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 on it. But even if it fails, primarily on the balance of opinion in Vermont.
The Vermont Wilderness Association has proposed to Senators Stafford and Leahy and Representative Jere 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 Lychee Brook and Bristol Cliffs. The areas would cover 18,300 acres, or 3/100 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 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 and Vermont’s “Footpath in the Wilderness”hance recreational opportunities and visual quality.
Vermont has two wilderness areas — Bristol Cliffs near Middlebury and Lye Brook Wilderness near Manchester totaling 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 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 manage other resources 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 area 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 lands would be less restrictive than wilderness and would provide many of the same benefits, but would not require congressional designation.
The public input 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, plant, scenic and other values.
(Continued on page 3)
On the Hill

A Report from the Vermont State House

There was a hearing on February 9 before the House Natural Resources Committee on H.30, the ground water rights bill, which would permit 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. Monte Fischer testified on behalf of VNRC 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 $15,000 FY83 supplemental appropriation for a spruce budworm management program. The program would include a limited application of pesticides such as Bacillus thuringensis (BT), which, although it cannot eradicate spruce budworm, would give forest landowners a hope 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 40 years, and the Vermont facility has been on-line since 1961. There will undoubtedly be considerable public discussion of whether the cost of Yankee decommissioning should be paid by the public or should be paid by the company. VNRC has suggested that liability be extended to investors as well as rate-payers.

A condominium 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 now that towns have completed reappraisals. A 1982 law reduces State aid to education payments to towns with "non-game" grand lists 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 assessment more attractive to farmers. At a public hearing last month on H. 82 (Act 250 10. acre exemption), Vermont sent 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 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. This would enable interested and qualified towns to certify sewage disposal systems for one or two 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.72 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.29 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 home owners 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 it 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.168, 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 benefitting nongame animals and plants. This approach has been tried in 19 States and has been highly successful. Please write or call Marc DesMeules, The Nature Conservancy, 7 Main Street, Montpelier, VT 05602: 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 animal". Do not allow to freeze. Check the weather and mailing times (concerning weather is best). And be sure to notify the recipient! MM

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 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 Massachu- setts."
RARE I AND RARE II

Today's wilderness proposal began six years ago, when Congressman John H. C. Curnow of Southeastern Washington introduced legislation to establish the 5,000-acre RARE I as the acronym for the second "Roadless Area Review and Evaluation" (RARE) II. Congress had deemed an earlier study inadequate because the Forest Service concluded that the plan was not sufficient for wilderness protection.

Conservationists found that about 11,000 acres of wilderness roadless area in the Green Mountain National Forest during the first phase of RARE II. Of that, the Forest Service studied six areas totaling 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 total 28,680 acres.

Senator Leahy held a hearing on the wilderness question in Middlebury with Senator John H. Chafee of Rhode Island last July. At the hearing, all the organizations that testified agreed to 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, 28,530 acres including the main ridge of the Green Mountain between Gap and Lamoille; and Sky Pond, the semi-wilderness Granville Gulf State Reservation on the northern border of Vermont. The name of Sky Pond, one of Vermont's highest peaks. It is included as a Breadloaf RARE II 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 12,330-acre South Unit. Now upwound in winter conditions, the road would stay open through the grilled Lake, Wilder Mountain and Devil's Den RARE II areas, Big Branch. The ski trails would be about 14 miles long and about four miles wide. It is the largest of the four areas, it would expand the existing 14,000-acre Lyte Brook Wilderness to include Branch Pond and its high forest plateau.

Yaw Pond Brook Wilderness. 2,680 acres, identical to the Woodford RARE II area, this 6,120-acre plateau is dominated by wetlands and brooks. About 2,000 acres of the area are 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 10 percent of the State, which is 85 percent forested. Land proposed for wilderness is already 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 enrollment 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.
New State Strategy Emphasizes Local Action
Protecting Vermont's Ground Water

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 activity locations 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 sources was assembled and analyzed.

The studies revealed that Vermonters are affected by contamination from a variety of sources. One in seven someone in the state gets their drinking water from ground water. The Department reports that contamination of ground water sources is a very difficult local management decision.

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 Act establish ground water protection requirements. And at the State level, health, water pollution, soil and hazardous waste, subdivision, public buildings, municipal and regional land use planning and development control laws—including our famous 2260—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. Local 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 ground water for their drinking water—117 total, 118 in part.
- 385 of the 385 community water supplies in the State serve populations of fewer than 500 people.
- There are approximately 60,000 individual ground water sources in Vermont.

