

Vermont Environmental Report

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Dick Andrews
Does Vermont need more wilderness?

That question was raised in the last issue of the VER. The answer? There isn't one. Bare survival is possible without any number of good things, from wilderness to music.

Whether Vermont *wants* more wilderness is another matter. That question will be answered as a result of wilderness legislation that will be introduced by Vermont's Congressional delegation. The fate of the bill depends primarily on the balance of opinion in Vermont.

The Vermont Wilderness Association has proposed to Senators Stafford and Leahy and Representative Jeffords that four areas of the Green Mountain National Forest be added to the national wilderness system. The Association is a coalition of State environmental groups, including VNRC, the Sierra Club, the Wilderness Society, Vermont Audubon Council, the National Wildlife Federation and others.

The Congressional delegation will probably sponsor a slightly altered version of the Wilderness Association proposal. Any new designations would be added to two existing wilderness areas at Lye Brook and Bristol Cliffs. These two areas cover 18,300 acres, or 3/1000 of Vermont's land.

WHAT WILDERNESS MEANS

Some environmentalists have asked whether there are any trade-offs in designating about 65,000 acres of federally-owned Green Mountain National Forest land as wilderness. Fortunately, there are few of any sort, and none of significance.

In wilderness, motors, logging, mining and other development would be prohibited, leaving the land in its natural condition.

Still permitted would be hunting, fishing, trapping, hiking, cross-country skiing, camping, birding and other traditional forest uses. Grazing, though not a significant use in Vermont, is permitted in wilderness areas. And water quality is more completely protected by wilderness than by any other land use.

The proposed wilderness bill specifically permits the Long Trail -- Vermont's "Footpath in the Wilderness"

How Much Wilderness?

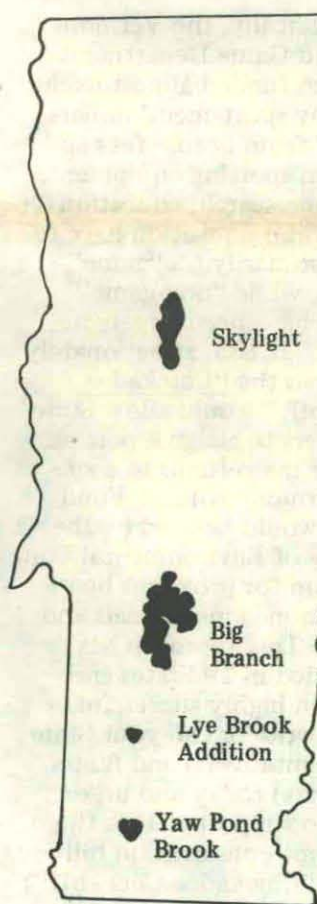
In the last issue of the Vermont Environmental Report, we asked for members' views about a proposal to create an additional 63,000 acres of wilderness in the Green Mountain National Forest in an article entitled, "Does Vermont Need More Wilderness?"

The suggestion that there might be more than one right answer to that question drew more angry letters and phone calls than anything that has appeared in the VER in the last three years.

Just to set the record straight, the Council agrees in principle with the idea of creating more wilderness in Vermont, but we'd like to read the fine print on a bill that will be co-sponsored by Vermont's Congressional delegation before we give it an unconditional endorsement.

Most of all, we look forward to the introduction of a wilderness bill as a chance to re-open discussion of this issue and to resolve the status of several proposed Vermont wilderness areas.

In the two articles below, Wilderness Association member Dick Andrews and Green Mountain National Forest Supervisor Stephen Harper ably represent two different environmental perspectives on RARE II, National Forest management, and the creation of additional wilderness in Vermont.



New Areas Proposed by Vermont Wilderness Association

At press time, a wilderness bill to be introduced by U.S. Representative Jeffords and Senators Leahy and Stafford was still on the drawing board. But on February 1st, USDA Assistant Secretary John Crowell voided RARE II, which had recommended no additional wilderness in Vermont. GMNF Supervisor Stephen Harper says that this will allow the Forest Service to consider all the RARE II areas plus any other eligible acreage for wilderness recommendation as part of its current planning process.

Also, on February 2nd, several Vermont legislators announced plans to introduce a resolution opposing the designation of any new Vermont wilderness areas.

-- and its shelters.

So, wilderness designation is not a "single use" restriction. It prevents some activities and allows other, just as any other land use choice does.

And while the Forest Service can protect wild land by administrative action, such protection can easily be undone. Also, the criteria used by the Forest Service for wild land protection in its current planning effort are unnecessarily restrictive. Much wild land would be unprotected.

Another benefit of Congressional wilderness designation is that it would prevent oil and gas drilling -- something the Forest Service can-

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Stephen C. Harper
Wilderness, as defined by Congress in the Wilderness Act of 1964, is only possible on large expanses of undeveloped land. It is a place where people can hike, fish, hunt or cross-country ski with a high degree of freedom and solitude. No motorized vehicles are allowed and other signs of man are not very evident.

Wilderness is a place where natural processes are allowed to take place without man's influence. This makes them valuable as natural areas for scientific research and ecological monitoring. Vegetation cannot be harvested for wood products or manipulated to benefit wildlife or en-

hance recreational opportunities and visual quality.

Vermont has two wilderness areas -- Bristol Cliffs near Middlebury and Lye Brook Wilderness near Manchester -- totalling 17,258 acres. Both were established on Green Mountain National Forest (GMNF) lands in 1975.

We understand that Vermont's Congressional delegation will propose several new wilderness areas this session. The Forest Service cannot respond to this proposal without specific maps and descriptions. But even if we had detailed information on the location of the proposed areas, it is important that any wilderness decisions consider how the rest of the National Forest is being managed. The need for additional wilderness and the effects on our ability to meet other resource demands must be viewed together.

THE CURRENT PLANNING PROCESS

In 1976, Congress passed the National Forest Management Act and directed the USFS to develop a new land management plan for each national forest by 1984. By next fall, the Forest Service will have a draft plan evaluating a wide array of alternative uses for GMNF lands. We'll develop a 10-year program to implement the preferred alternative.

As part of the planning process, we are studying the suitability of National Forest lands to meet different ideas and expectations about wilderness. One alternative would be to recommend that some areas be classified as wilderness and managed according to the Wilderness Act. Other alternatives would provide primitive or semi-primitive opportunities according to guidelines developed to fit the situation in Vermont. These latter alternatives would be less restrictive than wilderness and would provide many of the same benefits, but would not require Congressional designation.

Our planning process allows us to examine the interrelationships between many resources, uses and benefits, and to analyze the effects of different land allocation strategies. We'll develop maps for each alternative, indicating recreational opportunities, wildlife habitat areas, road con-

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Photo courtesy of the Vermont Travel Division.

On the Hill

A Report from the Vermont State House

There was a hearing on February 1st before the House Natural Resources Committee on H.30, the ground water rights bill, which would make "any person who withdraws, diverts, or alters the character or quality" of groundwater liable for "unreasonable resulting injury to other persons or property." Under current Vermont law, there is no limit on how much water a landowner may withdraw from the ground, regardless of the effects on neighboring wells. Monty Fischer testified on behalf of VNRC that while the bill's language needs some refinement, the Council supports the bill because it recognizes ground water as a common resource.

The Senate Energy and Natural Resources Committee has recommended a special \$18,000 FY83 supplemental appropriation for a spruce budworm management program. The program would include limited application of pesticides such as *Bacillus thuringiensis* (BT), which, although it cannot eradicate spruce budworm, would give forest landowners more options for timber marketing. For FY84, S.17 calls for continued spraying and extensive aerial surveillance to gather data for a longer-term management program. VNRC supports the supplemental appropriation as a reasonable response to a very serious threat to Vermont's forests.

