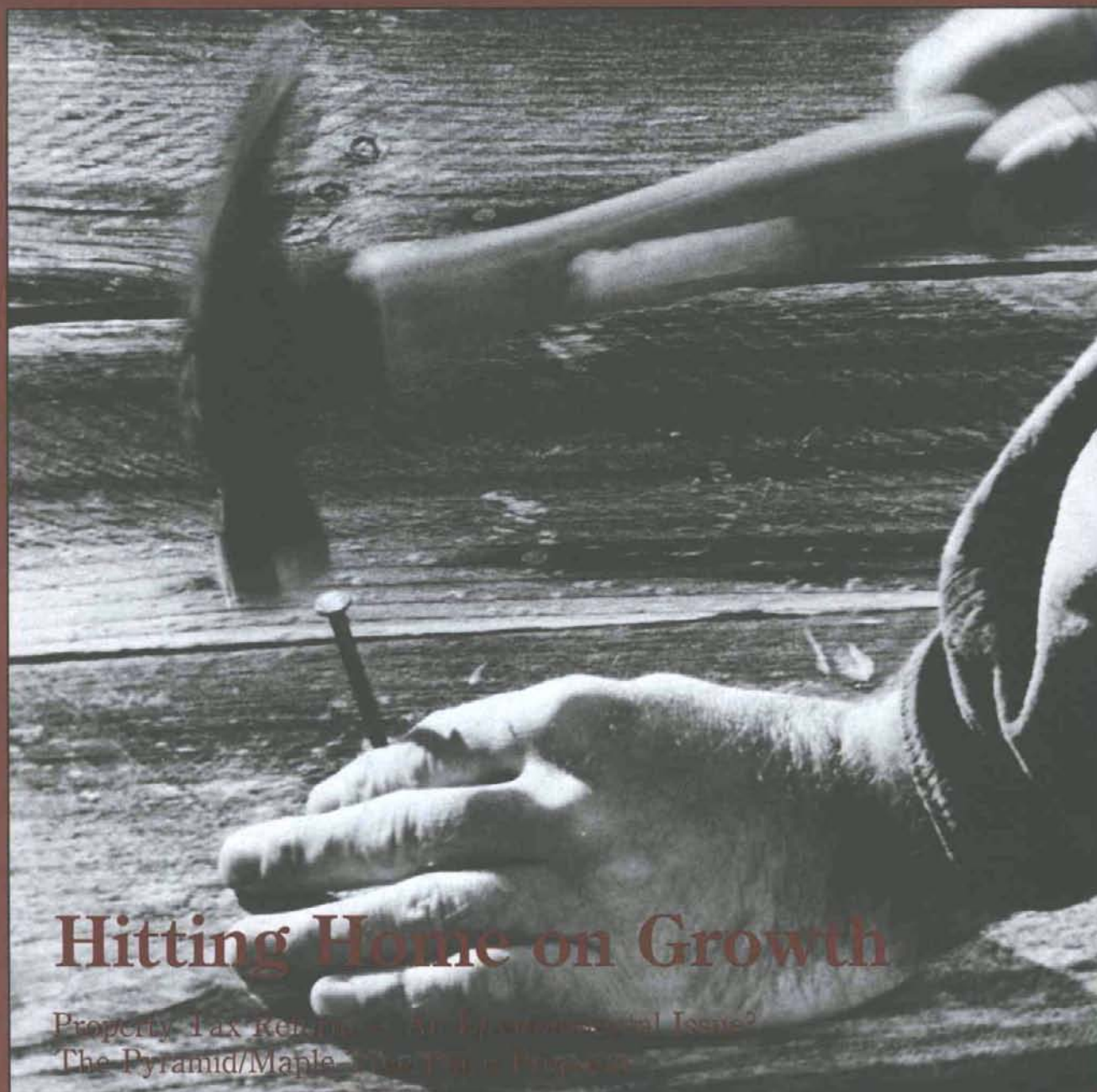


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Vermont Natural Resources Council

Volume 18, Number 2

Spring, 1988



Hitting Home on Growth

Property Tax Reform: An Environmental Issue?
The Pyramid/Maple Grove Plan: Prospects

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Volume 18, Number 2

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The property tax is being recognized as a controlling factor in land use management and environmental protection efforts, and the chorus for property tax reform is growing. By Eric Palola.

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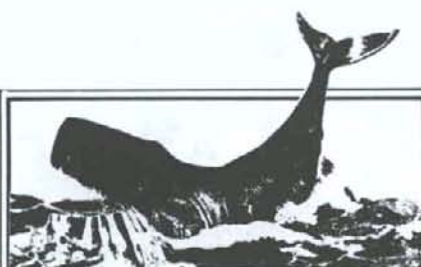


The Vermont Natural Resources Council is a non-profit environmental organization working to promote the wise use of Vermont's natural resources. The Council does legislative lobbying, research, and educational work on a variety of issues including forestry, agriculture, water, energy, hazardous wastes, and growth management.

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FROM THE FRONT OFFICE

More good news for protecting Vermont's natural resources! A new grant has allowed us to open a regional office in southern Vermont. Our new office in Manchester Center will soon be staffed and equipped to focus efforts on Vermont's four southern counties—Bennington, Rutland, Windham and Windsor.



And none too soon. The southern parts of Vermont, within easy reach of the urban areas of our neighboring states and prime locations for second-home and resort developments, are among the most vulnerable to environmental degradation. Growth and its secondary impacts must be anticipated and planned for, to ensure that southern Vermont's rich natural heritage is maintained.

Of course, VNRC is already active in Vermont's southern counties. Articles in this and other issues of the *Vermont Environmental Report* on our involvement in protecting vital deer habitat in Jamaica, our lawsuit against Killington ski area, our work on the Ottauquechee River reclassification issue, and past Environmental Law Conferences in Stratton and Manchester, reflect just some of the Council's work in the region. We hope to be even better prepared to work with area residents and address regional concerns with an on-site office.

Another important task for the southern Vermont office will be following up on the excellent new laws the legislature has passed in the past several years—on the topics of wetlands, rivers, water quality and solid waste, to name just a few. Regulations are needed to implement these laws, and VNRC staff and volunteers have participated in many of the rule-making processes thus far. We will need help monitoring the implementation and enforcement of these laws, and the southern Vermont office will directly assist in this crucial work.

VNRC opens its first regional office with great pride, and anticipation of substantive results. I would like to express my thanks to the generous foundation which made this organizational dream come true, and to the VNRC Board members, especially Joy Green of Dorset, who so persistently and effectively spoke to the need for such an office to be established.

Sincerely,

Monty Fischer

R. Montgomery Fischer
VNRC Executive Director

LETTERS/VERMONT PERSPECTIVE

Dear VNRC, The Homerule Amendment seems to me like one of the most important pieces of environmental legislation now before the General Assembly. I wish you would stake out a strong position supporting it.

I realize how incongruous this may sound to you folks, conditioned as you must be to dealing with the Kunin Administration, legislators, lobbyists, and other bureaucrats. It has become almost axiomatic that wildfire growth happens because the towns... feel the need to enlarge their tax bases—one price of Reaganomics—and thus succumb to the blandishments of big developers. The State, according to this accepted truth, has been hobbled in its efforts to rationalize decision-making and protect the environment by the incompleteness of the Act 250 process: no land use plan. Those locals who trumpet “local control” are dinosaurs and contribute rather innocently to preventing those more enlightened elements in the state from saving the environment and preserving Vermont.

I feel that hyperdevelopment has been encouraged by successive administrations.... The growth bills (H. 779) and S. 282) are about increasing the role of the state as manager and reflect the managerial hubris of their authors.

I agree that the towns must find a way of harmonizing their sometimes conflicting policies. I agree that Sherburne must not be allowed to pollute Bridgewater. But these decisions must be arrived at by an extremely democratic process, not imposed by a state planning council or regional planning commissions. Why?

Most importantly, because direct, participatory democracy seems to me a paramount value....

Stressing a bottom-up structure will require an energetic grassroots educational effort by VNRC and other groups. This is preferable to trying to educate the

bureaucrats and probably more efficient in the long run.

Randy Koch, So. Royalton

While the VNRC Board has never taken a formal position on the so-called Homerule Amendment, your comments on the amendment raise several important questions.

The Homerule Amendment would amend the Vermont Constitution to allow towns to enact charter changes without authorization of the Legislature. The reasons most frequently cited are to allow towns to assess their own sales, rooms and meals, or other taxes.

Persuasive arguments can be made for cities such as Burlington or Rutland that need extra cash for special “urban” needs such as parks or a police force. There is general reluctance to authorize broad new local taxing powers, however; legislators fear that to do so could undermine state taxing authorities, create uncertainty in the state budgeting process, or exacerbate the current financial disparities that exist between towns.

The Homerule Amendment is not simply a vote for or against participatory democracy, but one that describes the fundamental relationship between municipalities and the responsibilities of state government. In that vein it is, as you suggest, an environmentally-related issue.

VNRC strongly believes that a responsible land use planning program will enhance citizen participation rather than centralize decision-making in Montpelier. This is, in fact, a specific goal of the growth legislation. There is a role for the State, however, in providing consistency—such as between different arms of state government, or in the case of major public expenditures for roads or public facilities.

In our efforts to promote a sensible growth management policy for Vermont, it is always challenging to separate the need for a land use decision-making

process—one that encourages participation by all those potentially affected—from the perception that such a process inherently means less opportunity for citizen input.

Ironically, it is due to the lack of clear land use policies that Vermonters stand to lose the most control. Without a strong growth policy, Vermont will continue to be stretched and pulled by the economic advantages enjoyed by some—and the social and environmental problems created by intensive development pressures. EP



At Last: An Environmental Directory For Vermont

If you've ever had trouble finding a phone number for one of Vermont's many environmental non-profits, or been confused about which department does what at the Agency of Natural Resources, we've got good news for you. VNRC has just completed the **Vermont Environmental Directory**.

The Directory includes an annotated listing of Vermont's private environmental organizations, environmentally-related appointive state government, a catalog of Vermont college and university environmental programs, and more. Addresses, phone numbers and contact people are included.

For information on ordering a copy of the Directory, see page 27 of this issue.

Good News! Killington Spray Irrigation Suit Settled

VNRC, the Connecticut River Watershed Council (CRWC) and the Natural Resources Defense Council (NRDC) reached a legal settlement with Killington Ltd. this December, ending a 2½-year lawsuit over the issue of spray irrigation.

The three groups originally brought the suit in Federal District Court contending that spray irrigation of treated wastewater on forest land owned by Killington required a federal discharge permit under the Federal Clean Water Act. The Council was concerned that three sites chosen for spray disposal of sewage effluent were inappropriate due to steep

slopes and shallow soils, and that these sites would allow effluent to reach tributaries of the Ottauquechee River before it had been treated by natural soil processes.

Under the terms of the settlement approved by the federal court, Killington will continue to study the site and must apply for the discharge permit within one year.

VNRC, CRWC and NRDC are very pleased with the settlement. Notes VNRC Associate Director Eric Palola, "With the enactment of Vermont's new water quality legislation in 1986, we believe the protection of the environment will be significantly enhanced. Killington's commitment to complying with the new law before the 1991 deadline convinced us that our goals had been met and that continuation of the legal effort was no longer necessary." SC

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Who Decides On the Plan

Local planners, or Act 250—who knows best? This is the issue in a case regarding Criterion 10 of Act 250 and the authority of local and regional planning commissions.

Criterion 10 of Vermont's land use law requires new projects to be in conformance with "any duly adopted local or regional plan." In general, town or regional planning

officials are responsible for telling Act 250 District Commissions whether proposed projects satisfy Criterion 10. In some cases, however, such as when plans are ambiguous about certain types of development or when there are differing opinions as to a proposal's conformity, Act 250 Commissions make the call.

