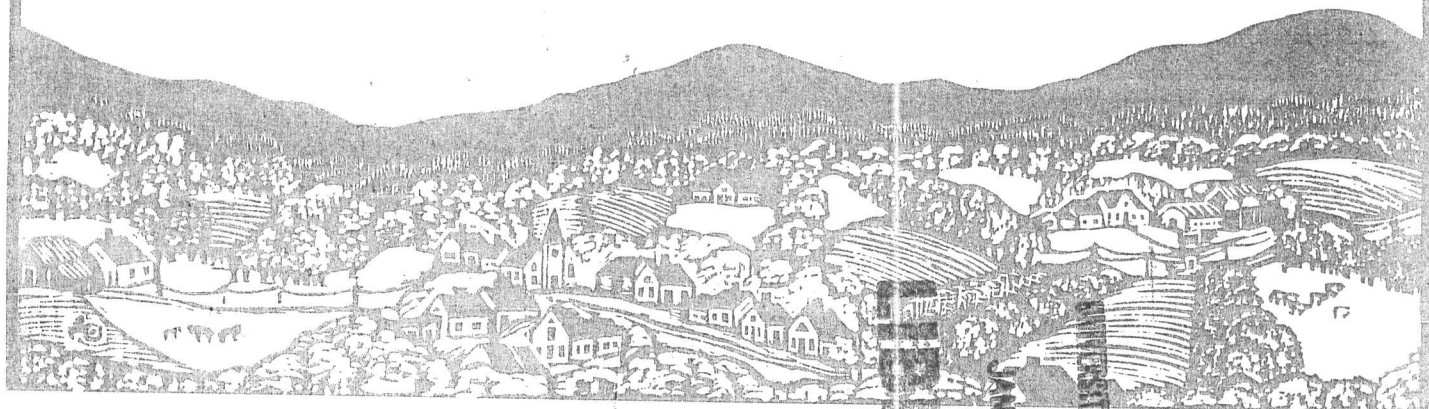


VNRC Bulletin



January 15, 1985

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58th BIENNIAL CONVENES

An historic new administration and new faces in the Legislature welcomed returning lawmakers as the 1985 session opened on Jan. 9. The election of Madeleine Kunin as Vermont's first woman governor opened the door to the biggest administrative and political shakeup in Vermont state government in nearly a decade. Given the realities of an inherited state budget deficit that the Kunin administration and the Legislature must face, VNRC is concerned that environmental legislation may take a back seat. Important bills relating to rapid resort development, water quality, groundwater use, energy and toxics have been or will be introduced and will require your support. VNRC members are urged to establish and maintain communication with your senators and representatives to ensure that environmental bills are not lost in the shuffle.

Here's a partial list of the new "team" affecting state environmental issues:

Leonard Wilson, Secretary, Agency of Environmental Conservation
Norm Wright, Commissioner, Dept. of Fish & Wildlife (returning)
Gerald Tarrant, Commissioner, Public Service Department
Stephen Kimbell, Director, State Planning Office

To Be Appointed:

Chairman: Environmental Board

Commissioners of: Water Resources and Forests, Parks, and Recreation

VNRC's LEGISLATIVE AGENDA

DESTINATION RESORTS: At the top of VNRC's list are several proposals to amend Act 250, and/or the regional planning mechanism under the Planning and Development Act, to address the cumulative impact of year-round, destination resort developments currently permitted on a project-by-project basis in the Act 250 process. None of the proposals has been introduced to the Legislature yet. Realistically, the scope of the problem may prohibit any immediate attempts, legislative or otherwise, to provide the "optimum" balance of regulation and planning necessary for reviewing both the environmental and economic impacts of large-scale development. Both Madeleine Kunin and Len Wilson have placed the growth management problem high on their list of important issues for 1985. VNRC will strive to assist both the administration and the Legislature in responding to the impacts of unchecked growth on the environmental quality of Vermont.

ACT 250, H.29: This is a slightly modified version of a bill which passed the House last year and then died in Senate Judiciary. It is a consumer protection measure which would require recording the terms and conditions of land use permits as well as notices of violations and revocations in local land records kept by each town clerk.

REGIONAL PLANNING: A bill expected to be sponsored by new Senate Energy and Natural Resources Chairman Arthur Gibb (R-Addison) would expand the role of regional planning commissions by development of a "regional capacity plan." The "plan" would emphasize capital budgeting, strengthening of local town plans, and formation of a study commission. VNRC considers this a positive step in the process of evaluating regional needs and resources. VNRC also thinks the extent of the State's role in providing policy direction and support needs to be specifically described.