AQUIFER PROTECTION AREA FINDINGS

- The 209 individual mapped areas cover 21,726 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.
- 13 of the 119 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 agricultural, forestry or low-density residential development.
- 59 (or 21%) of the systems fell into a possibly protected category. Existing or proposed land uses may create some obstacles to protection.
- Of the 23 systems that have minimal protection. These supplies could be contaminated by existing or proposed land uses.
- Aquifer Protection Areas (73%) of the systems studied are not protected. These 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 to build a ski lift extension. The Forest Service called the meeting to hear comments on its Environmental Impact Statement, which selected full implementation of the Sugarbush expansion plan as its “preferred alternative.” Marion Mac-Donald, who presented Forest Service 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 Carrying Capacity (CCC) from 6150 skiers per day to 11,650, by replacing and building new lifts and building three new lifts and some additional trails that connect the 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 the full implementation of the Master Plan as its “preferred alternative.” “This alternative appears to generate no non-mitigatable 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 attempt at 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-mitigatable adverse impacts” while “sustaining the local economy.” We feel that the EIS overestimates the economic benefits of the ski area expansion and places too little emphasis on the environmental consequences.

WATER QUALITY

This shortcoming is most apparent in the discussion of water quantity. The Forest Service Study says that there will be no significant changes to water quality, but there is no detailed discussion of the changes.

The study reports that “the maximum daily demand for snowmaking and in-stream flows will be met by the new lift and ski area ex-...” The study also notes that the water supply will not be affected by the expansion.

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 the town of Waitsfield, Jay, Waterbury, and nearby communities. Using the Forest Service’s estimates on population distribution, these workers would be commuting a minimum of three miles per year to work in the Valley.

We also think that the draft EIS underestimates 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 “non-ski season.”

According to the Sugarbush Valley Growth Study, a preliminary analysis projected an increase in housing units in the Waitsfield area.

This is alarming, given the lack of affordability for housing for ski area employees. The Sugarbush EIS predicts that “a large proportion of the incremental households attracted to the region will spend the winter in Waitsfield or Fayston because of high real estate prices relative to income.”

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 commuting communities. Adverse impacts on municipal budgets are unlikely but would require mitigation if significant.” The study does not describe what type of “mitigation” would be available to the town of Waitsfield, for instance, or if it had to build a new elementary school to accommodate an anticipated 300 new students.

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 Valley population will nearly double under the preferred alternative (four percent per year through 1998).

SUMMARY

The Forest Service but- tresst its cost/benefit analy- sis 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 dis- claims 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 regu- lated through Town ordinances and the Vermont Act 250 process.”

The EIS does not examine the ability of the District Environ- mental 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 ordi- nances and building codes has been included as a line item under “increased cost of municipal services.”

The Forest Service’s own reckoning, full implemen- tation of the Master Plan will have a “high” impact on wa- ter quality, 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 projected economic benefits to the public that owns the Green Mountain Na- tional Forest would outweigh the adverse economic and envi- ronmental consequences.

Marion MacDonald is the Editor of the Vermont Envi- ronmental Report.

*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.
Water Quality Standards

In Deep Trouble

Last fall, the Environmental Protection Agency quietly proposed several revisions in their national Water Quality Standards. The changes were designed, according to the EPA, to "give the States more authority to set appropriate site-specific water quality standards based on analysis 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, 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 outweigh the reasonable relationship to the costs," and apply lower water quality standards. The changes 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 accountability 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 the EPA administration of the Clean Water Act.

Last spring, for instance, the EPA proposed a number of revisions in its effluent limitations for various industrial processes. The Water Resources Department announced new pollution and paper effluent guidelines and found that the rules as 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." Regional La Rosa, Director of the Environmental Engineering Division, predicts that there will be a "constant stream of applications" to the Water Resources Board on the grounds that Vermont's Water Quality Standards exceed national requirements. The Department's rule 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, 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 La Rosa. "But I have a lot of problems with how the devil we're going to implement it."
**The Council**

Don Hooper

Temporarily short-handed while he was away from town, Mr. Hooper, in the absence of Mr. Callow, has been particularly busy in recent months.

He is happy to report that Seward is now mending well from a nasty leg break which he sustained but lost in a bicycle/crash confrontation on the streets of New Haven.