In these cases, critics claim that the Commissions are going beyond the Act's function as a permit-grantor, and crowding planning commissions' authority to determine conformance to their own land use plans. On the other hand, some believe that judgements by Act 250 Commissions are a necessary balance to the interpretations of local or regional commissions—especially when plans are vague.

This issue is currently being dealt with in Royalton, where a 20-space recreational vehicle park proposed near the White River was denied a permit in April, 1987. Under Criterion 10, the District 3 Environmental Commission rejected the proposal on the grounds that the project did not conform to the regional plan in the area of "aesthetics and recreational values."

Authors of the plan, the Two-Rivers Ottauquechee Regional Commission, however, had a different view of the project—and the plan. In a letter to the District Commission, Senior Planner Kent Stevenson stated, "With respect to Criterion 10, it is our position that this development conforms to the Two-Rivers Ot-

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tauquechee Regional Plan."

Attorney for the project, Tavian Mayer, explained that the uncertainty has caused unnecessary delay and expense, "We met with the Regional Commission, and altered our plans to fit their suggestions under the belief that this would satisfy Criterion 10," said Mayer.

The decision has been appealed by the developer and is currently under review by the Vermont Environmental Board. The decision may have important consequences concerning the role of regional planning commissions and their contribution to the Act 250 process. EP

Parker's Gore Update

The Vermont Environmental Board opened hearings this winter on Killington ski area's proposal for a snow-making pond in the town of Mendon. The "Madden Pond" proposal has opponents, including VNRC, Friends of Parker's Gore, the Town of Shrewsbury, and two area planning commissions worried that its siting within the 3,000 acre Parker's Gore would have wide-ranging effects—from beginning new major development in the Gore, to more specific impacts on critical black bear habitat. (See "The Bears and the Watershed Win A Round at Parker's Gore," *V.E.R.* Summer 1987.)

Opponents argued successfully before the District 1 Environmental Commission last summer that the proposal must be looked at as a part of a bigger development plan. Killington's long-range plans include eight to ten new chairlifts, numerous ski trails, 2-3,000 condominiums, and more. Opponents argued that wildlife, water quality, and growth impacts such as sewage and traffic should be considered with the pond application.

The two issues currently on ap-

peal are the development's threat to wildlife, and Killington's claimed need for the water that would be supplied by the four-acre pond. The Environmental Board is expected to make a ruling on the "scope" issue this spring—whether the pond is part of a larger development—before evidence is taken on the bear habitat issue. SC

Legislative Rules Committee Takes On Ottauquechee River

The proposed Class C zone on the Ottauquechee River, the subject of several hearings and much dispute last year, took a few more turns in a unusual procedural and political showdown before the Legislative Committee on Administrative Rules this March.

The Town of Sherburne, home to Killington ski area and other resort developments, is seeking to reclassify a 200-foot stretch of the upper Ottauquechee River from Class B to Class C. Under the state waterway classification system, Class B waters are managed to protect drinking, swimming and fishing uses; Class C is the lowest water classification, not intended for swimming or other contact recreation.

Traditionally, reclassification has been part of Vermont's effort

to restore water quality to Vermont's waterways. This case could be precedent-setting, however, because the town intends to utilize the reclassification for the direct discharge of treated sewage from new, yet-to-be-built development.

The Rules Committee was the last stop, short of a pending appeal before Rutland Superior Court, in a cumbersome rulemaking process conducted by the Vermont Water Resources Board on the reclassification question. (See "Reclassification of the Ottauquechee On Appeal" *VER* Fall/Winter 1988.) This January, the Board adopted a rule that would reclassify the river segment to "C".

Several conservation groups including VNRC argued strenuously against the reclassification. The Rules Committee, which is charged with reviewing any proposed state government rule under three narrow legal tests for consistency with Vermont law, initially agreed with conservationists' contention that the rule was procedurally and substantively flawed.

The Committee found that the Board's adoption of the rule would violate the state's water quality policy regarding "high quality waters;" that the Board arbitrarily redefined the statutory definitions of Class B and C waters; and that the Board had failed to consider the broad public concerns associated with using



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the river as a receptacle for treated sewage.

In a startling turn of events two weeks later, the Committee effectively negated this vote. Committee Chair Frank DaPrato (D-Swanton) reversed his previous vote, saying, "I don't want to restrict development and restrict growth." Rep. Stephen Reynes (R-Pomfret) countered, however, that Committee members' positions on growth were not the standard of review by which the Committee could accept or reject a proposed rule. "The issue is whether the rule is contrary to legislative intent," said Reynes.

The following week, on a motion from Rep. William Fyfe (R-Newport), the Committee reconsidered, and re-instated their original objections to the rule.

The Committee's final vote was a victory all opposing river downgrading. While the vote does not prevent the Board from adopting the Class C rule, a formal objec-

tion switches the "burden of proof" to the Board to defend their rule if challenged in court.

"The Committee's rejection of the rule may be helpful in our legal case, and it is heartening to know that legislators agreed that the Water Resources Board's review process was misguided and flawed," said VNRC Associate Director Eric Palola.

Seven conservation and local government organizations have appealed the Board's decision in a separate action in Superior Court. Preliminary motions on the suit will begin in April. VNRC will keep you posted on this precedent-setting case for the future management of Vermont's rivers and streams. EP

over 700 Vermonters this winter, through a survey sponsored by the Current Use Tax Coalition (CUTC) and VNRC. *Use Value Appraisal: Helping to Fulfill the Vision* is the compilation of the survey results. The booklet shows, statistically and with quotations, the feedback from a sampling of farmers and forest land owners participating in the UVA program, and members of the Vermont Chamber of Commerce, and regional and town planning commissions.

The Use Value Appraisal Program (UVA), also known as Current Use, allows owners of agricultural or forest land to be taxed at the current use, rather than fair market, value of their property. CUTC is a coalition of Vermont land owners and natural resource groups including VNRC; it was formed to support and improve the UVA program.

According to survey results, 94% of planners responding feel that UVA is important in helping them to fulfill their plans. UVA can also be credited with vastly improving forest land management: at this time, 700,000 acres (one-fifth of Vermont's forest land) are managed under the program—an amount four times that previous to the program's conception.

Business people and planners were asked whether UVA is worth the expenditure; the answer, with 81% and 95% respectively, was a resounding "yes!"

Copies of *Use Value Appraisal: Helping to Fulfill the Vision* are available from VNRC at a cost of \$1.00. SC

New Solid Waste Rules Draw Attention


The new solid waste law that the Vermont legislature passed last year, Act 78, set out waste

Use Value: Helping to Fulfill the Vision

"Use Value Appraisal means the difference between farmers' selling and keeping a farm in some cases," wrote one Fairfax farmer.

"I have my forest land for lumber and wood, not for development. I prefer to have it appraised so that I can receive a profit on my investment, not for what I can sell it to developers for," wrote a Chester man.

These and other comments came in from a cross-section of



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reduction, re-use and recycling as priorities in dealing with Vermont's garbage crisis. The law is only as good as the rules and regulations created to implement it, however. This spring, VNRC and other concerned parties are reviewing the new solid waste management rules offered by the Department of Environmental Conservation.

The rules are intended to provide technical guidance and permitting procedures for new landfills, incinerators and recycling facilities. They will go hand-in-hand with the state solid waste management plan also coming out this spring. The rules provide for the day-to-day permitting procedures while the plan should provide policy oversight and consistency in solid waste planning by towns, regional planning commissions and multi-town solid waste districts.

The proposed rules have drawn concern from many parties including environmentalists, landfill operators and town officials. VNRC has been meeting with other environmental groups and state officials to iron out some of the problems.

High on the list of concerns is a lack of clarity over the use of "performance standards" in such areas as the permeability of landfill liners, the extent to which groundwater must be monitored around landfills, and how leachate will be collected and disposed of.

"It's not clear from the first draft of the rules how you tell if landfills or other disposal facilities are in compliance," said VNRC Associate Director Eric Palola.

VNRC is working closely with the Environmental Law Center in review of the new rules. The Center has collected information on solid waste regulatory programs in other states for comparison to Vermont. Thus far, the Center has found a higher degree of detail in other states on a variety of technical issues than in Vermont's proposed rules, especially in the areas of landfill closure, disposal

of incinerator ash, and monitoring provisions.

The Department is now considering these concerns. Following their changes and the final comment period, the rules are expected to be adopted late this spring. EP



Environmental Educators, Unite!

Environmental educators across Vermont now have an official organization: SWEEP, StateWide Environmental Education Programs, officially incorporated this winter. SWEEP will act as a medium for exchange of informa-

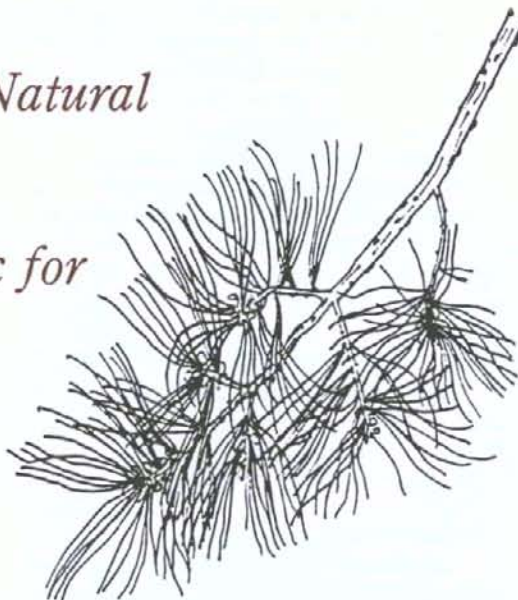
tion, ideas and project news, as well as create a unified voice for environmental education priorities in Vermont.

"Although Vermont environmental educators have gathered informally for SWEEP meetings since 1975, SWEEP is finally coming into its own," says SWEEP Chair Megan Camp. "With our more official membership structure, we will be putting out a newsletter, organizing events and workshops, and acting as a group on issues of importance to environmental education," she adds.

SWEEP members include many individual educators, state agencies and university programs, as well as many Vermont environmental education organizations including Keewaydin Environmental Education Center, Shelburne Farms, Vermont Institute of Natural Science and VNRC. Information on SWEEP is available from VNRC. SC

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Letter From Kirby Hollow

Personal Observations on the Need for Growth Management

The first Dan Clark knew about it, he saw a backhoe working in the meadow he leases. In every section of the field were big mounds of dirt and the machine was digging another hole.

"What's going on?" he asked the operator. "That's my corn you're digging up!"

"Corn?" the man said. "I thought these plants were weeds."

"Weeds?" Dan replied. "When have you seen weeds planted in rows like that?"

Dan had an agreement to use the land—a handshake agreement, unfortunately—with the owner, an elderly widow. When she died a while ago her stepchildren in Ohio fell heir to the property. Presumably their first thought was to develop the land, and they got in touch with a local real estate agent. He arranged with a backhoe operator to dig holes until he found some ground that would pass a percolation test, and Dan arrived just before he completed his 15th hole.

No one had the decency to inform Dan about what was going on, let alone ask his permission. He's just a farmer, after all. And what's seven acres of corn worth, anyway?

Vermont is dying. You don't even have to see it to believe what I'm saying—you can hear it happening. Enormous trucks pound along our roads, hauling newly cut logs out of the woods, hauling concrete and building supplies in; bulldozers snarl at the meadowland and forests they are carving into subdivision lots; everywhere you look, men are pounding stakes into the ground and tying red ribbons to them.

