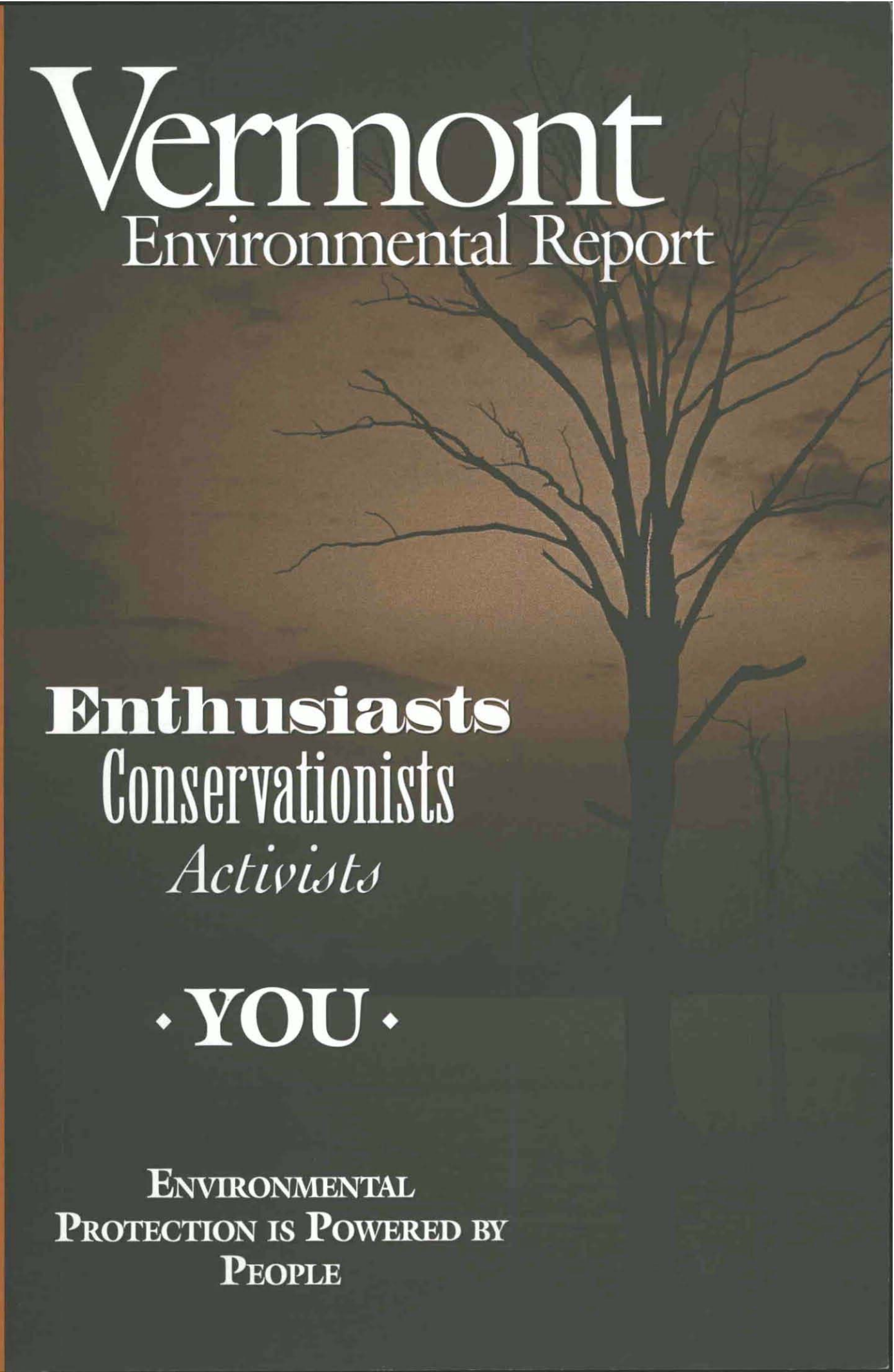
VNRC

Vermont Environmental Report

Published by the Vermont Natural Resources Council



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Autumn/ Winter 1995

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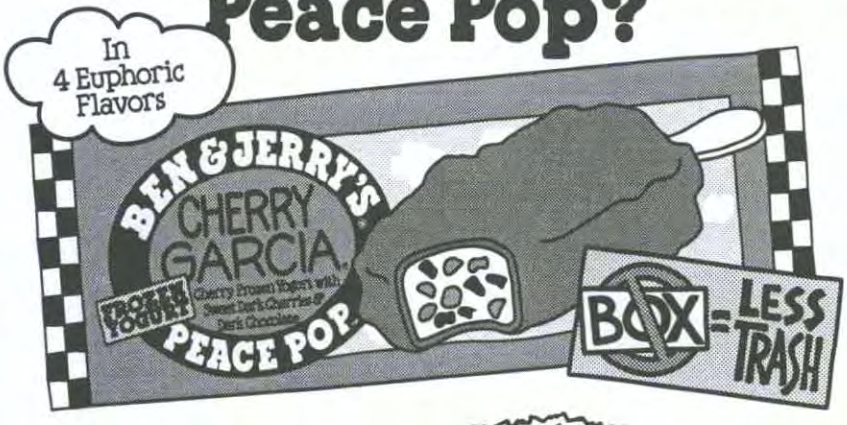

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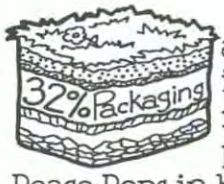

against the industry norm and to package our Peace Pops in bags.

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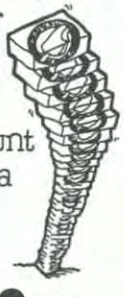

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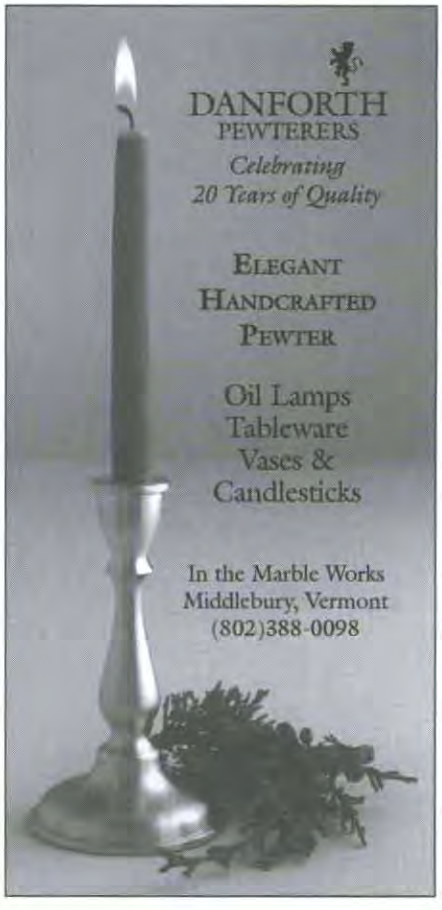

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The Vermont Natural Resources Council is a nonprofit environmental organization founded in 1963 to promote the wise use of Vermont's natural resources. VNRC does research, legislative lobbying, advocacy, and educational work on issues including land use, forestry, agriculture, water, energy, wastes, and growth management.

VNRC is the Vermont affiliate of the National Wildlife Federation.

The Vermont Environmental Report is printed on recyled paper with soy-based ink. However, please recycle this issue by sharing it with your family and friends!

Vermont Environmental Report

Published by the Vermont Natural Resources Council

Fall/Winter 1995

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VERMONTERS WHO ARE REPAYING NATURE'S GIFTS

JANE A. DIFLEY, EXECUTIVE DIRECTOR

A friend from Minnesota who had not visited my Vermont home imagined me in a century-old farmhouse nestled among hills with maples in the yard. In his mind, I lived in a postcard Green Mountain town, complete with a white steeple, country store and red schoolhouse, rather than in a split-level ranch in a Montpelier neighborhood.

My friend's mental picture reminds me that Vermont has effectively sold its image to the world. What's often not understood is that the village scene on the postcard is no accident. People make Vermont towns work, and they work hard to make that happen.

The local school survives not only because teachers find creative ways to teach, despite inadequate school budgets, but also because parents belong to the PTA and volunteer to build playgrounds. The local church thrives because the lay pastor visits citizens who are house-bound, and members of the congregation cook for community suppers that raise needed funds.

