter Dennett, Cheryl King, Judy Walke, Joel Bernstein, Fred Carlson, Susan Norris, Jay White, John Wires, Jessica Hord, Charles Johnson, Cathy Wood, Tom Slayton, Gale Lawrence, Susan Weber, Marion MacDonald, Jennifer Grant, Graham Hages-Govoni, Nancy Mongeur, Sheila Morgan, John Willey, Sarabelle Hitchner and Ken Labelle. Most of all, we're grateful to Wavell Cowan, who conceived the idea of the Couching Lion Festival and who, more than anyone else, was responsible for carrying it through to completion. Many thanks also to the merchants and businesses who sponsored day and dawn climbers: National Life of Vermont; the Chittenden Bank (Montpelier branch); the Lobster Pot Restaurant; Brown Insurance Agency; Macpherson Travel Bureau; Cougar Photography; Country Camera; Robin's Peach Tree; Nates, Inc. (Montpelier); Sullivan, Powers & Co.; Metayer Construction & Supply; Vincent's Rexall Drugs; Emslie the Florist; AAA World Travel Agency; WDEV; Gordon & Sherman; Vermont National Bank; Vermont Realty Exchange Corporation; Middlesex Country Store; Jamieson Incorporated; Onion River Sports; Union Mutual Fire Insurance Company; the Bean Bag; Mureta's Clothing; the Aquarian Grocery; Taylor Appliance; Mountain Trust Company (Waterbury); and Vermont Federal Savings.



CONGRATULATIONS to Milton Potash, winner of the VNRC quilt raffle, and many thanks to Cherie Langer, who donated the beautiful green-and-white patchwork prize. The Council raised more than \$350 from the raffle.

OLD RATES, NEW BOOK

At the Annual Meeting in September, the VNRC membership voted to increase membership dues for 1981 in order to stay the inflationary erosion of the Council's operating budget. But you can still renew at the 1980 rates if you send in your check before January 1st.

We need your support at whatever level you can afford. However, those of you who upgrade your membership by \$10.00 or more (by changing from a "Family" to an "Associate" membership, for example) will receive a free gift copy of Charles Johnson's new book *The Nature of Vermont* (see review in the September/October VER). Renew now and get your copy in time to share with a friend at Christmas. New and old rates are listed below:

MEMBERSHIP CATEGORIES	1980 DUES	1981 DUES
Student Member	\$5.00	\$5.00
Fixed or Limited Income Member	5.00	6.00
Individual Member	12.50	15.00
Family Membership	15.00	20.00
Non-profit Organization	20.00	25.00
Associate Member	25.00	25.00 and up
Sustaining Member	50.00	50.00 and up
Business Membership	75.00	75.00 and up
Supporting Member	100.00	100.00 and up
Patron	200.00	200.00 and up
Benefactor	---	500.00 and up

AN EVENING OF OMELETS AND AUCTION

VNRC has undertaken a special events program designed to raise funds and spread the word about the Council. The first such event was the Couching Lion Festival (described above). Another kind of event is what we are calling "an evening of omelets and auction." Here, a VNRC member invites twenty or more friends for a wine-tasting and an omelet supper prepared by a team of VNRC volunteers. After supper, there is an auction of items donated by the guests or by other individuals.

Jean Ankenny and Chan and Fran Archer hosted the first of the omelets and auction evenings in early November. The setting was the roomy upper floor of a converted barn in Williston. Wine connoisseur Warner Shedd conducted a wine-tasting while Dick Hathaway prepared custom-made omelets from farm-fresh eggs donated by VNRC members. After dinner, Hathaway, with his characteristic charm and wit, auctioned off paintings, prints, household items -- and even a balloon ride -- to the dinner guests. It was a very enjoyable evening for all who attended. A second auction is scheduled for December 12th in St. Albans.

We hope to hold "O and A's" throughout the state on a regular basis. If you'd like to support the Council and treat your friends to an evening of delicious fun, why not consider hosting "an evening of omelets and auction" with the Council? For information, call or write Seward Weber.