What's happening to our state is not what Rachel Carson called "Silent Spring," but it may be having a more profound effect: we just had the noisiest spring in

Richard Ketchum



"To those who have spent a lifetime in this town, what's vanishing is their world—the land they hunt and hike, the stream they fish, the view they see from their window each morning."

years, the loudest summer, and the source of all that din may be even more ruinous of the land than pesticides and herbicides. Given enough time, the land may recover from chemicals. Development destroys it forever. Noise is followed by more noise—after the giant machines come little ones, chain saws, power mowers, weed eaters, turning Vermont into Scarsdale, replacing the Queen Anne's lace and Joe Pye weed with sidewalks and lawn sprinklers.

For four years a group that includes our town Planning Commission, the Regional Commission, the county's Natural Resources Conservation District, and neighbors who will be directly affected have been opposing a housing development—a development of which it can only be said that everyone who has seen the terrain says it should never be built. The land is steep, ledgy, inaccessible, hazardous for vehicular traffic; the soils are so thin that septage wastes may not be absorbed and will likely contaminate water supplies down slope. Severe erosion problems have already been experienced.

Opponents of the development have attended countless hearings, devoted countless hours to combating it, and at every step the developer's plan has been rejected. Yet he keeps coming back, presenting new plans, new twists to old plans, and the danger is that the dedicated amateurs who have been fighting him will eventually grow tired or indifferent, and if that should happen, he will win because of sheer doggedness.

The developer of that property gives the impression of having plenty of money. So does another man who's planning another nearby housing project, and you can't help disliking them in principle for what they're doing—destroying the countryside when the only justification is to make more money. These developments are playthings to some of these people—something to occupy idle time and energy. But to those who have spent a lifetime in this town, what's vanishing is their world—the land they hunt and hike, the stream they fish, the view they see from their window each morning. And that world is dying because a man from Connecticut arrives in town with a fat wallet and decides to turn a productive farm into house lots for a lot of other rich people. There goes one of the principal deeryards in our town. Here's one more threat to our springs, to an important aquifer. There goes another farm.

In meeting after meeting you hear officials say of developers, "We're going to have to give Mike (or Bill, or Jack) a break, take it easy on him. After all, he's got a lot of money invested in that property." And the rest of us ask, "Did we invite him to come here and carve up that land and ruin the landscape? Is it our fault he invested in property nobody

should build on? Look at the burden he's adding to our school, our road crew, our fire department, our rescue squad, the other town services. Who's going to be holding the bag if his crazy development goes down the tube?"

What is it about Vermont and its officials that wants to welcome the very people who are demolishing the state's environment, altering the quality of life



"If growth is kept within bounds, it can be directed in ways that serve the community, while preserving the character of the place."

that is one of its greatest assets? How many other new businesses receive the same break? I've launched three businesses in Vermont, but no one offered to help me get started or keep going, and I didn't expect it. Neither do most people. Yet for some reason developers feel they deserve special treatment—and often get it.

If anyone in Vermont deserves a special break, along with the state's eternal thanks, it is the farmers—the men and women who do the most to give the state its particular beauty, the special quality Mark Lapping has called "a working landscape." These people who work the land, who tend the animals that graze it—they're the ones who keep it open, who make it a productive, vital community that is so much more beneficial than a playground for second-home owners.

We subsidize ski areas and residential developments with highways and low-cost loans and every kind of local service, while we ignore the farmer and his problems. We are ignoring him into oblivion right now, when we ought to be rewarding him for attracting tourists to the state.

Seven miles from here what used to be a real community is

now little more than a big, angry traffic jam depositing out-of-town shoppers at a bunch of so-called outlet stores that sell down-scale merchandise at up-scale prices. All the money they collect leaves town as soon as it's been rung up in the cash register. The town has been taken over by realtors, developers, lawyers, and out-of-state discount chains. Local shopkeepers, the mom-and-pop stores that gave the place its flavor, are mostly gone now, the old-time residents are moving away, and those of us in the surrounding area who have to do our grocery shopping there would do almost anything to avoid it.

You can't help wondering how the old-timers like seeing their town become a community everybody hates to visit. And unless we do something about it, the state of Vermont could be in the same boat.

What's to be done? If you're like me, you want your town, your county, your state to get tough—and to acquire a reputation for toughness. Remember what happened in Oregon in the early '70s? So many out-of-staters were moving in that Governor Tom McCall put out the word, "Visit Oregon, but please don't stay."

And it worked. The number of tourists went from 9 million to 12 million, and what they saw was a magnificent place that was the most environmentally advanced state in the Union, with clean air and water laws, statewide land-use planning, the first bottle ban, scenic river legislation, a sensible tax policy that helped farmers keep farming, wetland protection—you name it. They saw a state whose governor was a leader, a man of courage who knew what people wanted, and saw that it was done.

"We were trying to make sure we preserved the kind of life people come to Oregon to enjoy," McCall said. "To do that, you have to avoid allegiance to the great god growth, you have to manage growth or watch your quality of life go down the drain."

That's the point, of course: you can't stop growth, but you can

damn well control it. We've all seen spoiled, undisciplined children, reaching out with both hands for all the cookies on the plate, wolfing them down, and crying for more. That's how growth is, unless it's managed. If growth is kept within bounds, it can be directed in ways that serve the community, while preserving the character of the place....

If you care about what's happening to Vermont, if you want it to retain its rural character and unspoiled beauty, go to the Planning Commission meetings in your town. Go to the Zoning Board of Adjustment hearings, the Selectmen's meetings, and tell those officials how you feel about what's happening in your town. Circulate petitions. Get your neighbors together every time a development threatens. Agitate.



"Right now, growth is managing us—and it's killing the state of Vermont."

Get mad. Make demands on the people you've elected to hold office. Call or write your representatives in the state House and Senate. Get in touch with the governor. Tell her it's time we put some real controls on growth in this state. Right now, growth is managing us—and it's killing the state of Vermont.

Tell those folks you elected it's time the people who live here get the same consideration they give to the fellow who just arrived with his lawyer, his engineer, a set of plans, and a bulldozer.

Richard Ketchum is the former and founding editor of Country Journal magazine. This article first appeared in the Sunday Magazine, Rutland Herald/Times Argus. Copyright Richard M. Ketchum; reprinted by permission.



Hitting Home on Growth

Growth is the issue. This fall, thousands of Vermonters came out and testified to the Governor's Commission on Vermont's Future: Guidelines for Growth; the new House Committee on Growth and Vermont's Future has worked all winter on the subject; and the full Legislature is wrangling with the issue this spring.

Growth is the issue; but it is equally clear that growth is *issues*—and every Vermonter has his or her own favorite.

After listening to Vermonters, the Governor's Growth Commission and the representatives and senators struggling to put together legislation this spring have crystallized the issues into several topic areas.

Planning Governor Kunin noted in her "State of the State" address this January that detailed planning legislation went on the books over two decades ago.

"One small amendment, however, made all the difference," noted Kunin. "Instead of stating that towns and regions 'shall' plan, the General Assembly thought it was doing us a favor

by being lenient, and changed 'shall' to 'may.' In 1988," said Kunin, "it is time to change 'may' back to 'shall.'"

Advocates of town "local control" have consistently argued against a stronger regional and state presence in planning activities. However, VNRC Associate Director Eric Palola notes, "Ironically, it is growth pressures that offer the biggest challenge to local control. Many towns have effectively given up control, as a result of ineffective planning, lack of resources, or the lure of new tax base."

Through H.779, legislators are discussing a system for encouraging municipal planning while strengthening the regional planning process.

Agriculture "Anyone who has ever farmed knows that the land you work becomes your lifeblood... trading it for a fat paycheck from someone who will chop it into ten-acre plots and plant houses where alfalfa and clover have thrived is an act of bitter defeat," testified a tenth-generation Vermonter.

Recent cuts in U.S. dairy price supports are an immediate threat to Vermont farmers, and through

H.779, legislators are now discussing a two-year income stabilization program. Governor Kunin, however, has supported a more modest option, the expansion of the Use Value Appraisal program to subsidize 100% of farm land tax bills.

Property Tax The property tax is increasingly being seen as a disincentive to sound land use planning (see following article), and legislators are discussing methods to address property tax inequities.

Housing and Conservation Trust The Growth Commission recommended a significant \$20 million, ten year commitment to the Fund, to continue acquisition/protection efforts for key natural areas and for prime housing and agricultural sites. Legislators agree that increasing the Fund is a priority, and are discussing a combination of revenue sources including dedicated funds and bonding.

VNRC is an active voice in all facets of this year's growth debate, and we will continue to keep members updated through our *Bulletins*. Meanwhile, in this magazine we examine one of the most fundamental factors in the growth debate: the property tax. We also take a look at how the factors integrate; Williston's new mall proposal is a classic example of how different factors, including planning and property tax pressures, have a very immediate effect on a community.

Growth and change are issues that touch a chord in every Vermonter; but consensus is elusive. A woman testifying in Barre before the Governor's Growth Commission quipped, "How many Vermonters does it take to change a light bulb? Three: one to change it, and two more to talk about how much better the old one was."

How the legislature chooses to address these growth issues now will make a dramatic difference in the shape of Vermont in the coming decades—and whether we have to look back and think how much better the old Vermont was. SC

Photo by Craig Line.

Property Tax Reform

An Environmental Issue?

Eric Palola

You can feel the eyes begin to glaze over, the eyelids slowly droop. Articles on taxation seem to have a universal numbing effect on the human mind—a good sedative on sleepless nights.

As ecologists, however, we are often called to make connections between seemingly unrelated trends and events. In our advocacy efforts for sensible land use policies, tax policy has been a largely overlooked element of the debate.

But issues of taxation, specifically taxes on property, are now emerging as being both part of the problem and the solution to many of Vermont's environmental debates—especially the ongoing effort to put new growth management policies in place. It is time to address one of the most basic issues in Vermont's growth management debate: the property tax.

In California a crescendo of public outrage peaked in 1978 with the passage of Proposition 13. Two years later in Massachusetts, a similar outcry resulted in Proposition 2½. Last year, the frustration in the town of Sherman, Maine, population 1000, was enough to prompt a proposal to dissolve the town's charter.

The culprit? In each case: rising property taxes. Property taxation—the oldest form of government revenue raising—has been the catalyst for significant changes in land use and the relationship of people to government. Vermont's property tax is increasingly criticized by farmers, conservationists, and housing and low income advocates as an outdated system that is counter-

productive to sound land use planning.

"The biggest disincentive to orderly development is the property tax," noted Representative Ann Harroun (D-Essex) at a recent hearing of the House Committee on Growth.

Unfair and Regressive

Warning bells on the property tax have been sounding with in-

creasing urgency in Vermont. In the past, the debate over fair property taxation has been seen as an education issue alone—school costs make up 65–70% of most Vermont town budgets. But more recently the property tax has been recognized as a controlling factor in land use decisions, as growth pressures widen the tax base resource gap among "rich" and "poor" towns.

Fairness is a central issue. The amount of land that people own is no longer an accurate gauge of



Cartoon by Don Hooper

Frequently-Asked Questions About the Property Tax



Why is the property tax an environmental issue?

Because it:

- Is a disincentive to local land use planning and thoughtful land use decisions, forcing towns in search of new tax base revenues to develop;
- Frustrates creative land use protection programs such as purchase or transfer of development rights programs, or land acquisition for needed community services such as parks or housing;
- Has caused a steadily increasing drain on the state's General Fund through expensive rebate and relief programs;
- Prompts sale and conversion of open lands among landowners who are faced with inflating land values and property tax bills.

Why is our current property tax system so difficult to change?

- The property tax generates more money than any other Vermont tax, thus making other tax programs difficult to substitute in its place.
- Communities are familiar with the use of the tax and its historic connection as a "measure of wealth."
- The other two principal types of taxation, income and sales taxes, carry a lot of baggage. Emphasis on the *income tax*, considered the most "progressive" tax, is often counteracted by concerns that business or investment activity will be discouraged. *Sales taxes* or consumption taxes, of which Vermont has several, are criticized for their insensitivity to ability-to-pay. There are several techniques in the use of these two taxes that improve their progressivity; however, it is generally agreed that they alone cannot make up for the huge revenue base derived from the property tax.