The citizens profiled in these pages understand that for democracy to work, and to protect Vermont's environment, they must participate.

Volunteer firefighters, members of the local conservation commission, and others provide services that help keep the town running. Neighbors go door-to-door to raise donations for worthy causes; a committee of citizens arranges the Fourth of July parade. The list goes on. It is the citizens of the town that make the place vibrant, that create a community.

The same is true of our towns' natural setting. This state's acclaimed environment is the result not only of nature's gifts, but also of the hard work of Vermont citizens. This issue of the *Vermont Environmental Report* is about these citizens — activists of all kinds — who contribute in ways large and small to sustaining and restoring our environment. Their stories are as varied as their personalities. What they have done for the environment individually is impressive; what they have accomplished collectively is astonishing.

NOT FOR OTHERS TO DO; FOR US

The citizens profiled in these pages understand that for democracy to work, and to protect Vermont's environment, they must participate. Alice Allen found herself a reluctant activist, motivated to action by a planned landfill near her farm. Angella Gibbons, uneasy with the political scene, focuses her considerable energies toward young people and their relationship to the earth and each other. For Dave and Lucy Marvin, environmental activism is a family matter and the basis of their very successful business. Dr. George Humphreys calls himself an "accidental" activist, yet he has involved himself for decades on behalf of sensible development and the protection of rivers. Architect Chuck Reiss has been helping clients and colleagues make environmentally friendly building choices. Finally, Eric Palola, a National Wildlife Federation economist, reflects on the influence of the late Helen and Scott Nearing on his own lifelong commitment.

Some people, like my Minnesota friend, have an image that is different from reality. They think that "other" people are environmental activists, or they imagine environmentalists as "radicals." The portraits in this issue demonstrate that their image is wrong. Activists are citizens who care about the place where they live; they love Vermont and they work to protect what they value. Most important, they participate — and in doing so, they keep democracy and Vermont's environmental community vibrant.

If you would like to work with members of Vermont's environmental community, please contact Brigid Dunne, VNRC's Outreach Coordinator, at 802-223-2328.

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Letters to the Editor

Vermonters Oppose "Takings"

Will Lindner's excellent piece on "takings" legislation (Spring/Summer 1995) properly credits Vermont Attorney General Jeff Amestoy for being in the forefront, in Vermont and nationally, in opposing takings legislation. Based on a radical reinterpretation of constitutional rights, this proposed legislation would bust the budget, create more bureaucracy, and undermine vital public health, safety, and environmental protections. However, your readers should be aware that other key political figures in Vermont also are leaders in the anti-takings effort.

Senator Patrick Leahy is the single most active and vocal opponent of takings legislation in the U.S. Senate. As a senior member of the Senate Judiciary Committee, to which takings legislation has be referred, Senator Leahy has taken the lead in fighting this bill. In addition, for over a year, Senator Leahy has been peppering other Senators with "dear colleague" letters laying out the problems with takings legislation.

Senator Jim Jeffords also has staked out a strong public position in opposition to the Senate takings bill. Senator Jeffords, a prominent moderate Republican voice in the Senate, has been the leader in creating a growing bi-partisan coalition of Senators opposed to takings legislation.

Finally, Governor Howard Dean, together with Governor Roy Romer of Colorado, wrote to President Bill Clinton this past May, congratulating the President on his statement that he would veto takings legislation, urging him to keep up the "good fight" against takings, and offering the President their "personal assistance" in fighting the proposed legislation.

Vermont environmentalists should be proud that their representatives have spoken out loudly and clearly on the takings issue.

John D. Echeverria
General Counsel
National Audubon Society
Washington, D.C.

Cover Cartoon Offends

RE: The Front Cover of the Sept. Issue of the VNRC Bulletin

First, don't you think it's a bit exaggerated? But, more importantly, regarding the GOP's weaker clean water laws, are you referring to the Vermont State water withdrawal rules or something that happened in Congress? This is *very* confusing to your subscribers, at least it was to me.

Let me tell you something about special "regs" for ski areas. I am the chairman of the Fish, Wildlife and Water Resources Committee in the legislature, and I can tell you, the water withdrawal bill passed my committee with a bipartisan vote. It passed the House of Representatives on a *voice* vote, if I'm not mistaken. Oh, by the way, with 86 Democrats and 61 Republicans in the House, certainly the Democrats could have stopped this bill. This same bill passed the Senate Natural Resources with a bipartisan vote and then unanimously passed the Senate. (I believe that was a "roll call" but not a close vote.)

