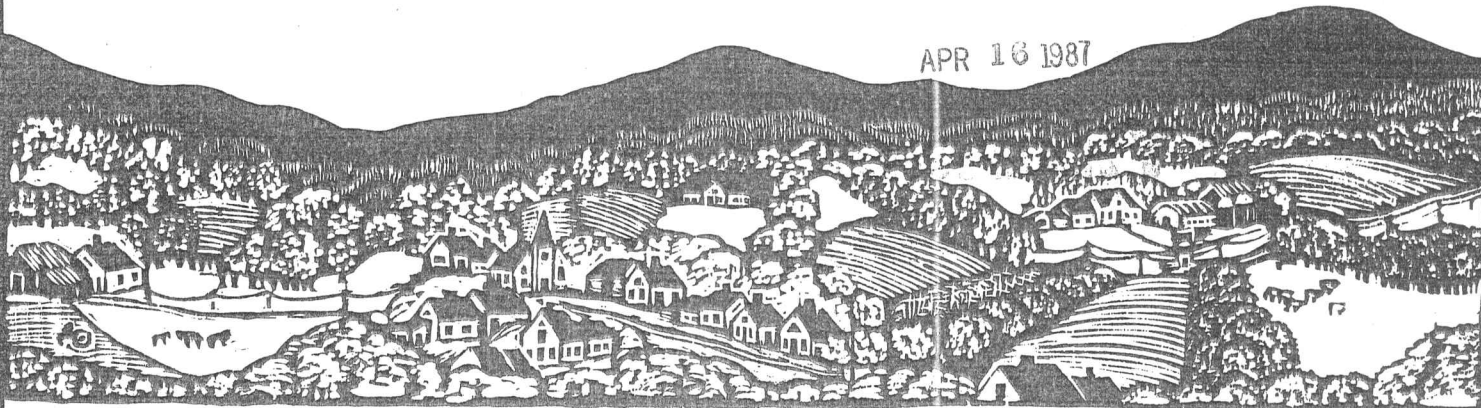


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April, 1987

ENVIRONMENTAL BILLS FINALLY OUT AND MOVING

The 59th biennium of the General Assembly rolled into motion slowly this year due to the revamping of Committee membership, changes in leadership and some difficulty in prioritizing the legislative agenda. However, both House and Senate Natural Resources Committees, chaired respectively by Rep. Stephen Reynes (D-Pomfret) and Sen. Doug Racine (D-Richmond), have been working long and diligently on a number of important environmental bills, many of which have only recently been voted out of Committee and moved on to review by the full House and Senate.

VNRC is working vigorously on several bills concerning solid waste management, rivers protection, conservation and housing trust fund, underground storage tank liability, and amendments to Act 250. The Council has provided testimony on many occasions, and several of these bills will be coming to the House and Senate floor in the next couple of weeks. Your calls and letters to legislators at this time are an important follow-up to the lobbying activities of the Council staff.

Here's the legislative lineup:

H.196 & S.166 These are the two solid waste bills that have consumed the majority of Committee time this session. Several drafts have been considered on both sides including a joint proposal by VNRC and the Vermont Public Interest Research Group. Both bills begin with clear policies on waste reduction, accountability for disposal costs, and waste management that encourages "innovation and individual responsibility."

Each bill entails a comprehensive package that includes a rewrite of the state solid waste management plan with priorities on reduction, reuse, and recycling plus technical assistance to towns and regions for landfill siting, closure or remedial work (such as the installation of liners or leachate control systems). Planning assistance to encourage waste facilities that incorporate recycling and separation of hazardous wastes are also emphasized with biannual reports required on the feasibility of product bans or special packaging taxes.

A major sticking point will be in how to pay for the estimated \$5 million minimum outlay. VNRC is urging a fee system that places a primary burden for waste disposal costs on those who generate the waste. The landfill surcharge is a logical source for assessing these costs as it raises money based on the activity causing the problem and sends a message to those who produce the wastes--all of us.

We will need your help in insuring that the landfill surcharge remains an integral part of the financing picture for solid waste. The Vermont League of Cities and Towns has taken a position against the landfill surcharge, preferring instead to rely on yearly appropriations from the state budget. The fact remains that waste disposal in Vermont is convenient largely because we subsidize it through property taxes with no incentive to reduce or segregate the waste stream and we also have yet to face the limitations of space like some of our more urban neighbors in other states.