What are our options, recognizing that the property tax will continue to make up a large part of Vermont's overall revenue picture?

Discussion on this question typically centers around how to redistribute the existing property tax base in order to make the tax more fair to landowners, diminish the town-to-town disparities that result from uneven tax base resources, and make the tax less of a force in land use decision-making.

Several redistribution formulas have arisen over the years, ranging from adjustments in sales taxes (to partially compensate towns for their property tax reliance) to programs such as a "revenue-sharing" proposal discussed in the legislature this year, which redistribute monies raised by taxable "non-residential" property.

Is it more complicated than this?

Yes, but we have gone over some of the basic questions from which discussions on property tax begin. Other resources to read on this issue include: the June, 1986 Report of the 8th Grafton Conference, *A Review of Vermont's Tax Policies*; and the January, 1988 VNRC/Current Use Tax Coalition survey, *Use Value Appraisal: Helping to Fulfill the Vision*.

their wealth, and so the property tax has been labeled "regressive"—not reflecting the citizens' ability to pay. And yet the property tax continues to be the major revenue raiser in Vermont. The tax makes up roughly 99% of local tax collections and almost 60% of total town budgets in Vermont.

Nationally, however, an average of only 28.6% of local revenues is derived from property taxes, according to the Washington, D.C. Advisory Commission on Intergovernmental Relations. The balance of monies in other states comes from specialized income or sales taxes, federal grants, or state "revenue-sharing" programs.

A 1987 Report by the Vermont Commission on State Tax Policy concluded, "The great disparity in property values in Vermont municipalities and the burden that places on the 'property poor' localities [e.g. rural and residential towns] is the most important unresolved tax equity issue in Vermont." The report goes on to say that there is a nine-to-one spread in property tax burdens between Vermont towns which accounts for widely varying abilities among towns to provide basic governmental services.

"It is generally conceded that the property tax is imperfect... when its rate is high it imposes difficult burdens on those landowners whose land values do not reflect their income," said former Vermont Congressman Richard Mallary.

Band Aids and Splints

In Vermont, property tax "adjustment" programs have ballooned in costs: the Use Value Appraisal program for productive farm and forestland is slated for an \$8.3 million outlay in 1988, up from \$400,000 in 1980. The property tax relief program, which provides certain homeowners with an income tax rebate based on the ratio of property tax to household income, cost \$5.2 million in 1982 and is expected to rise to as much as \$13 million in 1988.

"There are those who would

argue that inequities in the current property tax are ameliorated by the State's generous system of rebate and land use relief programs," wrote Vermont Representative Ralph Baker (R-Randolph) in a *White River Valley Herald* commentary. "To them I say that

The amount of land that people own is no longer an accurate gauge of their wealth, and so the property tax has been labeled "regressive"—not reflecting the citizens' ability to pay.

these tax relief band-aids are mere political gestures.... Also, they are partially funded by the recipients themselves through other regressive taxes."

Taxing Rural "Wealth"

The traditional tension at Town Meetings between selectmen trying to meet budget needs and townspeople contemplating higher taxes has been altered in some towns by the extraordinary growth in property values across Vermont.

According to the 1988 Annual Report of the Vermont Division of Property Valuation and Review, the value of property "available for taxation" increased by a record-setting 22% between April 1985 and March of 1987—"unquestionably the most dramatic ever recorded in a two year period in Vermont," the report concluded.

At first glance, the growth in land values seems to give towns more "wealth" to tax. But it is not necessarily true that homeowners' ability to pay an increased tax has risen by the same 22%. Although the tax rate may stay the same, higher land values will cause landowners' tax bills to go up.

In fact, for those landowners whose income is fixed or is based

on land productivity, rising land values place considerable pressure to convert open land to more intensive development uses. Property owners are forced to call on the new "wealth" from inflated land values.

According to a recently-completed report on the Use Value Appraisal program by VNRC and the Current Use Tax Coalition, the property tax fails owners of rural land in two basic ways: "First, the tax does not relate to the benefit... the amount of farm or forest land one owns is not directly related to the demands placed on schools or town services," notes the report.

The second point relates to the ability of certain land holders, such as farmers and forest land owners, to pay the property tax. The report notes that the property tax eats up "an extremely high percentage of income from the land because such a significant portion of the operation depends on land...."

Because of these trends and the corresponding strain on local budgets in towns with a predominantly residential or rural tax base, it is difficult for many Vermont towns to pay for anything but the bare necessities. The National Advisory Commission on Intergovernmental Relations finds Vermont in the *lowest fifth* of the nation by percentage of personal income spent on parks, recreation, and hospitals and health centers.

A recent loss of federal revenue sharing monies for towns has increased the reliance on the property tax to fund local programs, particularly for those towns with little non-residential development. And many landowners are now shouldering a heavier tax load due to a 1982 legislative requirement that all property be appraised to within 20% of its "fair market value."

"It is very difficult to convince voters who are already pressed by the property tax that they should support voluntary but desirable community services, when these would have to be financed by the property tax," noted environmental consultant Deb Brighton in

testimony to the Governor's Commission on Vermont's Future. "In Vermont the property tax is equal to 5% of personal income—higher than in all but seven states," she said.

Planning Through the Grand List

Vermont's emphasis on the property tax has led to distortions in how towns approach land use planning. How many times have local planners in their review of new development been tempted by the lure of new tax base from proposed development? It is a regular selling point for developers at local planning board meetings.

But the tax base advantages of development are not universal, particularly if the project contributes new school children or has a high demand for community services.

Meanwhile, worthy and much-needed projects may be turned away by towns due to tax base problems. For example, a 1987 legislative study committee on housing in Vermont found "...affordable housing is a loser from the point of view of people trying to provide adequate tax resources for a town.... That is, affordable housing always requires more services than the tax base generated by that housing will support."

The property tax distorts land use planning. The lure of new tax base is a regular selling point for developers at local planning board meetings.

"Most Vermont towns continue to believe that new industrial development reduces the property tax burden," explained former Development Planning Director of the Vermont Agency of Development and Community Affairs Roy Haupt. "The main reason [this belief exists]... is that only

short-term reductions in the tax rate are noticed—the long term increases due to population and service demand are likely to remain unnoticed.”

Indeed, residents of towns that seem “rich” due to commercial or recreational development may still find that their taxes have only temporarily stabilized, or even gone up, not down. This results from the interaction of two factors: assessed property value—determining the amount of money the land is worth per acre; and tax rate—the amount of money collected per \$100 of assessed value.

For example, while the value of most property has risen dramatically in Stowe, town records show that the tax rate has not lowered proportionately—in fact, since 1984 it has gone up.

“Ten years ago, the town of Williston was asking itself how it was going to pay for services,” said Williston Selectman Richard Thomas. “Since then, we’ve had a tremendous increase in our commercial base... the general town budget has doubled, but that has not shown itself by a lowering in the tax rate,” Thomas noted.

The personal income level in wealthier towns may make high property taxes more affordable

for some residents, but middle- and lower-income residents in these towns are often squeezed by rising land values. And higher

Vermont’s land trusts, which help landowners place conservation restrictions on many acres of property each year, have found the local property tax to be a persistent issue.

land values encourage speculative subdivision into smaller, more expensive parcels, making land even less affordable.

Meanwhile, “property poor” towns are also feeling the pinch. Although the land in rural towns like Shoreham and Westminster is not as expensive as land in resort or urban areas, a high tax rate is often necessary to meet town budget needs since the only “riches” available for taxation are farms, forests and homes.

Still, lured by the hope of financial rewards, many Vermont towns are on the look-out for development—often against the best intentions of land use poli-

cies. Recent projects around Vermont, such as the Sherman Hollow resort venture in Huntington, a new Pike Industries gravel pit in Guildhall and a proposed wood-chip power plant in Ryegate have all been touted as tax base-enhancing projects in small towns with little commercial development.

Problems For Protection

Although criticized for providing disincentives to land use planning at the local level, the property tax may be most notorious among environmentalists for the thorny issues raised in land conservation efforts.

Vermont’s 1985 enabling legislation on “transferable development rights” (TDR’s), for example, has gone virtually unused. The TDR process, whereby a developer may purchase and transfer the right to develop a piece of property from one parcel to another, is a creative way for municipalities to encourage appropriate development in chosen areas.

Vermont’s neglect of the TDR option is partially attributed to the fact that it is difficult to transport tax assessments across town or regional boundaries, unless special deals are worked between towns or some form of revenue sharing is made available.

“It seems that to do effective TDR programs you have to have some form of sharing of the property tax base,” said Vermont Housing and Community Affairs Commissioner Stephen Holmes.

In other areas the property tax effectively stifles creative land conservation programs. “Towns are unwilling to purchase or accept donations of open land, to accept development rights, or to allow the state or federal government to purchase land, because of the loss of taxes,” adds Deb Brighton.

Vermont’s land trusts, which help landowners to place conservation restrictions on many acres of property each year, have found the local property tax to be a

Joint Housing Committee Recommendations

The Vermont Legislature’s Joint Committee on Housing reported this January on Vermonters’ problems in finding affordable homes. They found that the property tax was one of the roots of the problem, and their recommendations included the following.

“The committee recommends restructuring the property tax to alleviate the following problems: (a) inequities from community to community; (b) incentives for destructive competition among communities and the disincentives from the promotion of affordable housing that the property tax creates when it is the primary source of funding at the local level; (c) the burden that the failure of the property tax places on the General Fund of the state of Vermont; and (d) the burden that the property tax places particularly on two classes of taxpayers, the residents of primary residential property and the owners and users of productive land. A regional, or statewide, or perhaps a prospective sharing of tax base is fundamentally necessary to accomplish these goals. It is an essential part of both a long-term housing policy and a sound fiscal and land use policy for the state of Vermont.”

Illustration by Ed Jalbert.

persistent issue.

"One of the first questions we're often asked by potential donors of land or development rights is: what will this do to my property tax bill?" says Bob Klein of the Vermont Chapter of The Nature Conservancy. Although land with conservation restrictions will not be developed to its full "fair market value," land trusts generally advise landowners to refrain from appealing their property tax bill, to avoid potential conflict at the local level.

New Tax Talk

While complaints about Vermont's property tax run as freely as snowmelt in the spring, it is generally understood that even after serious tax reform measures, Vermont will continue to draw on the huge financial resources of the property tax.

Vermonters pay roughly \$300 million annually in property taxes—a figure equal in size to over half of the total state budget. According to the Vermont Commission on State Tax Policy, this figure has grown by roughly 9% per year over the last five years. Vermont's reliance on this source of funds makes property tax reform tricky, but the chorus for property tax reform is growing.

Reconciling the property tax question is expected to be one of the major tests of successful growth management legislation this year. Until then, the property tax will continue to have a profound effect on the success of many land use management and environmental protection efforts.

Douglas Costle, Chair of the Governor's Commission on Vermont's Future, emphasized in testimony to the Senate Natural Resources Committee that efforts to manage growth in Vermont would be hampered without changes in the property tax. "To not deal with the property tax issue," explained Costle, "...doesn't capture the spirit of what people were saying at the Growth Commission's hearings, namely: we want it done right."

Tax Talk

A phrase-book for strangers in tax land.

Abatement A deduction from the full amount of a tax, sometimes used when property owners rehabilitate a structure or dwelling.

Assessed Value The value placed on property for the purpose of calculating its property tax.

Assessment Ratio The proportion that the assessed value of property is to its market value.

Effective Tax Rate In the income tax, the effective tax rate is the proportion of total income paid in tax. In the property tax, it is the proportion of a property's market value paid in tax.

Exemption (Property Tax) An amount subtracted from the assessed value before calculating tax liability.