VNRC has commented on an early draft of a bill that would create a procedure and a fund for decommissioning the Vermont Yankee nuclear power plant. The life expectancy of a nuclear plant is about 35 years, and the Vernon facility has been on-line since 1961. There will undoubtedly be considerable public discussion of who should pay the cost of Yankee decommissioning. VNRC has suggested that liability be extended to investors as well as rate-payers.

Vermont's current use assessment program is being examined by the Senate Finance Committee. Several legislators have expressed concern about the rising cost of the program

and the fact that while some large landowners (paper companies, for instance) have benefited from lower taxes based on use value rather than development value, few farmers have participated. Supporters of the current use program (VNRC among them) argue that (1) the program has encouraged more management of Vermont's forest land and (2) many more farmers will join the program when towns complete reappraisals. A 1982 law reduces State aid to education payments to towns whose grand lists are not within 80% of full value. As a result, many municipalities now have reappraisals underway, which could significantly increase taxes on agricultural land and make use value assessment more attractive to farmers.

At a public hearing last month on H. 82 (Act 250 10-acre exemption), VNRC presented a portfolio of evidence that large developers have avoided Act 250 review by creating large-lot subdivisions. The ubiquitous 10.1-acre lots are often too small to manage productively, but larger than most prospective homeowners need or want. Closing the loophole will not affect the farmer or landowner who wants to sell off part of the back 40; it applies only to large developers who create more than 10 lots. The bill is expected to get the endorsement of the House Agriculture Committee and to be referred to the House Natural Resources Committee.

The House Natural Resources Committee is studying ways to make it easier and faster to get a land use permit for small subdivisions. H.94 would enable interested and qualified towns to certify sewage disposal systems for one-lot subdivisions. This may well be the most important environmental bill of the session, and there will be considerable discussion before it wends its way through the House and Senate.

Two nearly identical bills — H.172 and S.13 — would give Governor Snelling's Executive Order No. 52 the force of law. They would empower a

five-member Agricultural Lands Review Board to examine any State project or program (such as a VIDA loan) to make sure that it does not jeopardize the continuation of agriculture or reduce the potential of primary agricultural soils.

H.28 would extend Vermont's renewable energy income tax credits for two more years. The House Energy Committee cut the maximum credit for installing wood furnaces and solar, wind or hydroelectric heat or hot water systems from \$1000 to \$500. The "solar credits" were challenged on the grounds that they benefit only middle and upper-middle income homeowners who probably would have installed renewable energy systems even without the tax incentive. But according to the New England Solar Energy Association, per capita use of solar energy in Vermont is 216% higher than in New Hampshire (which does not have credits). NESEA hopes to persuade the House Ways and Means Committee to restore the full \$1000 maximum credit, and would appreciate calls or letters to House Members, especially Members who sit on the Ways and Means Committee.

Historically, the Vermont Fish and Game Department has been funded almost exclusively by sportsmen's dollars derived from license fees and taxes on sporting equipment. Wildlife research, education and habitat acquisition have focused primarily on "game" species, while "non-game" species have been largely neglected. H.185, affectionately known as the "Chickadee Checkoff," would allow State taxpayers to assign a portion of their tax refunds to a special Vermont Wildlife Fund which would be used by the Agency of Environmental Conservation for programs benefiting non-game animals and plants. This approach has been tried in 19 States and has been highly successful. Please write or call your State Representative(s) and State Senator(s) today and urge them to support H.185, the non-game conservation bill (a/k/a "Chickadee Checkoff").

H.232 would tighten Vermont's regulations governing the transportation of irradiated reactor fuel and large quantities of radioactive material. Patterned on Michigan legislation, H.232 would increase notification and radio communications requirements, raise standards for vehicles and containers and create mandatory State escorts. It is similar to regulatory changes proposed by the Snelling Administration, but H.232 would require permits from both the Department of Health and the Department of Public Safety, while under the administration's plan, the Agency of Transportation would issue permits and would have the right to waive the regulations. There will be a public hearing on this issue at the State House on Wednesday, February 16th at 1:30 p.m. in Room 11.

TO MAIL A SALAMANDER

Things have changed around here since last October, when wildlife biologist Marc DesMeules joined the staff of The Nature Conservancy. TNC and VNRC share space, points of view and secretarial services on the second floor of the Old Depot in Montpelier. The Nature Conservancy protects wildlife habitat areas through purchase and conservation easements, and Marc helps identify sites that are associated with rare and endangered species.

In an office full of relentlessly political types, Marc keeps knee-high mud boots -- and, occasionally, live critters -- under his desk.

A few weeks ago, he amazed and delighted us with a young salamander, who spent what seemed to be a very pleasant afternoon sunning himself in the Conference Room. Later that day, when I inquired after the health of his companion, Marc calmly replied that he had "mailed him to Massachusetts."

After a long series of sentence fragments punctuated by quite a few questions marks and exclamation points, Marc explained that certain species of salamanders are very difficult to identify.

"Some have evolved to the point where they mimic the colors of species that are less attractive to predators," he said. "We sent this one to an expert in Massachusetts who is familiar with both southern and northern varieties."

The Nature Conservancy is conducting an exhaustive inventory of Vermont herpetological collections. If you know of field notes, collections and albums of amateur or professional herpetologists, or if you can help the Conservancy search for selected species, please write or call Marc DesMeules, The Nature Conservancy, 7 Main Street, Montpelier, VT 05602, (802) 223-2328. And if you ever have occasion to mail a salamander, Marc suggests that you:

Put it in a styrofoam soup cup with a perforated cover. Wrap the salamander in a handful of sphagnum moss, put the lid on tightly, and place the cup in a sturdy box marked "live material: do not allow to freeze." Check the weather and mailing times (overnight express is best). And be sure to notify the recipient! MM



Andrews

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not do. Drilling on National Forest lands is governed by James Watt's Department of the Interior, and the Forest Service plans to lease the entire Green Mountain National Forest (except for the two existing wilderness areas) for oil and gas exploration.

RARE I AND RARE II

Today's wilderness proposal began six years ago, when Congress directed the Administration to inventory roadless land in eastern national forests. "RARE II" was the acronym for the second "Roadless Area Review and Evaluation." Congress had deemed an earlier study inadequate because the Forest Service concluded that practically no eastern land qualified for wilderness protection.

Conservationists found about 90,000 acres of roadless land in the Green Mountain National Forest during the inventory phase of RARE II. Of that, the Forest Service studied six areas totalling 55,000 acres.

The Green Mountain National Forest recommended that the Administration designate no wilderness whatsoever in Vermont. But Carter Administration officials did not accept that recommendation, and the Forest Service ultimately recommended the Breadloaf and Devil's Den RARE II areas for "further planning." Those areas totalled 28,680 acres.

Senator Leahy held a hearing on the wilderness question in Middlebury with Senator Lugar of Indiana in July, 1979. At the hearing, all the organizations that testified agreed to try a mediated settlement.

Unfortunately, when Dr. Hugo John of UVM's Department of Natural Resources convened mediation sessions, all of the anti-wilderness organizations refused to attend. Environmental organizations came but had nobody to talk to.