RIVERS PROTECTION: Though unreported yet, bills are expected from each chamber of the House that would set the stage for a statewide rivers protection policy. Similar in concept to programs used in Maine, Oregon and Massachusetts, the policy would designate certain sections of Vermont streams and rivers as unavailable for polluting wastes, dams, or other adverse impacts that could degrade their scenic and recreational values. VNRC strongly supports this concept due to the increased demand on Vermont's rivers for sewage disposal, hydro development, and industrial needs.

GROUNDWATER: Three important bills pertaining to groundwater will receive the attention and support of VNRC this session:

1) H.65, sponsored by Lixi Fortna (R-Warren), will require the state to do both an inventory of existing underground tanks in Vermont and prescribe performance standards for new tanks going into the ground.

2) Correlative rights - sponsored by Henry Carse (R-Hinesburg) and Betty Nuovo (D-Middlebury). "Vermont is the last state in the union which still adheres to the law of absolute ownership concerning ground water" said Prof. Steve Dycus of the Vermont Law School. The existing law allows a landowner to pollute or withdraw all the water under his property potentially ruining his neighbor's supply. The correlative rights law recognizes ground water as a resource to be shared among neighboring users. VNRC encourages its members to support this needed change in Vermont law.

3) S.11, sponsored by Peter Welch (D-Windsor). This two-part bill relates specifically to the powers of the Water Resources Board. Part one broadens the Board's jurisdiction to include ground water when writing water quality standards and stream reclassifications. Part two would allow the Board to to ascribe specific conditions, such as the kinds of allowable discharges, to stream reclassification orders. VNRC supports both aspects of this bill as necessary to the Board's ability to arbitrate water resource policy in the best public interest.

ENERGY: VNRC will be monitoring energy bills this session relating to the low-level nuclear waste compact and funding and administrative reorganization of the HEAT/RCC programs. The VNRC Energy Committee has recently released a fuel conservation and weatherization proposal for low-income households that emphasizes a shift from the cost of yearly fuel assistance programs to more long-term energy conservation through weatherization. A first step to this proposal may require a Legislative request to waive the federal statute that allows only 15% of fuel assistance monies to be spent on weatherization.

Sen. Mary Skinner, (D-Washington) is expected to sponsor a bill calling for a "certificate of public good" for out-of-state utility investments along with a requirement for large utilities to purchase energy from small-scale independent producers before going elsewhere. Other energy items to be aware of include solar energy tax credits, and the progress of utilities in meeting the goals of the 20-year state electrical plan.

TOXICS: High on the Governor's list is the formation of a state "superfund" for cleanup of hazardous waste areas and emergency spills. The fund would be paid for by handlers and users of toxic and hazardous chemicals and would pick up part of the tab that federal superfund monies have been unable to provide. The other major toxics legislation to be considered are the bills H.23 and S.17 which offer workers and their communities the "right to know" about toxic and hazardous substances present in the workplace.

FEDERAL LEGISLATION:

Along with new administrators at the Environmental Protection Agency (Lee Thomas) and the Interior Department (Donald Hodel), this is a crucial year for several significant pieces of environmental legislation. Tough congressional battles loom over:

- | | | |
|-----------------------|-------------------------------|--------------------------|
| - The Clean Air Act | - The Safe Drinking Water Act | - Superfund |
| - The Clean Water Act | - The Federal Insecticide Act | - Endangered Species Act |
| - The 1985 Farm Bill | | |

The coming year looks better for environmentalists at the national level. However, VNRC members are encouraged to remind Vermont's delegation of your concerns for the above bills.

Senator Patrick Leahy 1-800-642-3193, 229-0569 (Montpelier)

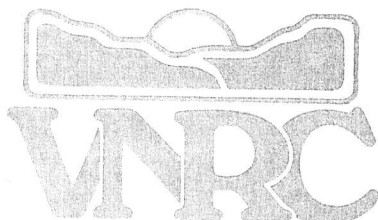
Senator Robert Stafford 1-802-951-6707 (collect)

Representative James Jeffords 1-800-835-5500, 951-6734 (Winooski)

Call VNRC at 223-2328 to: get names of your local senators & reps. (and whether you can be called on to lobby them) as well as information on any of the above bills. HAPPY NEW YEAR!

Vermont Natural Resources Council
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