Fair Market Value The value of a good or service (such as property) that both a seller and a buyer agree to in a noncoercive business transaction.

Marginal Tax Rate The income tax applied to the highest increment of income. For example, in the federal income tax, there are 14 rates of taxation that are applied to income. As income rises, each increment is taxed at a higher rate.

Nominal Tax Rate The property tax rate applied to the assessed value of property.

Progressive Tax A tax for which payments increase as a proportion of income as income rises; in other words, the tax is a higher proportion of income for high-income than for low-income households.

Property Tax A tax placed on real and/or personal property.

Proportional Tax A tax where the effective tax rate remains the same at all income levels.

Real Property Land and buildings.



Regressive Tax A tax for which payments decrease as a proportion of income as income rises; in other words, the tax is a lower proportion of income for high-income than for low-income households.

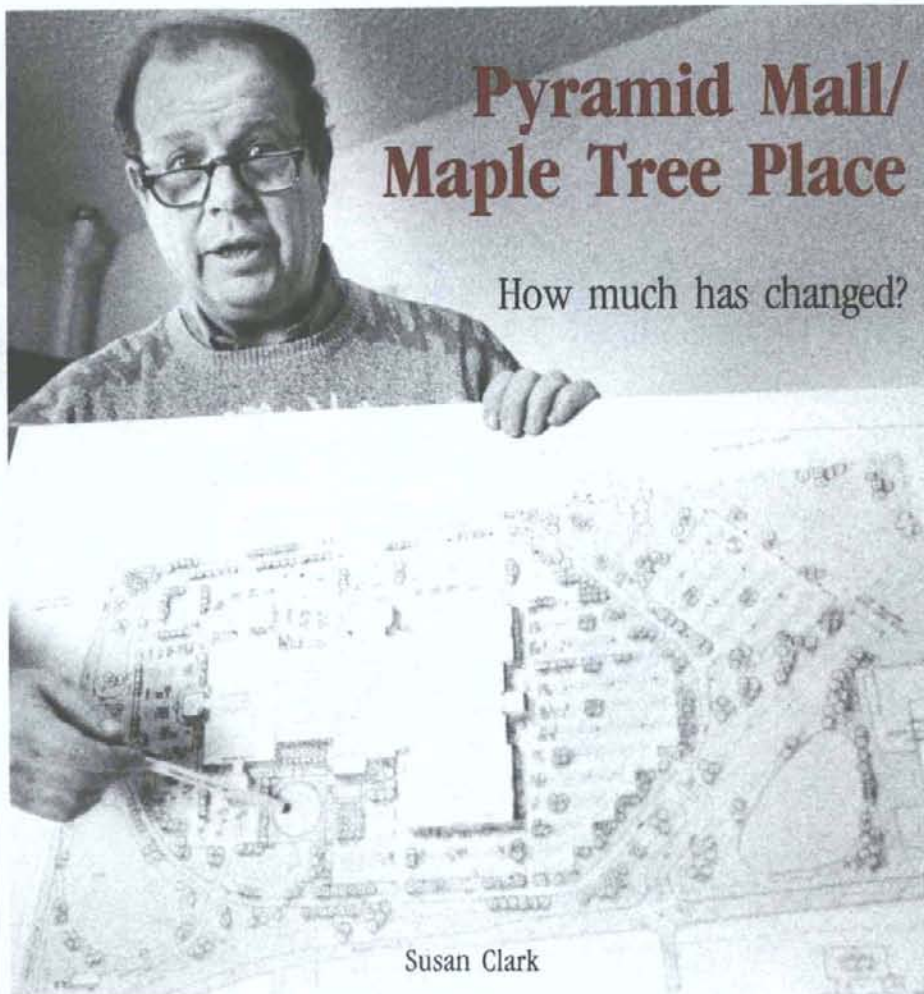
Tax Burden Is determined by the relationship between taxes paid and the capacity to pay those taxes. *Burden* measures how difficult it is for taxpayers to pay their taxes.

Indices used to measure burden include the rate at which property tax is growing relative to personal income growth and local residents' ability to pay.

Definitions excerpted from *State Tax Policy and Senior Citizens: A Legislator's Guide* by Mitchell Zahn and Steven Gold, 1985, National Conference on State Legislatures; and from *Measurement of Tax Capacity, Effort and Burden of Vermont's Cities and Towns*, 1985, Vermont Joint Fiscal Office.

Pyramid Mall/ Maple Tree Place

How much has changed?



Susan Clark

Do you remember Pyramid Mall? If you were in Vermont ten years ago, you probably heard the name in the news nearly every week. It was a huge, eighty-store mall proposal in a state that hardly knew what a mall was, and on a Williston site that had previously been used only for growing hay.

All parties agreed that it was the biggest test Act 250, Vermont's land use law, had ever been through. And in fact, the case has remained one of the biggest in the history of the law to date.

Pyramid Company is a Syracuse, New York-based developer of regional malls. The corporation is headed by Robert J. Congel, whose net worth, through owner-

ship shares in the many Pyramid malls that dot the northeast, is estimated at over \$100 million.

Controversy swirls around Pyramid and their development tactics. The company has a colorful history of court cases and a penchant for siting malls in wetlands. And evidence is now suggesting that a Poughkeepsie, New York mall site was only approved after Pyramid funneled nearly \$400,000 to the campaigns of pro-mall Town Council candidates.

According to a November, 1987 article in the *Syracuse Post-Standard*, "By all accounts, Congel is a relentless developer who risks millions on the planning stages of his projects in the firm belief that he can surmount any opposition.... Once a site is picked, no objection is allowed to stand in the way."

Almost none. Pyramid's experience in Vermont was one of the few exceptions. For four

years, Pyramid clashed with state officials and Citizens for Responsible Growth (CRG), a coalition of citizens and environmental groups which had the active participation and legal counsel of VNRC. After legal wrangling that included forty-three days of Act 250 hearings, a series of permit approvals and reversals, and an appeal to the Vermont Supreme Court, the Act 250 denial of the mall proposal prevailed.

The mall proposal did not conform with Act 250, it was decided, due to problems in a variety of areas including highway congestion, burden on local governments to provide services, and non-conformance with the local and regional plan.

Now—ten years later—times have changed, Vermont has changed, and even Pyramid has changed. Or have they?

Williston is now examining a proposal for "Maple Tree Place." Proposed for the same Pyramid site, Maple Tree Place encompasses 72 acres and would feature three anchor stores, sixty specialty shops and fifteen eateries.

The Maple Tree Place Association is made up of Pyramid principal Robert Congel, two other partners who are affiliated with Pyramid, a trust, and Stowe businessman Ben Frank. While Pyramid affiliates clearly hold the controlling interest in the proposed mall, Frank is "a major partner" and the Vermont representative of the proposal.

Frank argues that many changes have taken place over the past ten years to make this proposal, which is slightly smaller than Pyramid's plan of a decade ago, more appropriate for the area. He emphasizes Williston's new sewer system and town plan, as well as Burlington's strength to compete. "In fact, Burlington now has traffic problems which would be alleviated by our providing competition," he adds.

"If people are really opposed to sprawl, and aren't just using that as a smoke-screen because they simply don't want a mall, we can address that issue," says Frank. "We can prove that it is better to

Above: Developer Ben Frank with plans for Maple Tree Place in Williston. Photo by Glenn Russell.

have a carefully planned entity than the sprawl that's now taking place on Williston Road, for example."

Frank notes that his association is willing to contribute "their fair share" toward necessary improvements such as roads, police protection and other services. "I think we will continue to demonstrate that the tax revenue will more than offset the costs of the mall," says Frank.

Opponents of the mall, who are joining forces again as Citizens for Responsible Growth, disagree. "Developers talk about impact fees, but these are a one-shot deal," says Williston resident and CRG member Betsy Rosenbluth. "We are very concerned about the long-term costs to taxpayers," she says.

CRG members worry that the traffic impacts of the mall—an estimated increase of 20,000 cars per day—would have a drastic affect on Williston's quality of life.

"They're talking about the retail space equivalent of the entire Burlington central business district, and a parking lot bigger than all three of Burlington's public garages laid out flat," she notes. "We're really pressing to have some independent analysis done on what the impact of this thing will be." The Chittenden County Regional Planning Commission agrees, and has proposed studies on the mall's potential impacts on the region in three areas: economy, municipal services, and traffic.

"This is a single proposal that will have a profound effect, not only on the Burlington region but I suspect on the entire northern half of the state," warns CRG attorney Harvey Carter. "We're not talking about cumulative impacts here—this is like twenty years of development in the area suddenly rolled into one application," he adds.

At this point, no one is speculating when the Pyramid/Maple Tree Place controversy will be settled. The Williston Planning Commission has given its conceptual approval to the project, but many of CRG's concerns are expected to be raised as the

proposal goes on to the preliminary, and possibly final, approval processes. Meanwhile, Williston selectmen are contemplating the question of sewage allocations for the project.

Should the proposal make it past the local level, the next step will be the District 4 Environmental Commission's review, and once again, Act 250 will come into play.

"Unfortunately, Maple Tree Place looks like a classic Vermont case of development for all the wrong reasons," says VNRC Ex-

ecutive Director R. Montgomery Fischer. "The Maple Tree Place controversy clearly points to the need for forward-looking planning, taking into consideration the long-term cultural, economic and environmental needs of the region."

"This is the exact reason why we're arguing for property tax reform in the legislature," adds Fischer. "It's why we're arguing for a stronger regional planning system. And it's why we're arguing against the current Maple Tree Place proposal."

When A Mall Comes To Town

Interview with CRG Member Herb Painter

Herb Painter grew up in an active skiing family in southern New England. Through frequent visits with his family to ski and enjoy the outdoors, he grew to love Vermont, and in 1952, Painter and his wife Ruth decided to move to Vermont permanently.

The Painters' home is small and white, like most of the other houses in Williston village. It sits on four acres near the center of town, across from the school and about two miles from Taft Corners.

Here, the couple raised five children. Herb, a soft-spoken accountant, describes Williston as "a wonderful town, where people are not only friendly, but willing and interested in doing things." The Painters may be among the most active: both Ruth and Herb are Justices of the Peace; Ruth is president of the Williston Historical Society; Herb plays in the Williston town band, and is Chair of the Board of his church. And Herb's years of activity on the Williston Recreation Commission have resulted in the construction

of town tennis courts, ski trails, two skating rinks, two basketball courts, a bandstand for the town green and more.

"Williston has been rural and urban enough for us to have the best of both worlds. It's nice to go to Burlington for a movie," adds Herb, "but I don't want the movies to come out here."

V.E.R. Editor Susan Clark talked with Herb Painter in the kitchen of his Williston home about Pyramid Mall, Maple Tree Place, and living in a community that is confronted with the controversies of growth.

SC: You were active in the Pyramid Mall controversy ten years ago. How did you get involved?

HP: I was one of a nucleus of 12-15 people, sort of paralleling [the organizing that is] happening now. Someone living in the village called a meeting and said "Hey, look what's happening!" This thing grew, we organized Citizens for Responsible Growth—CRG. As I recall, I was treasurer.

SC: Eventually, of course, the mall permit was denied, so you won that round. But Pyramid still owned the land. Did you hold a meeting to ask yourselves, "What should we do to avoid another controversy in the future?"

HP: Yes. In fact, CRG offered our services to the "town fathers" for continued assistance. But they didn't take us up on it.

But as soon as the proposal was on the books, as I recall it was Joan Knight who wrote a letter to the *Williston Whistle* and said "Wake up! Look what's happening! Is there anyone else out there who feels like I do?" And then the phone started ringing.

SC: CRG is defining the issues along the general lines of traffic, impact on town services, and quality of life, correct?