So, all this "GOP" stuff that you people at VNRC like to try to use whenever things don't go your way is hogwash. I've worked with VNRC in the legislature for five years now, and I can tell you this, if VNRC was more willing to work in a bipartisan manner and be less involved in politics and more honestly involved in a fair issue being treated in the best interest of the whole state, their reputation within the State House might improve, making it less necessary to print misleading things such as the front page of the September VNRC bulletin.

In closing, I would like this letter to be in print in your next issue.

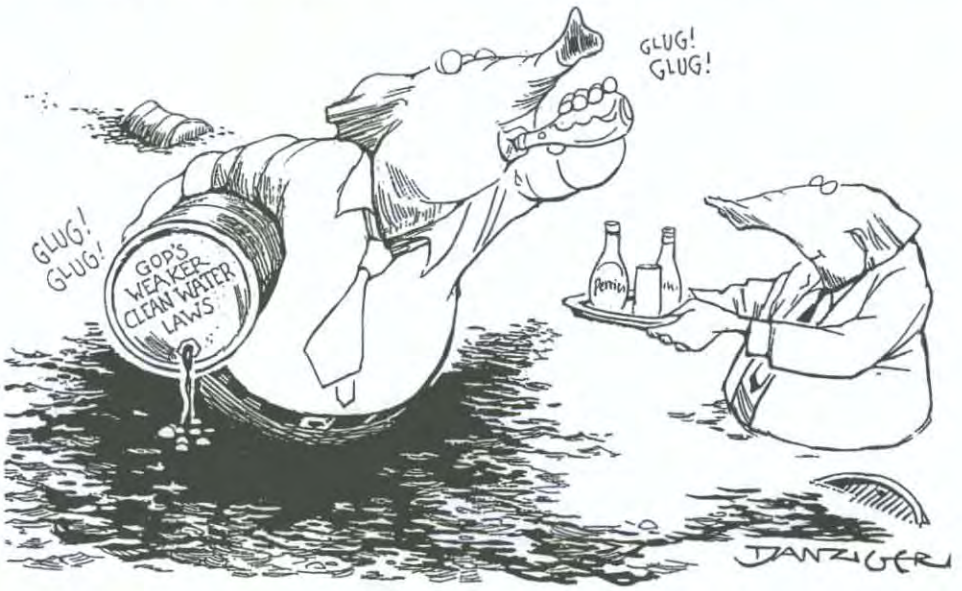
Rep. Robert Helm, Chair
House Fish, Wildlife and
Water Resources Committee
Montpelier, Vermont

Editor's note:

We are sorry that you did not see humor in the Danziger cartoon published in September's Bulletin.

GOP members of the U.S. House of Representatives can be largely credited for putting forth wording (in vague and hidden language) in the Contract With America, which would gut the Federal Clean Water Act (at which the Danziger cartoon was pointed), the Clean Air Act, and the Endangered Species Act. In addition, those same House members can be credited for promoting "Takings" legislation, which promises to cost taxpayers more money, create more bureaucracy, and damage human health and the environment.

We'd be glad to cast a bi-partisan



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Letters to the Editor

editorial eye on other fine quality cartoons.

VNRC is pleased to work with all parties to promote wise use of Vermont's natural resources and a high quality environment.

Incidentally, there is an excellent book review of Gordon K. Durnil's The Making of a Conservative Environmentalist *in this issue of the VER (see p-25).*

Less Paper More Appealing

Thank you for your recent appeal letter (May, 1995). Enclosed is my contribution.

It strikes me as being a little odd to use so much paper, recycled or otherwise, to advertise for funds to manage forests.

The large sheet in the mailing could have done its job at half the size, and could have been imprinted on both sides. The clear-cutting maps are dramatic but at what cost?

Even the telephone company here is printing its bills on both sides of the paper now. Please consider the idea for the future.

Thanks for your attention.

Nicholas Finck
San Francisco, California

Editor's note:
Thanks for writing with your concerns; your suggestion was considered for VNRC's year-end appeal. Members, please let us know if you have any further thoughts on VNRC's direct mail actions.