THE CURRENT PROPOSAL

Nevertheless, the Middlebury hearing demonstrated strong enough support for wilderness that Vermont's Congressional delegation will introduce a bill. If it coincides with the Vermont Wilderness Association proposal, it will include these areas:

Skylight Wilderness. 22,230 acres including the main ridge of the Green Mountains between Middlebury Gap and Lincoln Gap. Abutting the semi-wilderness Granville Gulf State Reservation on the northeast, the area is named for Skylight Pond, one of Vermont's highest ponds. It includes the Breadloaf RARE II area plus minor additions.

Big Branch Wilderness. 33,830 acres divided by the Landgrove-Mount Tabor Road into a 21,600-acre North

Unit and a 12,230-acre South Unit. Now unplowed in winter and heavily used as a through-route by snowmobiles, the road would stay open. Including the Griffith Lake, Wilder Mountain and Devil's Den RARE II areas, Big Branch would be about 14 miles long and about four miles wide. It is the largest of the four areas proposed and has the greatest variety of topography and natural features.

Lye Brook Wilderness Addition. 2,660 acres, identical to the RARE II area of the same name. Smallest of the four areas, it would expand the existing 14,000-acre Lye Brook Wilderness to include Branch Pond and its high forest plateau.

Yaw Pond Brook Wilderness. Identical to the Woodford RARE II area, this 6,120-acre plateau is dominated by wetlands and brooks. Beavers find the area ideal, creating a great deal of "edge" habitat diversity sought by other species. Most of the area is above 2,000 feet in elevation.

POTENTIAL ENVIRONMENTAL CONFLICTS

Timber demand will shift to other lands. Vermont now cuts less than half its annual timber growth. Also, 65,000 acres is only one percent of the State, which is 85% forested. Land proposed for wilderness is almost wholly roadless, so is now out of the timber picture. A study by the Natural Resources Defense Council concluded that the cost of roads and marketing exceeds the revenues from Green Mountain National Forest timber sales, and the proposed wilderness areas are even less accessible and productive than the rest of the National Forest.

Loss of firewood resources. Only one percent of Vermont's firewood is supplied by the Green Mountain National Forest, according to the Vermont Energy Office. None of that is cut on roadless forest land.

Loss of snowmobile trails. Only 40 of Vermont's 10,000 miles of snowmobile trails are on proposed wilderness areas. In addition, thousands of miles of unmaintained Class IV roads are open to motorized recreation.

Difficulty of access. True, access to wilderness areas is by non-motorized travel only. It cannot be otherwise. Downtown Burlington once was an inaccessible wilderness area. It is now accessible.

Foot trails are permitted in wilderness. Anyone who walks a few feet away from a wilderness trailhead is that many feet into the wilderness.

Lack of wildlife habitat management. This is also the nature of wilderness. Without human manipulation, some species decline and others thrive. Loons, martens, osprey, falcons and other species would benefit from increasing Vermont's range of

habitat diversity by allowing large stands of forest to mature in wilderness areas.

Land management costs. Wilderness costs much less to manage than other national forest land. Trails must be maintained by hand, but the entire Long Trail was built by hand. Trail maintenance with hand tools is much less expensive than the roads that would be built without wilderness designation.

Wilderness is important. It provides solitude, peace, quiet, adventure, a sense of permanence, a place where trees grow old and huge. Wilderness preservation is historic preservation of a special part of Vermont's heritage, a part that will vanish without decisive action.

Every year, roughly 100,000 acres of Vermont's land is paved, subdivided or developed. If all land proposed for wilderness designation is added to the wilderness we have, it would be less than 85,000 acres. That is a small investment in our future.

Dick Andrews is a member of the Vermont Wilderness Association. He writes for the Rutland Herald and the Black River Tribune and has also led back-country ski tours in the Green Mountain National Forest.

Harper

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struction or improvements and considerable other information.

Copies of this draft plan will be available to all interested people. We'll schedule public meetings with the Regional Planning Commissions, and we'll meet with any interested organization to discuss the draft plan.

GENERAL EFFECTS OF WILDERNESS CLASSIFICATION

Recreation would be affected either positively or negatively, depending on your point of view. All forms of pedestrian recreation would be allowed, including hiking, cross-country skiing, camping, hunting, fishing and birding. Motorized recreation such as snowmobiling, automobile camping and driving for pleasure would not be allowed. Trails and shelters would be primitive and would be maintained without mechanized equipment (although mechanized equipment could be used in life-threatening emergencies or forest fire suppression).

No timber can be harvested in a classified wilderness. The Green Mountain National Forest produces 15 million board-feet of timber per year, most of which is used in Vermont for furniture-making, dimension lumber, pallets, firewood and pulpwood. There would be negative effects on primary and secondary wood manufacturing if this loss

could not be offset by more intensive management on non-wilderness lands. The degree of this impact would depend on the productivity and suitability of the lands being withdrawn.

Wildlife habitat would also be affected. Vegetation would change over time to an old-growth condition. Some species would prosper and others would decline. Black bear, bobcat, fisher and pileated woodpecker would benefit from the remoteness of wilderness. But there would be less habitat for species that depend on edge and early successional vegetation that is interspersed with older mature stands. These species include white-tailed deer, ruffed grouse, red fox, cotton-tailed rabbit, woodcock, red-tailed hawks, indigo bunting and green snakes.

The loss of habitat for white-tailed deer would have the biggest economic impact. Old-growth forests do not provide adequate summer range for a large deer population. If there are deer yards in a wilderness area, we could not create browse adjacent to them or take the necessary steps to perpetuate or improve the softwood cover.

Values and judgment will, in the end, determine how much wilderness we have in the Green Mountain National Forest, which areas we choose, and whether or not these areas require Congressional designation. But although no amount of quantitative analysis can answer these questions for us, a thorough and systematic analysis can help us make an informed decision.

The areas considered in the second Roadless Area Review and Evaluation (RARE II) will not lose their remoteness or attributes over the next several years. Some wildlife habitat improvement, timber stand improvement and firewood-gathering might occur, but no new roads are planned in the next five years. One timber sale with a temporary skid road is planned in 1984 in the Woodford RARE II area, and two other sales -- also with temporary skid roads -- are planned in 1986. But since these proposed wildernesses have had timber sales within the past 15 years, these new sales would not have any lasting effects.

I believe that we should take advantage of our studies and act on any wilderness designation only after the Green Mountain National Forest analysis is complete. Not only would this give us a more defensible wilderness proposal, but it would also complement rather than undermine the plan for the rest of the National Forest.

We encourage people who want to discuss National Forest management, including our planning, to contact us at P.O. Box 519, Rutland, Vermont 05701. Our phone is (802) 775-2579.

Stephen C. Harper is the Supervisor of the Green Mountain National Forest.

New State Strategy Emphasizes Local Action Protecting Vermont's Ground Water

Last month the Department of Water Resources and Environmental Engineering capped off two years of work when it delivered a Ground Water Protection Strategy to the Vermont Legislature. The Strategy creates no new programs and relies heavily on local land use planning and zoning. As Cheryl K. Fischer points out in this article, only strong local citizen action — translated into sound land use management — will protect the sensitive, high-yield aquifers that serve cities and towns throughout the State.

Ten years ago, there was little public or private interest in the State's ground water resources. The invisible resource consistently came out of the ground "pure and clean." We thought nature would always purify and replenish it. But more importantly, citizens and public officials were most concerned about our surface water problems and pretty much took the ground water resource for granted.

Today we know better. The wells in Springfield lost to the subsurface drainage for a nearby landfill, the high salt content of wells and springs near heavily-salted highways and the effects of sewage disposal on drinking water supplies have revealed the resource's vulnerability.