I-93

(Continued from Page One) bringing money and jobs into the area. The federal highway would be less expensive for local taxpayers; the State picks up only 10% of the tab for building an interstate highway, but it pays the full cost of improving or upgrading an existing State highway. The new road would also relieve congestion in downtown St. Johnsbury.

Leo Bisson, a St. Johnsbury attorney, sponsored the first of the unsuccessful motions. He studied the highway department budget and Interstate 93 for the Vermont Public Interest Research Group. He maintains that locating a junction of two interstate highways near St. Johnsbury will do little, if anything, for the local economy. Bisson says the juncture of 89 and 91 near White River Junction attracted "some business, but no industry" to the area, and that most of the business was of the "temporary, seasonal" variety.

Robert Gensburg, who also practices law in St. Johnsbury, served as the first and only head of the Transportation Advisory Board. He says that building a four-lane highway in northeastern Vermont is "like making the St. J. & L.C. an eighty mile per hour railroad." He favors upgrading Route 18 instead of building a new highway, and he cites a 1972 study by the Vermont Highway Department which gave Route 18 "one of the highest sufficiency ratings in the state" (for low traffic density, adequate passing room, good visibility, moderate grades, and so on). Says Gensburg, the State's share of the construction costs of I-93 will be 10% or \$4,000,000, but upgrading Route 18 "won't take \$4,000,000 of anyone's money."

Sherman Gage, Chief Engineer for the Vermont Agency of Transportation, does not dispute that traffic on Route 18 is lower than expected, but he says that 1980 figures show a very slight increase over the previous two years and that traffic counts for the month of August were among the highest ever recorded. He also thinks

that traffic on Route 93 will be higher than on Route 18. "It will change traffic patterns to have that road available," he says.

Joseph Landry, Project Planning Engineer for the Agency, concurs with Gage. "Nationally, interstate highways induce and divert traffic," says Landry. He reports that when I-89 was completed from White River Junction to Barre, the daily traffic count at Sharon, Vermont, showed a "fantastic increase" over comparable figures for Route 14.

Both friends and foes of I-93 agree that predicting the local economic impact of the highway is a very inexact science. But there can be no doubt that if I-93 is built, it will jeopardize two important, productive Vermont farms. Wayne Patenaude is a St. Johnsbury farmer and a member of the Executive Committee of the Vermont State Grange. He has campaigned long and hard to call attention to the plight of the Gingue families. He thinks the I-93 case has more than local significance. "If we can divert this highway, it will be a landmark not only for Vermont, but for the United States," says Patenaude. "The State can't decide that it's going to preserve agricultural land and then say, 'okay, go ahead boys, build a highway or a shopping center anywhere you want to.'" He fears that "people will have to be hit with the agricultural land shortage the way they've been hit with the fuel shortage" before they'll understand the importance of this issue.

The outcome of the I-93 case is still uncertain. The U.S. District Court denied the motion for a temporary restraining order on November 24th. Two contracts have been awarded, and construction may begin at any time. The Gingue brothers keep an ear to the ground and an eye on the weather and pray for heavy snows. MM

Our thanks to Ann Pesiri of Montpelier, Carolyn Stewart of Waterbury and Don Hooper of Brookfield for providing the original artwork for this issue.



Photo by Donna Light

1st prize, VNRC Photo/Drawing Contest

VERMONT ENVIRONMENTAL REPORT

Editor	Marion MacDonald
Executive Director	Seward Weber
Chairman of the Board	Carl Reidel

The *Vermont Environmental Report* is published six times a year by the Vermont Natural Resources Council. The opinions expressed by *VER* contributors are not necessarily those of VNRC. Please direct all correspondence regarding the *VER* to Editor, Vermont Environmental Report, VNRC, 7 Main Street, Montpelier, Vermont 05602.

Vermont Environmental Report

Vermont Natural Resources Council
7 Main Street
Montpelier, VT. 05602

November/December 1980

Non-Profit Org.
U.S. Postage
Paid
Montpelier, Vt.
Permit No. 285