

ACT 250 BESIEGED

Vermont's development review law, Act 250, is under siege, but so far Gov.

Howard Dean and the state Environmental Board have stood firm against misguided — or calculated — attempts to weaken or undermine the law, according to VNRC's Deputy Director for Policy, Steve Holmes.

The attack has come from business groups complaining Act 250 has become cumbersome, lengthy, and a drag on job and business growth. They want a number of "reforms." VNRC has strongly opposed most of the changes, arguing the changes would make it harder for the public to testify and participate in hearings, curb the appeal process, and tilt the playing field toward developers.

At a key hearing of the board Nov. 18, Holmes testified that the changes wanted by the business groups would "strike at the very heart of the law — the ability of ordinary people to participate fully and informally in an open, non-threatening democratic process."

To its credit, the board subsequently jettisoned most of those proposals as unwarranted, says Holmes. At the same time, the board expressed a willingness to consider a reform idea backed by VNRC, which contends many of the delays blamed on Act 250 are caused because applications are incomplete and state and local permits haven't been obtained. The proposal, called "sequential permitting," would require all other per-

mits to be in hand before Act 250 hearings begin.

VNRC also was also successful in a meeting with Gov. Howard Dean, who agreed with a VNRC request to decouple Act 250 legislative reforms from his major 1993 economic package. Holmes says VNRC's concern is that, as part of a larger bill, Act 250 reforms could be held hostage or become a politi-

cal football instead of being judged solely on the merits.

As it stands now, Holmes says the Environmental Board continues to draft an Act 250 package for the Dean administration to submit to the Legislature. While praising its "thoughtful efforts," he says VNRC may decide to take a "pro-active" role and sponsor its own bill on permit reform. Stay tuned.



VNRC's Steve Holmes testifying at state Environmental Board hearing.

WATER WITHDRAWAL STANCE SUPPORTED

VNRC called in a leading international salmonid (trout) expert this fall to testify in hearings by the Water Resources Board on Sugarbush Ski Resort's plans to withdraw water from the Mad River for snowmaking.

Canadian research scientist Rick Cunjak backed VNRC's contention that the level of withdrawal sought by Sugarbush would cause significant adverse

effects to trout reproduction through ice scour and bottom freezing.

VNRC was the lead organization of a coalition of four groups that opposed the withdrawal plan as excessive. VNRC also argued that Sugarbush had not presented adequate data to back its proposal, says Chris Kilian, Water/Wetlands Program Director. A decision by the board is due in January.

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FIRST BUY FOR LEGACY PROGRAM

The state of Vermont and the Forest

Legacy program marked a milestone with the purchase of a 1,672-acre parcel in Granby containing Cow Mountain Pond. The acquisition was the first in the nation under Legacy, a pilot program in Vermont, Maine, New Hampshire, and New York that will help preserve key tracts of northern forest.

The town was a prime mover behind the purchase, says VNRC Forests, Wildlife, and Public Lands Program Director Jim Shallow, who calls it "a great example of how we can have a public and private partnership to save important pieces of upland forest." The undeveloped pond and surrounding land were bought from the Champion paper company through the cooperative efforts of

Granby and state and federal agencies. VNRC serves on the special state Legacy committee that made the parcel its top priority and has had an active role in Northern Forest Lands policy.

"NON-POINT" PROGRAM SHIFT ON HOLD

During its last session, the Legislature mandated a handoff of the program that controls agricultural non-point source water pollution from the Natural Resources Agency to the Department of Agriculture. But questions by VNRC about both the legality of the move and whether it would harm the effectiveness of the program have put the change on hold.

"Agricultural non-point source pollution — basically runoff from manure and

chemical fertilizers in water — is the single largest remaining pollution source in Vermont," says VNRC Water/Wetlands Program Director Chris Kilian.

According to Kilian, the switch would move Vermont even further out of compliance with federal clean water laws. VNRC is now working with state and federal agencies to try to improve Vermont's compliance.

FOREST ALLIANCE FORMS

VNRC has joined with a broad range of conservation groups to develop a cohesive approach to Northern Forest issues.

The Northern Forest Alliance is an umbrella coalition of 27 groups ranging from the National Wildlife Federation and Audubon Society to regional and state organizations, such as the Appalachian Mountain Club.

VNRC Forests, Wildlife, and Public Lands Program Director Jim Shallow says the group hopes to enhance its influence by presenting a unified front on diverse issues, from property tax reform to developing policies for a viable forest industry and forest conservation.

"It hasn't been an easy process, but I'm encouraged by the progress that's being made at this point," says Shallow.



Cow Mountain Pond in Granby