On January 25, 1983, John Ponsetto, Commissioner of the Vermont Department of Water Resources and Environmental Engineering (DWREE), delivered the Vermont Ground Water Protection Strategy to the House Natural Resources Committee. The Strategy was the Agency's response to a mandate from the 1973 General Assembly that established a ground water protection policy and directed the Secretary of the Agency of Environmental Conservation to develop a comprehensive ground water protection program.

A great deal of work has been done over the last decade to fulfill the mandate. In 1974, the Department began in-depth studies of the nature and quality of Vermont's ground water resources. Valley aquifers — the underground formations

of sand, soil and rocks that store large quantities of water — were identified. The Department also located and mapped land use activities known to cause ground water contamination and surveyed potential pollution sources. Analysis of existing ground water quality and some additional sampling to fill obvious information gaps provided a first look at the natural, or "ambient," quality of the State's resources. Finally, all available information on known and documented contamination cases was assembled and analyzed.

The studies revealed that Vermont, unlike many of our neighbors to the south and west, has few ground water quality problems. Instead of emphasizing treatment and clean-up, Vermont's ground water program could suggest ways to prevent resource degradation.

VERMONT'S GROUND WATER PROTECTION STRATEGY

One of the basic premises of the new Ground Water Protection Strategy is that the State already has nearly all the technical and legal tools it needs to protect the ground water resources of Vermont. Federal laws like the Safe Drinking Water Act, the Resource Conservation and Recovery Act, and the Clean Water and Toxic Substances Control Acts establish ground water protection requirements. And at the State level, health, water pollution, solid and hazardous waste, subdivision, public buildings, municipal and regional planning and land use and development control laws — including our famous Act 250 — provide adequate authority to meet ground water protection needs.

The challenge is to make sure that existing programs and policies give adequate consideration to ground water concerns, that they are implemented and enforced properly, and that they are consistent throughout State government. The Strategy suggests a number of ways to achieve these objectives, including the creation of a Ground Water Coordinating Committee to eliminate program overlap and duplication.

LOCAL ACTION: THE HEART OF THE STRATEGY

The most lasting and effective ground water protection planning will not occur in State government, but at the local level. Human activities on the land's surface can and do cause ground water contamination. Only by carefully controlling land use can we ensure the quality of the resource. This adds up to some

GROUND WATER FACTS

- Approximately 66% of Vermont's population consumes water from ground water sources.

- About 235 communities rely on ground water for their drinking water — 117 totally, 118 in part.

- 365 (or 94%) of the 385 community water supplies in the State serve populations of fewer than 3,300 people.

- There are approximately 60,000 individual ground water sources in Vermont.

very difficult local land use management decisions.

The DWREE examined ground water protection through local land use planning and conducted a pilot project involving the creation of "aquifer protection areas." We identified and mapped aquifer recharge areas for 136 public water supplies. When we analyzed land use in the areas, some interesting statistics emerged (see box).

While some of these areas are already "compromised" — that is, they contain potential pollution sources or activities — many others are not. If the communities involved so choose, they can identify these sensitive areas in town plans and protect them through local zoning and subdivision ordinances. This approach is really the heart of the Ground Water Protection Program proposed in the Strategy.

LEGISLATIVE ACTION

Since we already have many of the statutory, regulatory and technical tools we need to carry out the ground water protection mandate, it was not necessary to send a massive legislative package of requests to the General Assembly along with the Strategy. There is, however, one legislative matter that needs to be resolved, and that pertains to the issue of ground water rights.

Under Vermont law, the doctrine of absolute ownership governs the quantity of water that may be withdrawn from the ground. There are no limits on how much water a landowner may pump from an underlying aquifer, regardless of the effect on neighboring wells. This antiquated legal doctrine ignores current ground water knowledge, as well as the notion of equitable use and allocation of a common resource.

This year the Vermont General Assembly is being asked to correct this problem through H. 30, the "Correlative Rights" Bill. This promises to be one of the most actively debated environmental issues of the 1983 Session.

The Legislature will have other important roles to play in the implementation of the State's Ground Water Protection Program. As implementation proceeds, statutory and budgetary adjustments may be required. In addition, DWREE rules and regulations should be amended to include the concept of mapped aquifer protection areas in permit review procedures.

As with any regulatory amendments, the proposed changes will have to be reviewed by the Legislative Committee on Administrative Rules. Both regulatory changes and statutory activity on "the Hill" are open to public scrutiny, and will provide additional avenues for public participation in the evolution of the State's Ground Water Protection Program.

Anyone interested in reading the Vermont Ground Water Protection Strategy may obtain a copy by writing the Department of Water Resources and Environmental Engineering, Ground Water Management Section, State Office Building, Montpelier, Vermont 05602. Supporting documents are also available upon request.

Cheryl K. Fischer is a Ground Water Planner for the Department of Water Resources and Environmental Engineering.

AQUIFER PROTECTION AREA FINDINGS

- The 209 individual mapped areas cover 21,728 acres, or .4% of the land area of the State.

- The mean size of an Aquifer Protection Area is 120 acres, and the median size is 58 acres.

- 25 (or 19%) of the systems mapped are *protected*; that is, there are no potential pollution sources there now, nor are any proposed for the future. Town plans and zoning ordinances either recognize these areas as sensitive watersheds or recommend them for agriculture, forestry or low-density residential development.

- 29 (or 21%) of the systems fell into a *possibly protected* category. Existing or proposed land uses may create some obstacles to protection.

- 31 (or 23%) of the systems have *minimal protection*. These supplies could be contaminated by existing or proposed land uses.

- The Aquifer Protection Project found that 50 (or 37%) of the systems studied are *not protected*. There are major conflicts between ground water protection needs and current or projected land use in these areas.

Sugarbush Study Short-changes the Environment

About 150 people turned out for a public meeting in Waitsfield on February 1st on the Sugarbush Valley Ski Area's plan to double in size and become a destination resort. The Forest Service called the meeting to hear comments on its Draft Environmental Impact Statement, which selected full implementation of the ski area's expansion plans as its "preferred alternative." Marion MacDonald made the following comments on behalf of the Vermont Natural Resources Council:

BACKGROUND

Sugarbush Valley, Inc., operates under a Special Use Permit involving 1739 acres of Green Mountain National Forest land. Sugarbush wants to increase its Comfortable Carrying Capacity (CCC) from 6150 skiers per day to 11,650, by replacing three existing lifts and building three new lifts and some additional trails that would connect Sugarbush (South) to Sugarbush North. This 20-year "Master Plan" would involve 90 additional acres of Forest Service land and more intensive use of the existing permit area.

The Forest Service reviewed five expansion options and selected full implementation of the Master Plan as its "preferred alternative." "This alternative appears to create no non-mitigable adverse impacts," says the Draft EIS, "while providing for increased recreational opportunities for the regional skiing population, and sustaining the economic well-being of Sugarbush Valley and the local economy in the face of changing market conditions."

GENERAL COMMENTS

This draft EIS is a good first step in the direction of a full assessment of the environmental consequences of the proposed Sugarbush expansion, but there is not enough data here to support the Forest Service's claim that the preferred alternative creates no "non-mitigable adverse impacts" while "sustaining... the local economy." We feel that the EIS over-estimates the economic benefits of the ski area expansion and places too little emphasis on the environmental consequences.

WATER QUANTITY/QUALITY

This shortcoming is most apparent in the discussion of water quantity. The Forest Service study says that there would be sufficient water for domestic use under the preferred alternative only "if no consideration is given to protecting instream flows." There is also "considerable potential for conflict between snowmaking and instream flow needs." In fact, there is "less than a 60 percent

chance" that the maximum daily demand can be met on a given day."