A frequent bout with hepatitis, Seward has returned to class in a high spirit despite 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 — spite of an anticipated fourth quarter deficit and the national recession's inevitable giving.

Our membership roles are the highest ever — over 200 members, thanks largely to Sylvia Stewart's fine work as Membership Secretary. (Their names appear in the Membership List that appears on page 11 of this issue.) Sylvia also reports that renewals are coming in about as well as 200 members are not so close to upgrading their memberships by $10 or more, so as to bite back at the deflation. We thank you.

In recent months, we have benefited from the services of twenty-week 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 their capabilities in many other ways. We know you 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 continue to work, including the Nominating and Board members, are going full-steam. The lands of the VNRC need to be protected against the wilderness, ground water and development issues, while the Energy Committee has been busy

Latin to formulate the Council's responsibilities.

**Calendar**

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

*Public hearing on the 20-year Electrical Energy Plan at the Stoddard Regional Planning Commission, Main Street, Montpelier.

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


Saturday, February 19, 10-4

*Come to a Mid-winter Festival at the Sterling Institute in Craftsbury Common and enjoy demonstrations of snowshoe-making, canoe/canoe canoe building and spinning as well as sleigh and wagon rides, crosscut saw cutting competition, a "tea ball," talks on using simple wooden tools, music by the Jake Leg Hobblers, storytelling by Tim Jenks in the Vermont General Cemetery, and 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 Anti- nuclear activist Betty Erdman are heading up VNRC's lobbying efforts this year. We are closely watching more than two dozen environmental bills, and have testify on seven of them in the last 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 to debate hosts of bills during 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.