HP: Yes. We feel that having Williston become the marketing center of northern Vermont is going to destroy the town's rural character very quickly. And

Above: Citizens for Responsible Growth uses "The Wizard of Oz" theme in an advertisement protesting the mall proposal. "Ben Frank is before the planning commission," states the ad, "Pyramid Mall is behind the curtain."

there's no question that... they've targeted it as that.

SC: What about Burlington as the "urban hub" of the region?

HP: With the new Southern Connector and the Circumferential Highway, we'll be within a ten-minute drive. [If the mall is built,] zap, you knew where everyone's going to go. We feel that Burlington would be very hard-hit. I don't think they're that strong.

I hear a lot of people out here say, you know, "Burlington—it has too much traffic, it's a mess, it's got parking problems."

SC: How do you respond to that criticism of Burlington?

HP: I respond that we've got to deal with [their problems] in other ways, and not move the city out here. I think there are ways to bring people in and out of cities. Years ago there was a survey—"Would you like bus service to Burlington?" I said absolutely, I'd love it. There weren't enough people then who were so-minded to justify a bus route, but I think it's going to have to happen. And I think it should.

I like Burlington. I don't feel that if I want a pair of shoes, I want to have that shoe store right here.

SC: Ten years ago, when a Pyramid Mall was first proposed at Taft Corners, that intersection was quite rural. The mall seemed particularly out of place alongside the farms and hay fields. But since then, many more stores and businesses have sprouted at Taft Corners. Has this affected people's attitude about the mall's appropriateness?

HP: Yes—what we're hearing from a lot of the local people is that Taft Corners is going to hell anyway, that there's already lots of commerce there. They say this will be one big attractive shopping unit, rather than the tickytack little things.

But from what people have observed, everywhere that these malls have gone in, it doesn't stop there. It encourages strip development and urban sprawl.

For example, through a phantom corporation, Pyramid has taken an option on a big farm next door, Jack Mahan's farm. It doesn't butt up next to the Pyramid property, but it's nearby.

Jack's worked with his family for years and years on that farm. They're planning on getting out of farming, though—like with so many other farmers in Vermont, it's just a matter of time. You certainly can't fault Jack.

But the fact that Pyramid's currently paying \$30,000 per year just to hold that option open, makes it obvious that the strip development pressures will be enormous approaching the mall. Someone remarked that the mall would be like a vacuum cleaner, just drawing people from all over. And that's not the kind of Vermont town I'd want to continue to live in.

Eventually the traffic becomes so heavy that people who live in residential homes—they can't stand it. Pretty soon—"for sale" signs.

SC: Are there other pro-mall arguments you hear in town?

HP: Well, we hear the "free enterprise" argument from the local pro-mall people. That people should have the right to do with their property as they please. I don't buy it. You can do what you want, but you have to be considerate of your neighbors.

SC: What do you think would be an appropriate use for the site?

HP: I'd like to have a park there. Obviously.

SC: Seriously?

HP: Oh, it would be great. Sure! Having been on the Parks and Recreation Commission, I'm always looking for a place to put parks! You could have ball fields and walking trails and tennis courts.... As a matter of fact, part of Pyramid's pitch is that they'd have skating...and they'd put in a bicycle and jogging path around the perimeter. But we all know it's not the same.

To answer your question, though, I would not be bothered by more of the same of what is



Above: Herb Painter in his home in Williston village.

happening around there now, if it were nicely planned. Because they're not businesses which are a magnet to attract people from a hundred miles away like a mall would be.

But the first vote I'd probably give—other than to the park—would be to light industry. Similar to IBM, Digital, some small electronics firm, which would provide jobs—real jobs. You know our kids need skilled jobs that would pay well. That would be a plus for the whole area.

It's interesting. Some of the people who have moved in from urban areas will say that they don't want Williston to look like Paramus, New Jersey where they used to live. And then there are others who say they'd like to have all of the amenities they enjoyed back in those urban/suburban areas.

I'd like to ask those people, "Why do you like to live in Williston? What do you think makes Vermont special, and different from those other places?"

If Vermont really wants to be unique—well, that's what brings people to Vermont, its rural areas, its villages, its uniqueness. The mall—it would be just like anyplace else.

More Deposits, More Returns

Marcy Mahr

With the passage of Vermont's beverage container deposit legislation, or the "bottle bill," in 1971, our state was at the vanguard of deposit legislation nationwide. Since then, Vermont's bottle bill has accomplished what it was intended to do: alleviate the problem of roadside litter, the cost of its pick up, and the danger of broken glass and shredded metal to wildlife, farm machinery and people.

More recently, however, the bottle bill is being seen as one way to stimulate recycling and ease the burden on overflowing landfills. And legislators are considering ways of expanding on its success.

Great Returns

Vermont is not the only state to consider deposit legislation as part of its response to the solid waste crisis. After Oregon and Vermont passed their bills in the early '70s, the states of Iowa, Michigan, Maine, Massachusetts, New York, Connecticut and Delaware all installed some form of bottle bill. (California is also about to begin an experimental redemption system.) On average, a 6-8% reduction in the total solid waste stream has occurred as a result of the laws in these states.

Vermont's current law, which requires a deposit on beer and other malt beverages, mineral waters, soda water, and carbonated soft drinks is now keeping 20% of Vermont's residential waste stream out of landfills. According to Vermont Solid Waste Management Specialist Andre Rouleau, Vermont's return rate for popular brands of beer and soda is over 95% for glass bottles and 75-85% for cans.

With last year's passage of Act 78, which called for a statewide



solid waste management plan, top state priority is now being given to methods of reducing the use of resources and re-using and recycling materials—all goals that an expanded bottle bill would help meet. In fact, the Vermont Solid Waste Technical Advisory Committee, created to advise the state on implementing the Act, recommended expanding deposit legislation.

A Nickel for a Cooler, A Quarter for Liquor

This year the legislature is giving serious consideration to bottle bill expansion, through H.221. By a vote of 123-17, the House voted to support applying deposit legislation to wine coolers and liquor bottles.

The bill was voted out in February, and called for a five-cent deposit on wine coolers, a twenty-five cent deposit on liquor

bottles, and a requirement that the Liquor Control Board and Agency of Natural Resources study the feasibility of adding wine bottles to the deposit system. The bill moved to the Senate for consideration.

At first glance, the addition of these two products to the deposit law may not appear to have a tremendous impact, but estimates show that almost five million liquor bottles and 800,000 wine coolers go into Vermont's landfills each year. A football field stacked ten feet high with bottles gives an idea of how much space approximately six million bottles occupy.

Earlier versions of the bill included other containers as well, and the advantages of encouraging the re-use and recycling of as many containers as possible are clear. However, the infrastructure necessary to implement deposit legislation can be complex, including producers, distributors, and other parties; thus, legislators are beginning with those products that can fit readily into the existing redemption process.

Throw Away the Throw-Away Ethic

In addition to ensuring large volumes of materials to feed recycling operations, an expanded bottle bill would encourage the separation of different solid waste materials in individual households. Notes VNRC Associate Director Eric Palola, "Separating garbage at its source, within each household, would reduce the cost and time associated with separation of high volumes of garbage at the recycling site. And as importantly," he adds, "it would help make individuals more accountable for the waste they produce."

According to the Washington,

D.C.-based Environmental Action Foundation, expanding state deposit laws is an integral step in resolving solid waste problems. "Municipal landfills are closing their gates to our trash, and options for new disposal sites and technologies are grim," notes E.A.F. "Out of necessity, recycling has re-entered the public consciousness. As increasing numbers of municipalities and states integrate recycling measures into their solid waste plans, bottle bills should be at the top of the list."

"The bottle bill is recycling," says Association Of Vermont Recyclers President Curtis Johnson. "It is one recycling method that we *know* works, and we support its expansion."

The Vermont Example

Opponents of bottle bill expansion include the wine and liquor industries, who estimate that the additional deposit would cause a 20% loss in liquor sales, especially along the Vermont/New Hampshire border, and would be too complicated and expensive to execute.

Bottle bill supporters disagree, arguing that the deposit would have little effect on sales, in comparison to the existing tax structure and other market factors that already account for a large price differential between Vermont and New Hampshire liquor sales. Conservationists point to evidence that Vermont's deposit law has not jeopardized beer or soft drink sales, and recycling has not been cumbersome as was

feared by some businesses.


Supporters also emphasize that the State of Vermont should be an active player in the redemption system. State government, through the Department of Liquor Control, is the sole agent for the purchase and wholesale distribution of liquor in Vermont. "This system lends itself very well to the deposit redemption system," notes bill sponsor Rep. Alice Bassett (D-Burlington). "We couldn't see any good reason not to include liquor dealers."

In Iowa, the only other state where both wine and liquor are included in the deposit legislation, reviews are favorable. George Welch of the Iowa Department of Environmental Quality notes, "To work out the new arrangements between distributors and retailers demanded education, negotiation, and time. But with everyone living by the same set of constraints, workable systems were devised and now operate successfully because everyone knows the process."

Vermonters are only too aware of the rising costs of landfills and


the need for statewide waste reduction. Our state has made the deposit system work effectively, and many towns have begun forming solid waste districts and recycling centers to address their disposal needs in other areas. As continued growth adds to the solid waste management crisis, Vermont must again move into the lead, and examine methods of waste reduction and recycling—from statewide programs to individual household efforts. Expansion of the bottle bill will complement this effort.

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Recycling Hot Spots

Even if you have collected all of your newspapers and other recyclables in a corner somewhere, it isn't always easy to find a place to take them. The Association of Vermont Recyclers is a non-profit organization dedicated to promoting recycling in Vermont; they have drawn up this list of recycling centers statewide. We recommend that you check with individual contacts to make sure the station is still active before you make the trip. For more information on recycling, contact AVR at 55 E. State St., Montpelier, VT 05602, (802) 223-6009.

Key to recycling codes used in this list: N=newspaper; G=glass; C=cardboard; M=magazines; P=plastic jugs; B=household batteries; A=aluminum; T=tin cans; OM=other metals.

Northwestern Vermont

Franklin County

Enosburg Falls-Hemenway res., Boston Post Rd., in woodshed, "paper drop": 24 hrs/day, or Riverview Senior Citizens Home: Thurs., before noon; Theodore or Carolyn Hemenway (United Methodist Church) 993-5548. **M, N.**

Chittenden County

Burlington 115 Home Ave.: Business/towns only; Henry Frankel 769-1146 or 862-9562. **large quantity plastics.**

Burlington Intervale Rd.: Every fall: Gardener's Supply 863-4535. **leaves for composting.**

Burlington Slade Hall and other UVM Redstone Campus dorms: September-May; Dan Jones 656-6402. **N.**

Burlington Vermont Recycling, 175 Lakeside Ave.: **P, C, G, A.**

Burlington The northeast corner of Ethan Allen Shopping Center on North Ave., across from Burgess Bldg. at Medical Ctr. Hospital of VT; in courtyard of St. Anthony's Church (intersection of Pine and Flynn); near Billings Ctr. parking lot, UVM; entrance gate to S. Burlington Landfill off Patchen Rd.; Public Works Dept. 863-9094. **N.**

Burlington Burlington Waste and Metal, N. Winooski Ave: 862-5335. **A, OM, Car Batteries and Radiators.**

Charlotte Landfill: Friday and Saturday, 8-4 p.m.; Burr Vail 425-2451. **N.**

Underhill Landfill: Friday 11:30-4 p.m., Saturday 8:30-4:30 p.m.; George Bradford (Underhill Recycling) 899-3433. **N.**

Middlebury Across from Chittenden

Trust: 1st Sat. of every other month 9-2 p.m. No collection in Feb.; Carol Kirchoff (Middlebury Recycling Committee) 388-7818. **A, C, N.**

Bristol Parking lot of Brooks Drug Store, Main St.: 1st Sat. of every other month, 9-11 a.m. No collection in February.