It's important to maintain minimum streamflows, not only to protect fisheries, but to preserve the streams' capacity to treat and assimilate wastes. This capacity will become even more important if Sugarbush becomes a destination resort.

The EIS acknowledges that the Sugarbush sewage treatment plant is already exceeding design capacity, and suggests that "soils in parts of the Sugarbush area are well-suited to receive leachfield effluents." But if large volumes of sewage are disposed on land, there could be an indirect discharge to the streams.

Segments of Ranch Brook in Stowe and the Ottauquechee River in Sherburne were reclassified recently to accommodate sewage effluent because of severe contamination problems from private leachfields and/or the high cost of on-site disposal from new sewage treatment plants. We should anticipate similar problems at the Sugarbush Ski Area and not compromise the surface water's assimilative capacity by failing to maintain adequate minimum streamflows.

HOUSING

We take exception to many of the study's conclusions concerning impact on agricultural lands, energy, aesthetics and rural character because we feel the Forest Service has seriously under-estimated the impact on housing in the Mad River Valley.

First of all, we're concerned about the lack of affordable housing for ski area employees. The Sugarbush EIS predicts that "a large proportion of the incremental households attracted to the region will not live in Warren, Waitsfield or Fayston because of high real estate prices relative to their incomes." Most of the jobs created by the Sugarbush expansion will be in the service and retail/wholesale sectors, and will not pay high enough wages to enable ski area employees to live in the towns where they work.

The study says, "High housing costs in the Mad River Valley may force employees to live in outlying communities. Adverse impacts on municipal budgets are unlikely but would require mitigation if significant." The study does not suggest what type of "mitigation" would be available to the town of Moretown, for instance, if it had to build a new elementary school to accommodate an anticipated 325 new residents.

The study also does not examine the energy consequences of a very substantial increase in the number of people commuting from outlying towns to work in the Mad River Valley. The Sugarbush

EIS forecasts that full implementation of the Master Plan will create 1096 direct and indirect ski-industry-related jobs, and 532 (or 49%) of these workers will live in Moretown, Duxbury, Waterbury and other outlying communities. Using the Forest Service's estimates on population distribution, these workers would be commuting a minimum of three million miles per year to work in the Valley.

We also think that the draft EIS under-estimates the extent and the impact of vacation home development. The Forest Service estimates that the Valley will need approximately 1700 additional four-bed housing units under the preferred alternative, and that housing development will occur at the rate of 1.1 additional beds per additional CCC. In other words, the Forest Service assumes that there will be no additional housing development in the Valley that is not directly related to the increase in the number of skiers on the mountain.

This is surprising, given that one of the purposes of becoming a destination resort is to escape the roller-coaster economics of a business that depends entirely on skiing. A destination resort presumably has enough year-round amenities to attract vacationers even in a "snowless" winter.

According to the Mad River Valley Growth Study, the typical ratio of vacation residences to CCC in a Western destination resort is not 1.1:1, but 3:1.5. Thus an increase of 5500 in Comfortable Carrying Capacity would require 3666 additional three-bed vacation units.

The unrealistically low estimate of increased vacation home development skews the data on energy, agricultural lands, rural character and aesthetics. For instance, the EIS predicts only a 65% increase in electrical demand (based on 1700 additional housing units at five kilowatts per unit). But by the Forest Serv-

ice's own estimates, Valley population will nearly double under the preferred alternative (four percent per year through 1998).

SUMMARY

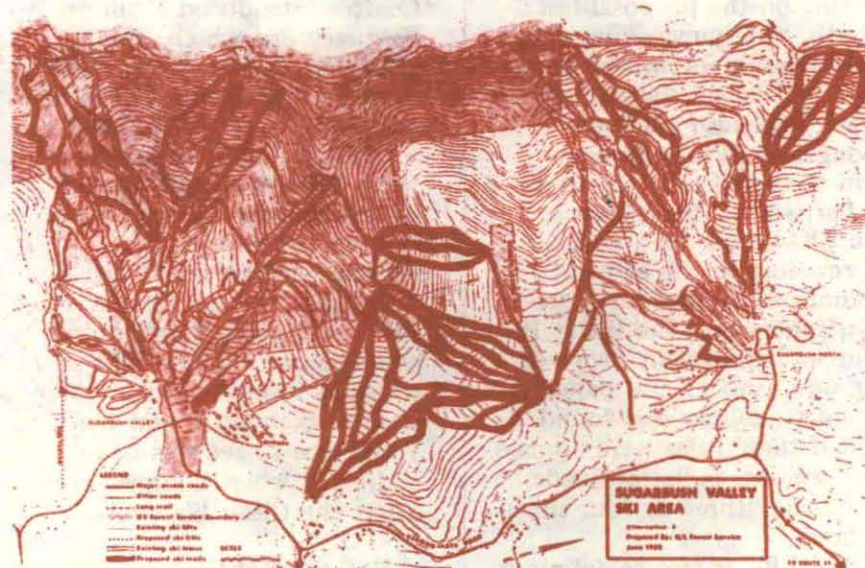
The Forest Service buttresses its cost/benefit analysis of the Sugarbush expansion with forecasts of up to 1270 new jobs, substantial increases in the Grand List and other off-site economic benefits. Yet it repeatedly disclaims responsibility for off-site impacts on traffic, water quantity, cost of employee housing, energy, agricultural lands, rural character and cost of municipal services. These impacts "cannot be controlled or mitigated by the Forest Service," says the study, and are "best reviewed and regulated through Town ordinances and the Vermont Act 250 process."

The EIS does not examine the ability of the District Environmental Commission and local planning and zoning boards to monitor and control development on this scale. Nor is it clear that funding for town managers and professional planners to administer capital budgets and sophisticated zoning ordinances and building codes has been included as a line item under "increased cost of municipal services."

By the Forest Service's own reckoning, full implementation of the Master Plan will have a "high" impact on water quantity, visual quality, demand for municipal services and rural character. Except for maintaining a comparatively low tax rate and increasing the "economic viability of Sugarbush Valley," the Forest Service has not substantiated its claim that the economic benefits to the public that owns the Green Mountain National Forest would outweigh the adverse economic and environmental consequences.

Marion MacDonald is the Editor of the Vermont Environmental Report.

ALTERNATIVE V (MASTER PLAN)



*From the Sugarbush Valley Winter Sports Area Draft Environmental Impact Statement. NOTE: The deadline for commenting on the Draft EIS has been extended from February 15th to March 5th.



Photo courtesy of the Vermont Travel Division.

Water Quality Standards In Deep Trouble

Last fall, the Environmental Protection Agency quietly proposed several revisions in their national Water Quality Standards regulations. The changes were designed, according to the EPA, to "give the States more flexibility to set appropriate site-specific water quality standards based on analyses of the scientific, technical and economic factors which affect their attainment."

States classify their lakes and streams according to use -- propagation of fish and wildlife, swimming, boating, industrial water supply, etc. Federal Water Quality Standards set the allowable concentrations of pollutants according to the "designated use." The EPA has not allowed States to reclassify to a "lower" use unless they demonstrated that the designated use was unattainable.

Under the new rules, States could determine that the "benefits of attaining the (designated) use do not bear a reasonable relationship to the costs," and apply lower water quality standards. The States would also be released from their obligation to maintain the quality of water that is cleaner than the minimum required to support the designated use.