Close Door to True "Undesirable"

This letter is prompted by the recent development involving spraying of herbicides on paper company land in Essex County to kill "undesirable" plant species that compete with spruce and fir trees.

I applaud the fact that the VNRC is *finally* getting involved in pesticide issues. DON'T STOP NOW! The 180 acres to be sprayed just opens the door to much more widespread applications. You must start working on a broad-based plan to deal with the pesticide use problem. Consider introducing a bill into the legislature which would at the very least:

- Require a long prior notification of adjoining landowners;
- Require the various state agencies to do *independent* on-site inspections and reviews of spraying proposals;
- Provide money for more staff positions to accomplish this.

Start working on proposals that will reduce over-all pesticide applications in the state. Get some sympathetic people on the Pesticide Advisory Board—now merely a rubber stamp for the Agriculture Dept. which in turn usually grants the chemical companies whatever they ask for.

I'm sure you will be able to come up with many more ideas than mine. The VNRC *must* start expending more of its resources on this crucial environmental problem. I have long felt that your priorities are mixed up. The overuse of pesticides is a vastly more serious threat to the health of the environment than any Wal-Mart or shopping mall.

Leslie S. Gensburg
East Burke, Vermont

Editor's note: The photograph printed on page 5 of the Spring/Summer 1995 *Vermont Environmental Report* was incorrectly captioned. This photograph shows the Battenkill #3, and was provided by Thomas R. Pero, Editor, *Wild Steelhead and Atlantic Salmon.*

Buoyed by Troubled Waters

Sometimes I have to work very hard not to get depressed about how much needs to be done to protect and restore the environment, especially when it looks like most people, including myself, are too busy or somehow too distracted to pay attention to the environmental alarm signals. On Friday, October 27, I didn't have to work hard at all to ward off thoughts of doom. I was positively buoyed by the discussions, and the spirit of the standing-room-only crowd that jammed the Troubled Waters Conference put on by Vermont Natural Resources Council in Montpelier.

Jane Difley, Executive Director of VNRC, opened the conference by summarizing three goals of the day—find strategies to deal with threats, find ways to work together, and to showcase citizens' work to protect watersheds. She strongly pointed out that the politics of today urgently requires citizens' commitment and action.

Karen Coffey of the Northeast Kingdom Chapter of Trout Unlimited spoke about the success of getting a Clyde River dam removed to partially restore an historical salmon run from Lake Memphremagog. She emphasized the critical importance of coalition building and understanding the legal and administrative process of hydro dam relicensing. Bill Butler of the Mount Mansfield River Watch said that every town should have someone who is an advocate for the river. He said that in the last few years we have lost our connection with the grass roots. We all need to work together to meld land stewardship and private rights to use land.

Do you know how much a tree growing along a stream bank is worth? According to Mike Fremont of Rivers Unlimited, it's worth $27 per square inch of cross sectional area at breast height. That's over $1700 for a nine inch diameter tree! Fred Preston of the Squam Lakes Association explained how five towns are working together in New Hampshire to promote a healthy community. He showed a triangle representing community with the three sides depicting a healthy environment, a sustainable economy, and a healthy (larger) society. Planning for the Squam Lake

communities builds a case that showed the link between resource conservation and a sustainable society.

We take clean drinking water for granted, until there's a drought such as we had this summer. Mike Welch, Barre City Manager, and others explained techniques and incentives for water conservation and how it can save communities money.

At lunch, keynote speaker, Pat Parenteau, Director of the Environmental Law Center, Vermont Law School, lamented the federal government's retreat from environmental policy and lack of leadership. He warned us that we need to find the time to become informed, we need to be more open to build broad based coalitions, and we need to speak out and ask tough questions.

In the afternoon, the subjects were river monitoring and local action. "Why do we monitor?" asked Geof Dates of the River Watch Network. To increase our awareness and to take action.

Three Vermont watershed organizations presented some highlights of their work. Kinny Connell, President of Friends of the Mad River, emphasized the value of a "River Walk," that got river experts talking to each other. At the same time people from the watershed asked questions and listened. The challenge, she said, after the Mad River Conservation Plan has been issued, is how to keep people involved. Linda Henzel, a part time consultant for the Lewis Creek Association, reported that the Association relies on outside grants to function but that towns vote some money each year to support their efforts. Linda Matteson of the Friends of the Ompompanoosuc said that knowing the threat, knowing that there are lots of people to draw on, and keeping in contact with members is the key to action and success.