E. Middlebury Former Palmers Dairy Bldg., on Rt. 125; M-F 10-4, Sat. 9-1. Pick up also available. Rebecca Stride Price or Walter Van Price, 388-9522. **N, M, C, P.**

Northeastern Vermont

Caledonia County

Danville On the Green: 1st Saturday, every other month beginning Nov. 7, 9-10 a.m.; Shirley Warden, (North Country Recyclers) 633-4993. **N, M.**

Hardwick Tri-Corp. Energy Systems: Monday-Friday, 8-3:30 p.m.; Jose Perrault 472-6444. **N, M, clean paper.**

Lyndonville On the Green: 1st Sat. of every other month beginning Nov. 7, 9-10 a.m.; Shirley Warden, (North Country Recyclers) 633-4993. **N, M.**

St. Johnsbury Vermont Newspaper Recycling Center, 13 Portland St.: Monday-Friday, 8-3:30 p.m., Jose Perrault 472-6444. **N, M, C, P, A, OM, Textiles, Car Radiators.**

Also, 1st Sat. of every other month, 9-12 noon; Shirley Warden (North Country Recyclers), 633-4993. **N, M.**

Essex County

North Concord Gilman Senior Citizens Center: Tues., Wed., Fri. at mealtime; Arnold Forest 695-2960. **N, C.**

Orleans County

Lowell Old Firestation, Rt. 58:

Tues. & Thurs., 6-9 p.m., Sat., 9-12 Noon; (Hours will expand); Mike and Madeleine Greenway 744-2737. **C, N, P, OM.**

Newport North Country Union High School: 1st Sat. of every month; Betty Leroy (French Exchange Program) 334-2916. **N.**

Central Vermont

Lamoille County

Hyde Park-Manosh Landfill: Howard Manosh 888-5722. **N, C, mixed paper.**

Morrisville Lamoille Landfill: Tues. Sat. 8-5 p.m.; Richard Isgar (Waste Services) 888-5130. **N, C, P, mixed paper.**

Stowe Transfer Station: Mon., Wed. Sat., 8-3 p.m.; Leo Clark (Town Manager) 253-7350 or Richard Isgar (Waste Services) 888-5130. **N, C, P, M, Mixed Paper, Clothing.**

Washington County

Barre Auditorium (Municipal Complex on Seminary Hill): Mon-Fri. 7-4 p.m., Sat. 9-12 Noon; Richard Cate (Central Vermont Solid Waste District) 476-5246. **N.**

East Montpelier CV Landfill: Mon-Fri. 7-3:45 p.m.; Gary 479-2450. **small amounts of waste oil.**

Montpelier City Garage, corner of Prospect & Northfield Streets: 24 hours a day; 223-9510. **Waste Oil.**

Montpelier Behind Twin City Lanes on Rt. 302: 3rd Saturday of each month, 10-12 Noon; Ron Ball (Central Vermont Recyclers) 229-4852. **N.**

Worcester Transfer station, 8-10 a.m. & 12-2 p.m. Sat., for town residents; Tom McKone 223-3726. **N, M, C, P.**

Waterbury 9 Wallace Street in the garage behind trailer: whenever convenient; Ada Griffin 244-8383, evenings. **N, C, A, OM, P.**

Orange County

Tunbridge Town Dump; during regular dump hours for Tunbridge residents; Mary Alice Leonard-Heath 685-3035. **N.**

Southeastern Vermont

Rutland County

Castleton Transfer Station: Tues., Thurs., Sat., 8-4 p.m.; **N, C.**

Danby Town Clerk's Office: 1st & 3rd Sat., 10-4 p.m.; Tracy Belden (Boy Scouts Troop 319), 293-5082. **N.**

Fairhaven Transfer Station: Tues., Thurs., Sat., 9-4 p.m.; **N.**

Pittsford Transfer Station: Wed., 5-7 p.m., Sat., 9-3:15 p.m.; **N.**

Poultney Transfer Station: Tues., Thurs., Sat. 9:30 - 4 p.m.; **C.**

Rutland Casella Recycling Center,

Rt. 4: preferably Sat., 9-3 p.m., also Mon: Fri., 8-5 p.m.; John Casella 775-0325. Also has receptacles available for placement at landfills or waste transfer stations for recyclable items. *P, A, T, C, N.*

Sherburne Transfer Station: Winter-Sat., Sun., Mon., 8-6 p.m.; Summer-Sat., Mon., 8-6 p.m.; N.

Wallingford Transfer Station: Wed., 2-6 p.m., Sat., 8-12 Noon; C.

West Rutland Shed behind Orzell's Market on Main St.: 24 hours a day; Boy Scouts Troop 116.N.

Bennington Shed in the municipal parking lot behind the Bottle Stop, 512 Main St.: 24 hours a day; N.

Shaftsbury Landfill shed: Tues. & Thurs. 12:30-5 p.m., Sat., 8-4 p.m., Sun., 8-11 a.m. N.

Southwestern Vermont

Windsor County

Cavendish Transfer Station: Wed., Sat., 8-5 p.m., Sun., 9-2 p.m.; Cy Bailey 226-7292. G, N, C.

Ludlow Transfer Station: 3rd Sat. of each month, 8-5 p.m.; Dean Brown/Eager Beaver 228-3232. G, A, B.

Springfield Riverside Junior High School: 2nd Sat. of each month, 9-2 p.m.; Browning Ferris Transfer: 2nd & 4th Mon. & Wed., 8-4 p.m.; Paul Ruse 885-2104/Ken Greenwood 463-4621 G, A, B.

Springfield On the porch of Bluegrass Hills Apt. 12 or 6 Brierbrook Lane: Susan Pollard (Boy Scouts 216) 885-2948.

Springfield Shopping Plaza: Fri., 9:30-12 Noon; BFI Transfer: Mon., Wed., Fri., Sat., 8-4 p.m.; Family Center, Main St.: Mon-Fri., 8-4 p.m.; (Springfield Family Center)/N.

Weathersfield Transfer Station: Sat., 7:30 - 3:30 p.m.; Ernie Torpey 674-2626. G, A.

Windsor Windsor Recycling Center at the end of Garvis St. in the old Goodyear plant: 2nd Sat. of each month, 9-12 Noon; Paul Sayah (Windsor Explorer Post 218) 674-2782. N, M, G, P, A, T.

Woodstock American Legion Post 24, Central St.: 24 hours a day; George Clark 457-1847. N.

Brattleboro Town Landfill: Mon-Fri, 7-3:50 p.m., Saturday, 7-11:50 a.m.; Town Manager 247-5721.N.

Newfane Sanitary Landfill: Mon., Wed., Sat., 8-4 p.m.; Open to Newfane residents only. James Gray 348-7949. N, white goods.

Rockingham Bridge St. Parking Lot in Bellows Falls: 4th Sat. of every month, 9-2 p.m.; Eager Beaver/Jeffrey Francis 463-3964. G, A, B, N.

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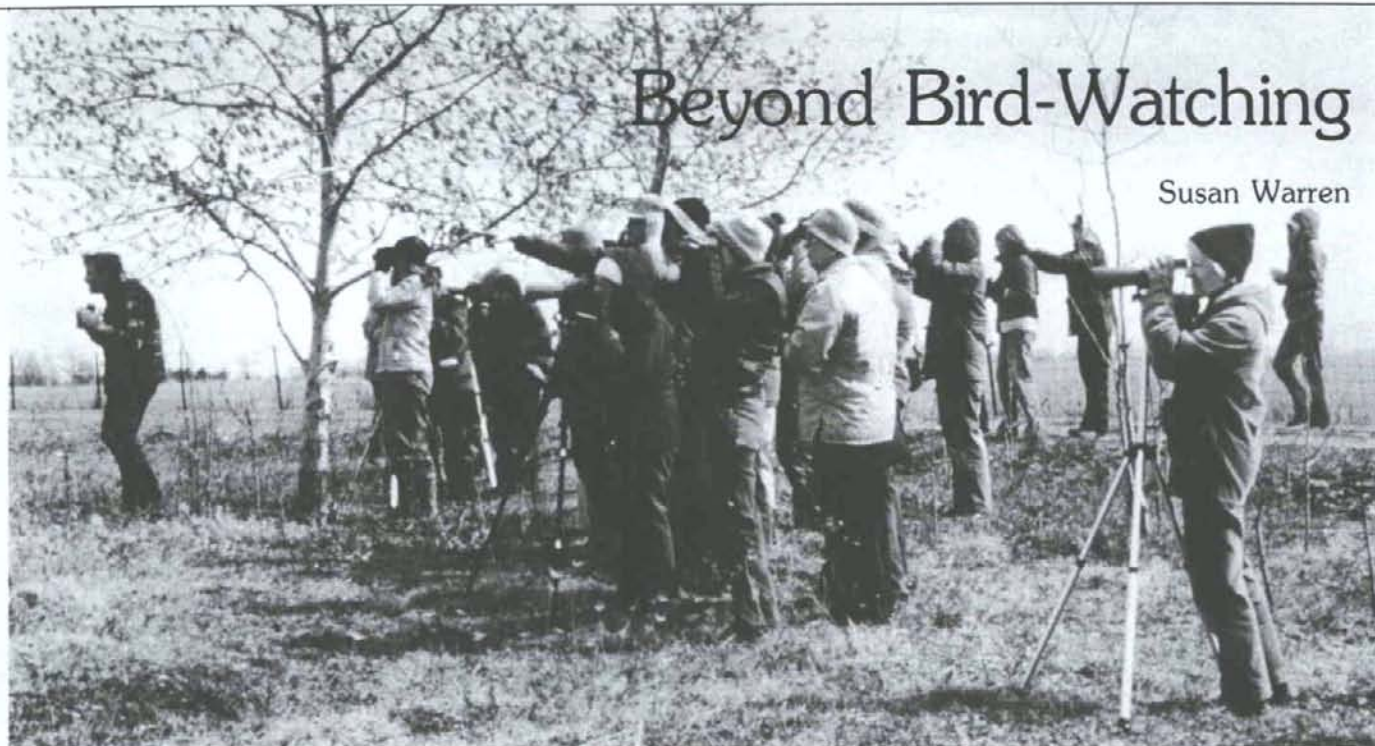
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Essex Jct.
159 Pearl St.
879-1292

Montpelier
89 Main St.
223-5530

Beyond Bird-Watching

Susan Warren



Ask the average person on the street about the Audubon Society, and you'll hear that it's a group of bird-watchers.

But ask a member of any one of the nine Audubon chapters in Vermont, and you'll get a very different answer. In Montpelier, you'll hear about lobbying for stronger wildlife and environmental protection measures; in Brattleboro, you'll learn about exploring bogs for rare and endangered orchids; in Middlebury, you might hear about rivers protection; and in Huntington, watch out—someone dressed as a wood nymph is apt to jump out at you from behind a tree.

"Audubon is a fine bunch of enthusiastic and dedicated people who care deeply about the Vermont and world environment" says Steve Young, National Audubon Society Regional staff person.

Chapters and Individuals

The chapter activities are as diverse as the individuals that make up their local boards.

The Green Mountain Audubon Society operates the state's only Audubon Nature Center, located in Huntington. Many people from

the Burlington area are familiar with their year-round activities including summer camp, school programs, nature walks and evening presentations, on topics from maple sugaring to tropical rainforests. Hundreds turn out for their Halloween extravaganza, where the woods are filled with goblins, witches and wild animals; and similar programs on historical themes are run at winter and summer solstice.

The Otter Creek Audubon Society, centered in Middlebury, is involved with other local activists in securing a "green belt" around Otter Creek as it passes through town. Based in Montpelier, Central Vermont Audubon Society was able to raise over \$13,000 toward the purchase of the summit of Mt. Hunger. At the request of Ascutney Mountain Audubon Society and the Council, Governor Kunin last year proclaimed the first week of May "Nature Awareness Week," a week that will be celebrated again this year.