Vermont has a very good track record on water quality protection, and more flexibility in tailoring water quality standards to local conditions seems logical and reasonable, if not especially significant. But as representatives of Vermont's Department of Water Resources and Environmental Engineering pointed out at a hearing on the proposal last month, "the universe in which these regulations will be applied will be substantially larger," because of other changes in EPA administration of the Clean Water Act.

Last spring, for instance, the EPA proposed a number of revisions in the effluent limitations for various industrial processes. The Water Resources Department reviewed the new tannery and paper effluent guidelines and found that if these rules were applied in Vermont, pollution loads would be "three or four times as great."

The EPA is also re-defining "secondary treatment" for municipal sewage treatment plants. Less stringent requirements combined with reduced

federal support for the sewage treatment plant construction grants program could mean more surface water contamination in some parts of the State.

If there is more pollution in Vermont's rivers and lakes, there will be more violations of national Water Quality Standards, and many more cases where the State must apply the new rules in determining whether the designated use is still "attainable."

Reginald LaRosa, Director of the Environmental Engineering Division, predicts that there will be "a constant stream of appeals" to the Water Resources Board on the grounds that Vermont's Water Quality Standards exceed national requirements. The Department's role could shift from management to enforcement, while the courts determine "attainable" use according to which side commands the biggest arsenal of technical, scientific and economic data.

All of this comes, of course, at a time when the EPA is also promoting substantial reductions in federal funding for State planning and pollution control programs.

"I have no problem with analyzing the situation and figuring out what level of treatment is appropriate," says LaRosa. "But I have a lot of problems with how the devil we're going to implement it."

Contrary to earlier reports, reauthorization of the Clean Water Act will be debated in Congress this session. Senator Chaffee introduced a bill on February 3rd which could come out of the Senate Environment and Public Works Committee by the end of March.

We urge VER readers to write Senator Robert Stafford, Chairman of the Senate Committee, and ask for a regional hearing on Clean Water Act reauthorization. Tell Senator Stafford you're concerned about the EPA's revisions in national Water Quality Standards, and that you'd like to see this issue addressed when Congress considers the Clean Water Act.

Senator Robert
Room 5219
Dirksen Senate Office Bldg.
Washington, DC 20510

letterslettersletters

TO THE EDITOR OF THE VERMONT ENVIRONMENTAL REPORT:

I'd like to offer a few comments on VNRC's Forest Resource Policy Statement, which appeared in the November/December VER.

Like all that I read from VNRC, the policy statement is well-written, but a couple of points bother me. In the second paragraph, first sentence, "with citizen participation" sounds a bit condescending. Who but the State's citizens, who own most of the State's forest land, should develop the State's forest resource policy? Having said that, I appreciate how few citizens are technically prepared to deal with forestry issues, and how much they depend on forestry professionals to take the lead. I suspect that the reference is to a public review process, which is entirely appropriate.

I am concerned that an important principle has been overlooked in the list subsequent to the fourth paragraph. Too often we assume that "management," "forest management" or "timber management" includes forest protection. However, forest managers tend to treat pest problems as emergency situations. As Vermont's forest lands become more intensively managed, forest pests will become more important. Dealing with these problems

will raise environmental issues. The forest protection policy should anticipate the problems, not develop in response to them. I offer the following as another principle or an addendum to one of the others:

"Management for maximum timber and amenity values must include protection from pests, including diseases, insects, fire, weeds and wildlife. Forest protection should be anticipated, planned for and implemented according to principles of integrated forest pest management."

As for the sixth principle, I understand how forest management may contribute to (not "ensure") preservation of certain endangered species, but not to maintenance of natural areas and wildlife areas. Perhaps the intent is to exclude such areas from management. I agree that the policy should address these resources in some fashion.

I will be following with great interest future developments regarding VNRC's Forest Resource Policy and the forest landowners' association. This will surely be an exciting and challenging undertaking for VNRC.

Melvin E. McKnight
Fairfax, Virginia

TO THE EDITOR OF THE VERMONT ENVIRONMENTAL REPORT:

The American people in general, and Vermonters in particular, do not appear to be either prudent or far-seeing. We still seem to be trapped in the pioneer tradition of limitless plenty -- land, water and resources of every kind.

The view is not valid. There are too many people with too many expectations and demands for the limited resources at hand. We need to abandon the day-to-day fix for a long-range land ethic. Such long-range thinking and planning appears to have two major points:

(1) At all levels of activity, man must abandon the supposed values of short-range exploitation and must consider himself to be merely a custodian for generations to come. As a proper custodian, man must pass on the basic resources in better condition than he found them.

(2) Man can only achieve this goal by recognizing that the nature of the terrain dictates what may be ecologically and economically done on each type of terrain. Thus:

A flood plain is just that and no more. It is a place where flood waters may spread and slow down to reduce damage. Therefore, the use of the flood plain must be limited to agriculture and certain kinds of recreation. No new permanent construction should be permitted. Existing structures should be

phased out, or, possibly, flood-proofed (although it would probably be cheaper to move them than to flood-proof them).

Present river and lake terraces are relatively level and are usually well-drained. Such sites are ideal for towns and villages. Intensive land use is appropriate.

Hillsides are usually unsuitable for intensive use. They do accommodate working forests on a perpetual yield basis and do make a suitable place for hunting, skiing and camping. Such forests protect the supply of potable water and dampen the effects of floods, lessening both erosion and siltation.

Certain land forms should never be used on any permanent basis. In this category are:

- wetlands,
- high altitude forests, which produce more precipitation than lower sites, are on thinner soils and have less biological diversity,
- unique ecological and geological sites, and
- certain cultural areas.

If we, as a people, were wise and forbearing, we would adopt a land ethic of this sort for our own long-range benefit and as a guarantee that our descendants will have a reasonable world of both beauty and usefulness.

R. M. Brett
Woodstock, Vermont

The Council

Don Hooper

Temporarily short-handed while Seward Weber enters the second term of his Mellon Fellowship at Yale, the Council has been particularly busy—and effective, we think—in recent months.

First, we are happy to report that Seward is now mending well from a nasty leg break which he sustained last fall in a bicycle/truck confrontation on the streets of New Haven. Having overcome a subsequent bout with hepatitis, Seward has returned to class in a thigh-length cast. The cards and good wishes from Vermont friends greatly buoyed his spirits during convalescence. He will be back with us in mid-May.

Thanks to the special generosity of many Council members, we finished 1982 in the black—in spite of an anticipated fourth quarter deficit and the national recession's toll on charitable giving.

Our membership roles are the highest ever—over 3200 individuals—thanks largely to Sylvia Stewart's fine work as Membership Secretary. (Take a look at that new member list in the box below!) Sylvia also reports that renewals are coming in well with nearly 20% choosing to upgrade their memberships by \$10 or more. Way to bite back at inflation. We thank you.

In recent months, we have benefited from the services of nearly twenty college and graduate student interns. They have written articles for the VER, researched legislative issues, gathered evidence, monitored hearings, attended meetings, prepared testimony and extended our capabilities in many areas. If you know of an able prospective intern, or would like to volunteer yourself, give us a call. I'm sure we can hook you up to a meaningful project. The environment needs all the help we can muster right now.

Several VNRC committees—also staffed by volunteers and Board members—are going full-bore. The Land Use Committee has taken on wilderness, ground water and development issues, while the Energy Committee has been meeting weekly to formulate the Council's re-

sponse to the State's 20-year Electrical Energy Plan.

Having just returned from a stimulating, but discouraging, regional update by the Washington staff of the National Wildlife Federation, I am dismayed to confirm that our life support systems—our air, water, and public lands—are under full-scale assault in Washington. We'll try to keep you posted in the VER on Congressional responses as they develop.