Late in the afternoon, small groups convened to work on two hypothetical yet realistic watershed problems. Spirited discussions led to a list of the challenges and barriers to watershed protection as the conference ended. Some of the challenges listed were:

- How do we face conflicts constructively?
- How do we reconcile or balance economic and environmental needs?
- How do we avoid being overwhelmed and immobilized?
- Can we effectively prioritize the issues and focus on concrete items?

Most importantly for me, and I think each of us, the challenge is to become and stay aware of the inestimatable value of a healthy environment — to not take this beautiful place called Vermont for granted and to find ways that each one of us and environmental groups can work together, to share information, to support each other effectively and skillfully to do the work that needs to be done.

Richard Czaplinski
Adamant, Vermont

Sherry Belknap:
A Man Of The Kingdom

By Will Lindner

You can take the pulse of the Northeast Kingdom from Sherry Belknap's doorstep. His house fits into a neat corner, a wedge formed by two east-west concourses—the Nulhegan River, which flows behind his home and spills into the Connecticut just a stone's throw away, and Route 105, where traffic slows as it approaches Bloomfield's tiny commercial district on the border with New Hampshire.

If you watch the river and the road, you can get an idea how the Kingdom is faring. Sherry watches closely.

"I was raised in the Northeast Kingdom, and I've hunted and fished and camped and cut firewood all through here," he says. "This area is my pulse."

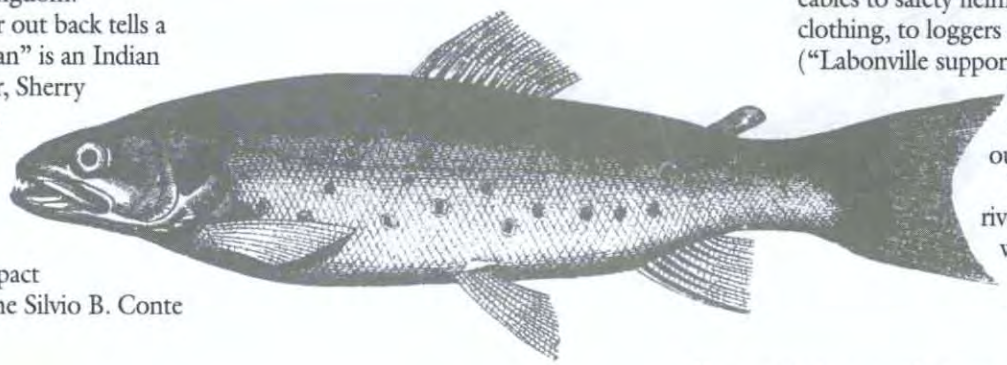
Route 105 is one of the few roadways that cross the sparse reaches of Essex County, and it is therefore a chief means of egress for the big logging trucks that carry out the conifers cut by different landowners in the area. Sherry, a Bloomfield selectman, says the paper companies own a third of the township's real estate. But the trucks these days come fewer and farther between.

"You can sit here and watch them go by," says Sherry. "The softwood they're taking is minimal now, where 10 years ago it was load after load after load."

There's a reason, he says. The resource—the spruce and fir the companies favor for their pulp—has been overharvested and poorly managed, with ecological and economic impacts that spell trouble for the Kingdom.

The Nulhegan River out back tells a similar story. "Nulhegan" is an Indian word meaning fish weir, Sherry explains as he sits at his kitchen table thumbing through a federal document titled "Draft Action Plan and Environmental Impact Statement" (EIS) for the Silvio B. Conte National Fish and Wildlife Refuge and Connecticut River Watershed. He finds the Nulhegan Basin in its pages.

"The First and Second Brooks were completely dry this summer," says Sherry. "How do you catch a brook trout in a sandpile?"



Fish Weir Damaged

"They list a lot of 'special values' for this area," says Sherry, scanning the print. "There are rare plant species, the state tree, the state flower, water birds, migrating land birds... the Yellow Bog is the only place in the state with spruce grouse.

"But there's one thing missing. They don't even mention fisheries." His jaw sets. "That's ironic for a river that's called 'Nulhegan.'