**New Members**

Please welcome the following new members, who joined us in November and December: Edward Gray; Regina & David Hubbard; Mildred Olsen; Ewen R. Kimball; Deidre Vittum; Emily Comely; Paul V. Sellman; Mr. & Mrs. David S. Seidman; Robert W. Kellner; Raymon D. Godfrey; Ira N. Grant; Jim Maland; W. T. Jerome; Mrs. William Ulrich; Mrs. Phyllis Edmund; The Bookstoker; Bennington College; Richard T; Russell; Susan & Allen Revell; Arthur A. Mahren; Vera Whitney; Ron & Barbara Taber; Stephen Whittlesley; Alice Bennett; Alice E. Adams; Nathaniel Leonard; Mrs. John Bell, Mr. & Mrs. James H. Gilbert; Michael Wilson; Helen Jeppson; Janet Weinert; Mr. & Mrs. Ronald A. Perkins; Mrs. & Mrs. Bruce E. Johnson; Brian Appleberry; Dr. & Mrs. J. F. Keating; Mrs. & Mrs. William G. Fielding; Mrs. Mary R. Adams; V. R. Moosethan; Charles Elsler; Bill Barry; Edna N. Kelley; Allen D. Herbert; Elizabeth Barbier; Laura Brittain; Mrs. W. Perry Jeff & Family; Michael J. Adriano; Victoria H. Strong; Albert W. Walkerman, Jr.; Mrs. & Mr. Donald R. Webb, Robert A. Eaton; Jeffrey Shek; William L. Atkinson; Adele D. Murray; Barbara S. Haas; Sue Peterson; Diana McCargo; Lyn & Edward Blackwell; Mr. & Mrs. William Atkinson; Frank R. Lamson; Sheila & Rachel Brownstein; Grafton Village Apple Company; Mr. & Mrs. Roberto Edel; Mrs. & Mrs. Arthur Simonson; Mr. & Mrs. Stephen Greener; Iris D. Brown; Maria & Horace Puglisi; Nancy B. Junker; C. M. Campbell; Mr. & Mrs. Erwin Brown; Mr. & Mrs. Cabot/High; Warren Kroonweyer; Constance St. John; Steve Greer & Cathy Klein; Harold Avery; Bill McCollum; Mrs. William S. Maple; Victoria Grain; Peter Lillianth; Yulan Yean; John Spence; John Brodhead; Robert C. Wagner; Joan P. Fevre; Barbara G. Rohto; William J. Gaidy; Sara Norton; Elrad Gjesmon; Mrs. V. N. Leach; Don Mitchell; National Federation of Women of Vermont; Mrs. W. P. D. Foss; John Shove; Nancy M. Broman; Nancy M. Doolin; Reke; Fran Elson; Mrs. W. J. F. Scrope; Mrs. William C. Stoddard; E. R. Langenbach; Richard C. Longellow; Jr.; Jon O. Hooper; Mr. & Mrs. Robert W. Mitchell; Jane & Nile Hey; R. E. Stoddard; David F. Smith, M.D.; Jack Drake; Rev. & Mrs. George Zaharoff; Jeremy & Bel Ingles; Frances O'Hara; John Adams; Mrs. James Adams; Mrs. Francis R. Burr; Mildred B. Cumman; Vincent G. Bruchs; James L. Billings; Mrs. Laurence H. Bankart; Erik Schmidt; Martin Lary; Lyman W. Johnson, DMD; C. Stark Bishop; Mrs. Robert D. Bishop; Mrs. James & Edith Feeley, Mr. & Mrs. Lawrence King; Mrs. & Mrs. James & Edith Feeley; Mrs. Rush Farm, L., Inc.; Harrison G. Reynolds; David D. Johnson; Mrs. Frank L. Fuller, IIII; Gardena for All; Mr. & Mrs. George Le- Bouloumier; Candida and Milly Wills; William Noord; Stephen Shepherd; Barbara & Hugh Webno; Mr. & Mrs. Roy tho; Mrs. Richard E. Woodland; Dorothy F. Fisher; Daniel T. Hooker; Mrs. Edward W. Wood; Laura Powers; Peter Coe; Randy & Martha McGinn; Rev. John A. Marshall; Osborne Hubert; Elizabeth Turner; James B. Fogle; Patricia Hecken; Karl Field; Mr. & Mrs. Richard W. Newberry; Montpelier Education Association; Nko M. P. Dauble; Carol & Elizer Krueger; Carol R. Ward; Edward Shapiro; Mr. & Mrs. J. G. Kristensen; Associates in General Dentistry; Harold Austin; John Ryel; Eugene M. Worrall; Dr. Elman; Mr. & Mrs. Chontsui Renfrew; Joan Core; Mrs. Robert G. Corgian; Mr. & Mrs. Carter Alphonse; Elizabeth Becherberger; Marge Hoyer; Middlebury College. Lauren, William B. Homan, J. Robert; Susan Sanders; Jacky S. McPhee; Susan D. McDaniel; Marblehead; Steven M. Loew; Mark A. Hines; Robert W. Kent; John B. Reardon; Mrs. Mary K. McDonald; Martin Kovalov; Ralph Bove; Roxanne B. Niles; Stanley Acech; Jack Y. Levens; Mr. C. Nielson; Russell Springfelter Craftsbury Center, Inc.; Mrs. Robert C. Brown; Mrs. Robert Deacon; Mrs. J. McKeon; R. W. Amidor, M.D.; Troutbrock Lodge; Kristiine S. Winnick; Robert J. Pulaski; Witto Edwards; Serge & Doris Humann.

**mation and childcare notification, write or call Nick Meyers, 40 Pratt Street, Winooski, VT 05404 (802) 655-3777.

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

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

Saturday-Sunday, March 20-21

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 Fireline Center and 140 New England environmental organizations. Over 70 workshops will address current regional issues such as clean air and water, public land policies, Georgeans exploration, wetlands regulation, the nuclear freeze, hazardous waste, energy and other subjects. Registration is $50.00 per person. For more information, call Nancy Anderson or Deborah Manning, (617) 381-3291 or 881-3451.

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

Sculptor Elizabeth Hall will speak and claims of the Naskapi of Labrador at the Center for Northern Studies in Wolcott. William Lincoln, Co-director of the Little Belt Center at the Center for Collaborative Planning and Community Services and a former Regional Director for the American Arbitration Association will speak on 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 Gal Osheroff at 888-4331.

THE FINE PRINT

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The Vermont Natural Resources Council
7 Main Street, Montpelier, VT 05602
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 farmland preservation 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 econony. 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 land-use 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 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 the economy. Surely, it would be prudent initially be upset if we stopped producing maple syrup. But if 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 certainly— I am not convinced that Montpelier can alter the economics of agriculture. Consumers and those willing to work hard and long to re-reat 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 hauling vehicle won’t be able 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 everywhere 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 farm 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 nicking-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 farm-land 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 exhorbitant 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 use.

The judge rejected testimony by State and county agricultural officials and farmers that the land is exception- ally 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.

Vermont environmental report

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