On the home front, the environmental community kicked off the '83 session of the Vermont General Assembly with a legislative breakfast in Montpelier. More than 50 people attended, half of whom were legislators on the important Natural Resources, Energy, and Fish and

Game committees. VNRC Board member Monty Fischer and Antioch graduate student Margy Erdman are heading up VNRC's lobbying efforts this year. We are closely watching more than two dozen environmental bills, and have testified on seven of them in the past two weeks. Some of VNRC's positions are reported in the "On the Hill" column on page 2. Stay close to your phones, we may need you as debate heats up in the latter part of the session. Grassroots efforts will make the difference between winning and losing some of the bills.

Don Hooper is the Acting Executive Director of the Vermont Natural Resources Council.

mation and childcare notification, write or call Nick Meyers, 40 Platt Street, Winooski, VT 05404/ (802) 655-3767.

Friday, March 4, 10:00 a.m.

Peter Hutchins, a Montreal lawyer, discusses aboriginal and treaty rights of Native peoples in Canada at the Center for Northern Studies in Wolcott. Call 888-4331 for information and reservations.

Sunday-Saturday, March 20-26
National Wildlife Week.

Saturday-Sunday, March 26-27

The Fifth Annual New England Environmental Conference at Tufts University in Medford, Massachusetts, sponsored by the Lincoln Filene Center and 140 New England environmental organizations. Over 30 workshops will address current regional issues such as clean air and water, public lands policy, Georges Bank exploration, wetlands regulation, the nuclear freeze issue, hazardous wastes, energy and other subjects. Registration is \$50.00 per person. For more information, call Nancy Anderson or Deborah Manning, (617) 381-3291 or 381-3451.

Friday, April 8, 10:00 a.m.

Stephen Loring discusses land claims of the Naskapi of Labrador at the Center for Northern Studies. No fee. For information and reservations, call 888-4331.

Friday - Saturday, Apr. 15-16

Learn how to resolve disputes through negotiation and mediation at a workshop sponsored by the Center for Northern Studies in Wolcott. William Lincoln, Co-director of the Little National Center for Collaborative Planning and Community Services and a former Regional Director for the American Arbitration Association will teach basic negotiation and mediation skills through simulation, group discussion and direct instruction. \$65.00 includes two full days of instruction, two lunches and dinner Friday evening. Overnight accommodations available. Please register early by calling Gail Osherenko at 888-4331.

Calendar

Tuesday, Feb. 15, 7:00-9:00 p.m.

Vermont Environmental Caucus, VNRC Conference Room.

Tuesday, Feb. 15, 7:00 p.m.

Public hearing on the 20-year Electrical Energy Plan at the Windham Regional Planning Commission, Main Street, Brattleboro.

Wednesday, Feb. 16, 1:30 p.m.

Public hearing on the 20-year Electrical Energy Plan, House Energy Committee, Room 9, Vermont State House.

Saturday, February 19, 10-4

Come to a Mid-winter Festival at the Sterling Institute in Craftsbury Common and enjoy demonstrations of snowshoe-making, cedar/canvas canoe-building and spinning as well as sleigh and wagon rides, cross-cut sawing competition, a "tea boil," talks on using simple wooden tools, music by the

Jake Leg Hobbler, storytelling by Tim Jennings and home-cooked food. For more information, call 586-2561.

Tuesday, Feb. 22, 7:30 p.m.

Public hearing on the 20-year Electrical Energy Plan, Chittenden County Regional Planning Commission, Essex Junction.

Saturday, Feb. 26, 9:00-4:30

The Natural Organic Farmers Association (NOFA) will hold a day-long conference on Growing Food for a Living at the Trinity Methodist Church in Montpelier. Farmers, extension agents and agronomists will lead workshops on farm financing, marketing, management and bookkeeping, improving soil fertility and alternatives to herbicides. Fee: \$9.00 for NOFA members, \$14.00 for non-members. Child care and lunch available. For more infor-

New Members

We're pleased to welcome the following new members, who joined us in November and December: Edward Gray; Regina & David Hubbard; Mildred Olsen; Elwyn R. Kimball; Dean & Phyllis Vittum; Emily B. Connelly; Paul V. Sellman; Mr. & Mrs. Michael Bernhardt; William D. Walker; Robert & Lynn Collins; Amory Bradford; Nan Daeschler; Sidney Lawrence; Betty Ann & Don Lockhart; Raymond G. Godfrey; Ira N. Grant; Jim Maland; W. T. Jerome; Mrs. William Ulrich; Mrs. Phyllis Edlund; The Bookstore, Bennington College; Tim Richards; Russell & Susan Mills; Rose & Allen Revett; Arthur A. Mahren; Vera Whitney; Ron & Barbara Taber; Stephen Whittlesey; Alice Bennett; Alice E. Adams; Nathaniel Leonard; Mrs. John Bell; Mr. & Mrs. James H. Gilbert; Michael Wilson; Helen Jepson; Janet Weiner; Mr. & Mrs. Ronald A. Perkins; Mrs. & Mrs. Bruce E. Johnson; Brian Appleberry; Dr. & Mrs. J. F. Keating; Mrs. & Mrs. William C. Fielding; Mrs. Mary H. Adams; B. V. Mosenthau; Charles Eller; Will Barry; Edna N. Kelley; Allen D. Herbert; Elizabeth Barbarise; Laura Brittain; Mrs. W. Perry Neff & Family; Michael J. Adrian; Horace W. Strong; Albert R. Wakeman, Jr.; Mr. & Mrs. Donald R. Webb; Robert A. Eaton; Jeffrey Slack; David L. Atkinson; Adeline L. Murray; Barbara S. Haas; Sue Peterson; Diana McCargo; Lyn & Edward Blackwell; Mr. & Mrs. William Aiken; Frank B. Lamson; Shale & Rachel Brownstein; Grafton Village Apple Company; Mr. & Mrs. Euclid Farnham; Mrs. & Mrs. Arthur H. Jones; Mrs. Stephen Greene; Iris L. Bronson; Maria & Horace Puglisi; Nancy B. Junker; Mr. & Mrs. Erwin Brown, Jr.; Paul Cabot/High Brook; Warren Kronmeyer; Constance St. John; Steve Grover & Cathy Klein; Harold Avery; Bill McCollom; Mrs. William S. Maple; Victoria Crain; Peter Lilienthal; Ruth Yanai; John Spences; John Brodhead; Robert C. Wagner; Donald Mitchell; Joan E. Price; Barbara G. Rhoad; William J. Gaidys; Sara Norton; Erland Gjessing; Mrs. V. N. Leach; Don Mitchell; National Life of Vermont; Mr. & Mrs. A. P. Simon; Peter Limanek; Nancy M. Niven; Stephen E. Hoke; Evan Ellerson/Jo-Ann Fortier; Geoffrey H. Root; E. R. Langenbach; Richard C. Longfellow, Jr.; Jon O. Hooper; Mr. & Mrs. Robert W. Mitchell; Jane & Nick Heyl; R. E. Williamson; David F. Snail, M.D.; Jack Drake; Rev. & Mrs. George Zabriskie; Jeremy & Beth Ingpen; Fraser Cooper-Ellis; John Greenberg; Ray Corriveau; Mr. & Mrs. James Lobenstine; Francis H. Burr; Milford B. Cushman; Mrs. Francois G. Brutsch; James L. Billings; Mrs. Laurence H. Bankart; Erik Schmidt; Martin Lary; Lyman W. Johnson, DMD; C. Stark Biddle; Charles Proutt; Richard Moore; James & Edith Feeley; Mr. & Mrs. Lawrence King; Mrs. W. J. Bryant; Meadowview Farm I, Inc.; Harrison G. Reynolds; David D. Johnson; Mrs. Frank L. Fuller, III; Gardens for All; Mr. & Mrs. George LeBoutillier; Carolyn & Milton Frye; William Noel; William Shepard; Barbara & Hugh Weedon; Mr. & Mrs. Roy Munger; Mrs. Mary C. Cooper; Allen Evans; Howard E. Woodin; Carolyn Fuhrer; Daniel Martin; Mrs. R. B. Weston; Mrs. Bruce Brodie; Randy & Martha McGlinn; Rev. John A. Marshall; Osborne Halsted; Elizabeth Turner; James B. Engle; Patricia Hickson; Karl Field; Mr. & Mrs. Richard W. Newberry; Montpelier Education Association; Nils M. P. Daulaire; Carol & Elbert Kruger; Carol E. Ward; Edward Shapiro; Mr. & Mrs. J. G. Kristensen; Associates in General Dentistry; Harold Austin; John Ryel; Eugene M. Worthen; Dr. Marshall Dimock; Paul Laffal; Mr. & Mrs. Clinton Renfrew; Joan Cure; Mrs. Robert C. Corrigan; Mr. & Mrs. Harry E. Colwell; Tim Scherbatskoy; Laffal Khan; Simon Lazarus; Marjorie Heyer; Middlebury College Mountain Club; Susan Rogers; Mary K. McDowell; Martin Kovalick; Ralph Bove; Roxanne B. Niles; Stanley Achey; Jack V. Lesnik; Mrs. C. W. Nichols; Russell Spring Craftsbury Center, Inc.; Mrs. George C. Ross; Douglas Rossier; Robert Douglas Haun; George Dizenzo; Angelo F. Odato; Stella B. Sargent; Linda Parry; Mr. & Mrs. Ronald R. Mullins; James K. McQueston; R. W. Amidon, M.D.; Troutbrook Lodge; Kristine S. Winnicki; Robert J. Pulaski; Wibs Edwards; Serge & Doris Hummon.