The primary difference between the House and Senate bills is in the distribution of technical assistance funds and planning activities. The Senate is pushing to utilize existing regional planning commissions since all indicators for future solid waste management point to the need for regional cooperation on both economic and environmental grounds. The House bill sticks with the status quo which allows several variations in funding eligibility between solid waste districts, union municipal districts, or individual towns. VNRC is encouraging the Senate approach on this specific issue because of the importance of consolidating and coordinating problems that all communities face in deciding where to dispose of trash.

The solid waste bill will be up for a final House floor vote by the 2nd or 3rd week in April. Unfortunately the House bill H.196 must pass in order for solid waste legislation to survive, (the Senate missed their "crossover" date on S.166) Encourage your legislator to vote for H.196 without weakening amendments!

H.339: This is the rivers protection bill which will be up for a House floor vote by mid-April after receiving last minute review by the House Fish & Wildlife Committee. H.339 allows communities to petition the Water Resources Board for designation of certain river segments as Outstanding Resource Waters. Designation is on the basis of "natural, recreational, cultural, historic or scenic" values identified in public hearings and would result in protection from specific in-stream activities including streambed gravelling, new dams or impoundments, and diversions of water. H.339 improves existing regulatory processes concerning minimum streamflow and permit enforcement, and takes advantage of recent changes in Congress that give states a greater role in rivers protection decisions. The bill is strongly supported by the Vermont Rivers Alliance, a twelve-member coalition of which VNRC is a member.

H. 383: ...is aimed at slowing the statewide speculation of land as practiced by several corporate land subdivision companies. This activity was the subject of a fall 1986 report by VNRC which detailed the environmental problems and burdens that rapid subdivision places on small rural towns. H.383 seeks to broaden the jurisdiction of Act 250; by removing the "5-mile radius, loophole" the bill requires speculators who cause many subdivisions in one area to obtain a land use permit. The bill also restores the effectiveness of the Vermont Land Gains Tax as a deterrent to land speculation, through differential tax rates on land bought, subdivided, and resold within 3 months, 6 months and one year. The bill was voted out favorably by the Hse. Natural Resources Committee and is now in Hse. Ways and Means Committee.

H.95: Creates a Housing and Conservation Trust Fund to allow for the acquisition of special properties that meet the needs of affordable housing interests, farmland conservation or natural areas of ecological significance. A board comprised of a cross-section of the above interests would review applications for expenditures from the fund. H.95 is also anticipated to complement ongoing activities of existing private land trusts and community housing efforts.

H.197: Initiates an Underground Storage Tank Assistance Fund through a three-year penny-per-gallon tax on motor fuels. The tax is expected to raise roughly \$6 million to assist small dealers of gasoline and diesel in upgrading leaky tanks and retrofitting to comply with the new double-wall tank standards required in the 1985 legislation on new underground tanks.

H.162: This is the "cumulative impacts" bill which received much attention last year as H.295. As H.162, the bill was voted out of the Natural Resources Committee early in the session; it then resided for two months in the House Ways and Means Committee. Just last week, however, the bill came out of Ways and Means and is now in the House Appropriations Committee.

H.400: Amends certain administrative procedures of the Current-Use Tax program to reduce the paperwork for town listers and consolidate the filing of applications with the Tax Department. Two positions are created to administer the now over \$7 million dollar state program for farm and forestland management.

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ANNOUNCEMENTS

* **April 11:** Annual mtg. of the Vermont Assoc. of Recyclers from 9-4 at the Burlington City Hall, featured speaker: Jerry Powell, Editor of Resource Recycling Magazine.

* **May 2:** Join the Winooski Valley Park District, the Lake Champlain Committee and Mad River Canoe for a "Green-Up of the Winooski River" by land and canoe with refreshments at the historic Ethan Allen Homestead. For info. call WVFD at 863-5744.

* **May 7-8:** The UVM Extension Service and the U.S.D.A. will sponsor a two day workshop entitled "Prescribed Burning in New England." Call 656-3253 for more info.

* A Massachusetts firm is accepting listings and display advertising for a Vermont edition of the "Green Pages", a directory of environmental services and products. Contact: the Green Pages at 10 Crosby Road, Lexington, MA 02173 or (603-862-2911)

Vermont Natural Resources Council
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