Chapters are also located in the Northeast Kingdom, Brattleboro, Bennington, Rutland and Waitsfield. All offer programs, open to the public, on topics such as white-tail deer biology and management, beekeeping and Vermont's wild turkey population.

From John Audubon To...

Audubon chapters across the nation are named after the same man: John James Audubon, a 19th century naturalist and wildlife artist. The Audubon Society has its roots in a century-old fight to halt the use of feathers from rare and exotic birds for clothing and ornamentation.

And herein lies one of the special qualities of the Audubon Society: historically, Audubon groups across the country were formed locally, and it was only through a later coalition that a national umbrella organization was formed. This emphasis on local activity is revealed in the Audubon policy which ensures that for every person who joins the National Audubon Society, a portion of his or her dues is donated to the corresponding local chapter.

Some local Audubon Societies choose not to be affiliated with the national organization; the large Massachusetts and Maine Audubon Societies are examples. But all nine Vermont chapters are national affiliates.

Above: An early spring Audubon field trip to Dead Creek Wildlife Area in Addison.

The affiliates and the national organization work together to fund the offices of the Regional Representatives. These offices help disseminate information on national environmental issues of importance to the Audubon Society—issues that range from acid rain to the Alaskan wilderness. And they act as clearing-houses for educational materials such as the Audubon Adventures program, which provides environmental education activities and materials to teachers.

While the chapters are active on the local level, the Vermont Audubon Council combines the chapters into a state-wide group. The Council is comprised of delegates from each of the nine chapters, and includes the Vermont Institute of Natural Science. Active in lobbying on environmental issues in the legislature, the Council is also involved with environmental education projects.

Wally Elton, past-president of the Council and Conservation Committee member says "We have a unique grassroots potential for influencing legislators through our chapter structure. With nine chapters statewide, most legislators are within a chapter's district. By coordinating with environmental groups such as VNRC, the Council keeps tabs on the bills, and is able to generate letters and phone calls at critical times in a bill's progress."

The Council led the six year effort to pass the "non-game check-off," a key bill which ensures a non-game wildlife program through a voluntary donation on the Vermont Income Tax form. Elton notes, "With three quarters of Vermont's wildlife species being non-game species, it's critical that the Fish and Wildlife Department have a program to census, manage and protect this part of the wildlife population."

The Council also recently launched "Bluebirds Across Vermont", a project aimed at increasing the population of bluebirds in the state which has been reduced due to loss of habitat and competition with non-native species. Through a network of over 300

volunteers, 1000 nest boxes have been installed to provide critical habitat for this cavity nesting species. "The interest and enthusiasm for this project has been amazing" says project coordinator Steve Parren of the Green Mountain Audubon Society. "People are hooked for life once a bluebird pair chooses their nest box."

From advocacy to education, flora to fauna, Audubon contributes to Vermont's environmental

community in a myriad of ways. But the "Bluebirds Across Vermont" program reveals another side to the group. It's true: Audubon members also watch birds.

For more information on the Audubon Society in Vermont, contact Steve Young, National Audubon Society Regional Office, Fiddlers Green, Box 9, Waitsfield VT 05673.

Susan Warren is President of the Vermont Audubon Council.



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New Members

VNRC is pleased to welcome the following new members who joined us between October 1 and March 1: Diane DeCominck; Cedar Backus; Philip Barbato; Mr. & Mrs. Walter B. Barnard; Dennis Bates; Nancy E. Boone; Lisa Borre; Richard Borucki; Michael Bouman; Wallace Briell III; Paul Bruhn; Mr. Jan Caveney; Davis Cherington; Richard B. Chipman; Delia Clark; Mrs. Joseph B. Connolly Jr.; Peg Council; Philip H. Cummings; Jane A. Difley; Paul & Sherry Doton; William Downey; A. Farr; Greg Federspiel; Arthur Gallagher; Barbara A. Gard; Arthur Gardiner, Jr.; Gregg Gossens; Sarah & Peter Haaren; Betsy Ham & Warren Whitney; Mr. & Mrs. Robert Hardy; Susan J. Harlow; William Hegman; James Higgins & Laurie Hanson; S. Christopher Jacobs; Mrs. Sally P. Johnson; Perry Johnston; Kristin Juergens; Rita Kilpatrick; Middlebury Mountain Club; Wendy Morgan; Greg Morgan; Pegeen Mulhern & Doug Greanson; Liam L. Murphy; John Newton; Mr. & Mrs. Gustav A. Oddsen & Miss Susan Oddsen; Rick Paradis; John B. Pater-son; Roy Pearem; Kit Perkins; Leigh Perkins; Martha & Richard Perkins; Edward Pitts; George Pontolillo; Margie Prevot; Thomas H. Rawls & Wistar W. Rawls; John Sargent & Caroline McKinney; Sue & George Saul; Thomas R. & Nancy H. Shephard; Kathy Magan Smith; Southern Windsor County Regional Planning Com-mission; Patty Spear; Margaret E. Stearns; Dr. & Mrs. Martin Stein; Jane F. & John T. Stephenson; Carrie & Murray Stevens; Mrs. Patricia Stimson; Smugglers' Notch Resort; The Putney School Library; The Shelburne Corporation; Daniel Toomey; Clydene & Roger Trachier; Alison Trowbridge & Colin Blaze; Tasney Tyler; Velo-News; David G. Wiggins; Jon P. Wilkinson; Enid Wonnacott; Kerry Woods; Stephen Wright; Joseph O. Young; Mrs. George T. LeBoutillier; Stephen L. Mad-kour; Scott McGee.

Marcy Mahr

At left: Marcy Mahr poses with her boss's dog, Eamer. (Eamer is not an official VNRC intern, but he fills in occasionally as the of- fice mascot.)

We could not have chosen a better intern to complete the new VNRC *Vermont Environmental Directory*; Marcy Mahr of Wolcott had the research stamina, writing skills and computer ex- pertise to take this long-term project to completion. The *Dir-ec- tory* will be an extremely useful tool for anyone needing to track down one of the many players in Vermont's environmental com- munity.

Marcy then moved on to fill the Red Arnold Internship position for this legislative session. She has worked with Associate Direc- tor Eric Palola to track legisla- tion and committee work on a va- riety of issues.

Marcy is VNRC's fourth intern to be funded by the Council's Maurice "Red" Arnold Memorial Internship Fund. Arnold, who died in 1983, was a VNRC direc- tor and state legislator; the fund was created to honor and con- tinue Arnold's conservation ideals.

With a B.A. from Middlebury College which included studies at the Center for Northern Studies in Wolcott, Marcy has travelled extensively in Europe; she is an active skier, and volunteers on the Wolcott Planning Com- mission.

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Order the *Vermont Environmental Directory* from VNRC, 9 Bailey Ave., Montpelier, VT 05602.

Price: VNRC members, \$5.00 plus
\$1.00 postage.
Non-members, \$10.00 plus
\$1.00 postage.

Conservation Law Foundation Attorney at VNRC

VNRC is delighted to welcome Lewis Milford into our offices as new environmental attorney for Vermont. Thanks to a generous foundation grant, Milford was hired by the Conservation Law Foundation of New England (CLF) to work exclusively on environmental cases in Vermont. He will be based in VNRC's Montpelier office and will work closely with VNRC.

A former New York assistant attorney general, Milford represented the State of New York in the Love Canal hazardous waste litigation. Working for a private law firm in New Jersey, he focused on issues of environmental protection including hazardous waste and development.

"As an environmental lawyer, I could hardly imagine a better opportunity," says Milford. "As CLF's Vermont attorney, I hope to continue the long tradition of effective environmental advocacy

that CLF has brought to New England; and I will have the good fortune to work with VNRC and other groups that have worked to make Vermont a better place."

VNRC and CLF will work together to help single out issues of significance for the new attorney's work, and a panel of six Vermont attorneys will also provide guidance on issues.



Trees Against Acid Rain

We tip our hats to innovative conservationist Chris Miksic of Plainfield, who raised several hundred dollars this winter in the name of acid rain control. His technique? Christmas tree sales.

Miksic organized the donation of trees from area growers, and while selling the trees in downtown Montpelier, he distributed literature on acid rain control. What better connection, since softwoods seem to be among the most sensitive to acidic precipitation damage?

Miksic divided his profits among several area conservation and education organizations including VNRC. With enough creative energy like Chris's, we may lick this problem yet! Thanks, Chris!



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Mail to VNRC, 9 Bailey Avenue, Montpelier, VT 05602.

Membership benefits include a year's subscription
to the *Vermont Environmental Report*.

All contributions are tax-deductible.



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CALENDAR/BULLETIN BOARD

April 23 The Fairbanks Museum in St. Johnsbury will host their Second Annual Vermont Conference on the Environment, with the theme **Vermont Wildlife in the 21st Century**. A variety of Vermont and national experts will address management, planning, and other specific questions involving the future of Vermont's wildlife. For details contact the Fairbanks Museum, Main and Prospect Streets, St. Johnsbury VT 05819, (802) 748-2372.



May 18-21 The Appalachian Mountain Club will sponsor **Issues in Northeastern Mountain Stewardship**, a conference to be

held in Jackson, NH to bring together governmental and private land stewards to discuss protecting northeastern mountains today and in the future. For information on fees and registration, contact AMC Research Dept., PO Box 298, Gorham NH 03581, (603) 466-2721.

May 20-21 **Downtown New England: Can Design Review Create Better Architecture?** will be the theme of a regional conference for architects, developers, planners and the public. Conference will be held at the Sonesta Hotel in Portland, ME. For information on fees and registration, contact Portland School of Art, 97 Spring St., Portland ME 04101, (207) 775-3052. Registration deadline May 6.

May 21 The Annual Meeting of the **Association of Vermont Recyclers** will feature workshops on starting your own recycling pro-

gram, equipment available for recycling programs, public and school recycling education, and more. For specifics, contact AVR at 55 Main St., Montpelier VT 05602, (802) 223-6009.

June 26-July 2 Sterling College in Craftsbury will offer the **Wildbranch Writing Workshop**, one of the few programs in the country tailored to professionals in the fields of environmental and biological studies and forestry and wildlife management. Staff will include published authors, photographers, as well as contributing and associate editors of magazines such as *Gray's Sporting Journal* and *Country Journal*. Application deadline is May 15. For more information, contact David Brown, Sterling College, Craftsbury Common VT 05827, (802) 586-7711 or toll-free 800-648-3591.

July 23-July 31 Experienced canoeists and kayakers will have a unique opportunity this summer: **A Lake Champlain End-to-End Trip** is being organized by the Green Mountain Club. Boats will begin in Whitehall NY and travel an average of 15 miles/day to W. Swanton VT. Boaters provide their own boats, food and camping equipment. Registration deadline June 10; fee is \$80 for 1 boat/2 people, \$50 for 1 boat/1 person. Contact Andrew Nuquist, GMC, PO Box 889, Montpelier VT 05602.

September 10 You can't say we didn't give you advance notice for the **VNRC Annual Meeting**, to be held this year in Stowe. More details as the date nears.

Project FeederWatch, a cooperative research venture of the Cornell Laboratory of Ornithology and Canada's Long Point Bird Observatory, needs bird watchers to help answer questions about feeder birds. Participants record observations on forms provided, and receive a newsletter and other information. For details contact Erica Dunn, Cornell Laboratory of Ornithology, Sapsucker Woods, Ithaca NY 14850.

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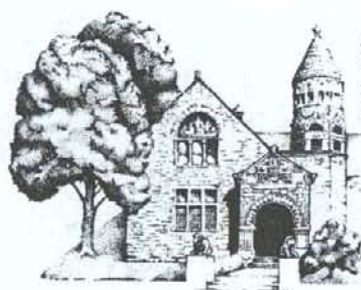
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