THE FINE PRINT

Please accept my check to the Vermont Natural Resources Council for the following type of membership:

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

Farmink

"Farmink" is a more-or-less regular column on farmland preservation and agricultural revitalization by Don Hooper, goat farmer and VNRC Acting Executive Director.



I was delighted this week to hear from Mark Lapping, former Board Chairman of VNRC. Mark deserves much of the credit for getting the Council deeply involved in the farming issue. In the letter below, Mark continues to stress our view that the best way to save farmland is to keep it farmed. And the best way to keep it farmed is through a healthy farm economy. I couldn't agree more with the points he makes below:

I am pleased to see agricultural issues and concerns receive the attention of the Council, both in word (VER) and in deed (numerous policies, suits, etc.). It is especially heartening to have witnessed the maturation of the Council's perspective from a time when the farmland issue was little more than a landscape concern to the present time when we see it as a rural and environmental development imperative. However, I would like to make a number of points which I think are germane to the problem.

First, the retention of farmland without the preservation and enhancement of farming as a livelihood makes little sense. As more than one wise wag has noted, "What Vermont farmers need is a few more dollars in their pockets." We must bear in mind the fact that Washington, especially the USDA, simply does not recognize agriculture in northern New England as a sector of concern. Sure, they would initially be upset if we stopped producing maple syrup. But they would very rapidly embrace Mrs. Butterworth's. After all, these are the same people who want to convince us that ketchup is a vegetable!

For all its good intentions — and they are considerable — I am not convinced that Montpelier can alter the economics of agriculture. Consumers and those willing to work hard and long to reorient U.S. agricultural policy are the keys to change.

Secondly, while each farm is important, it is not enough to preserve individual farms.

Rather, we need to think about retaining "critical mass". You may have a fine, productive dairy herd way up on the hill, but if you're the only one there and the milk hauler can't afford to service your farm, you'll soon be gone. Successful farming depends on maintaining a network of agri-businesses and service systems. We must concentrate, then, on nurturing and protecting whole areas with an existing or potential agricultural base. Every loss in these areas chips away at the core — something good management on the remaining farms can't replace.

Thirdly, much of the battle must be waged in the towns themselves. One of the places where everything begins to break down is the local zoning board of appeals. The town plan may say that preserving farming is critical. But if the appeals board gives out variances left and right, the good intentions of the local planning board simply evaporate.

I am reminded of a community not far from Burlington which listed preservation of farming and farmland as its most important consideration in its plan. But when applications came to the Zoning Board of Appeals, literally every variance or map change was granted. Because this process happens on a case-by-case basis, it is slow and does not suggest a real problem. But if variances are taken in the aggregate, if we count the number granted in a town in a given year, we can begin to see the problem for what it is: we are nickle-and-diming farming and farmland to death. This problem cannot be solved in either Washington or Montpelier; it must be addressed by each community in the State.

Fourthly, we must get back to the Legislature this year with a bill to close the 10-acre loophole in Act 250. We simply cannot permit our premier environmental law to be one of the causes of farmland conversion. That is what's happening now and it must be corrected.

Then there is the larger problem of State policy. The Governor's Executive Order No. 52 directs State agencies to consider the impacts of their policies and programs on Vermont's farmland base. But this policy needs to be evaluated and monitored. I fear there may be more rhetoric than substance to this approach.

In closing, I again note my appreciation for the Council's leadership in this issue which goes right to the heart of what Vermont was, is, and still can be.

Mark Lapping is the Director of the School of Rural Planning and Development at the University of Guelph, Ontario, Canada, and a former Chairman of the Board of Directors of the Vermont Natural Resources Council.

BAD NEWS FOR ACT 250'S CRITERION 9(B)

In a disappointing decision for Vermont farmland, Superior Court Judge Thomas Hayes has ruled in favor of a permit for the proposed Windsor Industrial Park. The industrial park developers paid an exorbitant price for their 44-acre site four years ago (partially financed through low-interest VIDA and Economic Development Agency loans), then failed twice to get an Act 250 permit from the District Two Environmental Commission.

What is especially disturbing is that there were other "improved" sites (with road and sewage access) for sale in the area at a much lower price. Because the developers paid so much for the unimproved Windsor site, they were able to convince the judge that they couldn't get a reasonable return on their investment without converting the land to non-agricultural uses.

The judge rejected testimony by State and county agricultural officials and farmers that the land is exceptionally productive and would yield an extraordinary crop of small fruits and vegetables.

In this case, Act 250 was not able to protect the best

of Vermont's prime farmland from a development that had the money (subsidized by taxpayers) to pay an unreasonably high price for land. There is little hope that the 90% of Vermont's farmland that is not as productive as the Windsor site will be able to fend off other developers who choose to buy their way around Act 250.

THIS IS YOUR LAND

"This is Your Land: Public Lands Belong to All of Us," has been selected as the theme for National Wildlife Week, to be observed from March 20 - 26, 1983.

As the Vermont affiliate of the National Wildlife Federation will help distribute more than 2000 education kits to elementary and junior high school science teachers. The kits include stamps, posters and teachers' guides that will familiarize students with the historical and natural attractions of our national parks, forests, seashores, rivers and wildlife refuges. There is a high demand in some districts for these kits, so teachers who want to be sure of receiving one should call Marion MacDonald at VNRC, 223-2328.



VERMONT ENVIRONMENTAL REPORT

Editor
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Acting Executive Director
Donald Hooper

Chairman of the Board
Edward Cronin

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