They wouldn't have omitted fisheries 25 years ago, he says, but a pattern of careless timber cutting has removed the shade trees from the water's edge, rendering the river too warm to be a fish weir, and stripped away the roots that keep the soil from sliding into the waterway.

"The First and Second Brooks were completely dry this summer," says Sherry. "How do you catch a brook trout in a sandpile?"

Sherry Belknap's family has been entwined with the loggers and paper companies since the early years of this century when his great-grandfather 'Phonse Roby was a famous "walking boss" for timber baron George Van Dyke. Sherry himself is employed in a tangential industry. He's a salesman for Labonville Inc., a New Hampshire-based company that markets diverse equipment, from chains and cables to safety helmets and protective clothing, to loggers and retail outlets. ("Labonville supports reforestation, by the way," he is quick to point out.)

But the barren river, like the highway where the heavy sound of laden log trucks

is becoming a memory, reminds him every day that life is changing in the Kingdom. It foretells a bleak outlook for people like Sherry's and Darlene's nine-year-old daughter Karen Ann, the kind of change that comes when things are dying—an industry, a way of life.

Troubling Wake-up Call

Yet Sherry, who is 39 and is named for another grandfather who served in the state legislature, is not one to throw in the towel. That's why he got involved last August when Boise Cascade announced it had received a permit to spray herbicide over its land from helicopters and was preparing to start in two weeks. His participation in the citizen uprising that eventually reached Gov. Howard Dean's office (Dean intervened and the aerial spraying was at least postponed for a year) also impelled Sherry to join VNRC.

Sherry first heard about the company's intentions from Lloyd Gierke, a neighbor and long-time friend whose property abuts Boise-Cascade's. When he brought Sherry the letter he had received, the two sat out back, above the Nulhegan, and worried that the chemicals—Accord, Arsenal AC, Garlon 4, and Oust—would poison Lloyd's water rights, and ultimately end up in the Nulhegan.

Sherry maintains that in the end, these water rights were key to heading off the project.

"The very thing that stopped it was the fact that my friend had water rights on that property. If it hadn't been for that, it (the spraying) would have gone on."

Now Sherry sees Bloomfield's close call as a "blessing in disguise," a wake-up call to Vermonters everywhere that their best interests are not adequately attended to in Montpelier.

Sherry is not an impolitic man; he gives people the benefit of the doubt. But neither is he blind.

"Look," he says matter-of-factly, "I have all the respect in the world for the people who work at the (state) Department of Agriculture and the Agency of Natural Resources; but when this application from Boise-Cascade came through, they were sitting behind their desks and just not doing their job."

Most troubling, he says, is the inconsistency that Bloomfield's close call reveals about government. He hefts the Silvio B. Conte Action Plan and EIS, which calls for protection of the Nulhegan watershed, and notes that the weighty document was produced with tax dollars by the U.S. Department of the Interior. How does that square with state agencies opening the door for chemical spraying over a significant portion of that same land, he asks.

Consistent protections for Vermont's resources are doubly required, he says, because the logging industry has demonstrated short-sighted forestry management. Their intent for spraying was to kill the hardwood brush that competes with conifers for the soil's nutrients.

"They want to eradicate the broadleaf and create a monoculture of softwood for pulp," says Sherry. "With a monoculture of softwood you invite insects. Then what are they going to do, spray insecticide?"

"They want to eradicate the broadleaf and create a monoculture of softwood for pulp," says Sherry. "With a monoculture of softwood you invite insects. Then what are they going to do, spray insecticide?"

If they had left the small softwoods for regeneration, he says, they would have a perpetual harvest. But they've backed themselves into a corner and aerial spraying represented a quick fix.

Sherry knows that the companies, if thwarted, could threaten simply to quit the territory; it's harvested out, anyway, for now. But he hopes they won't. His livelihood and the region's history and way of life are intertwined with the industry.

Yet he feels he must risk their ire, and push government agencies to conserve and protect the forest while there's something left to protect.

"The days of take, take, take are about gone," he says. The future depends on giving something back. By wading into the fray, Sherry is starting now.

MAKING A STAND

Alice Allen's Story

Alice knew nothing about landfills. She had never heard of Act 250. She didn't even know who was governor. In fact, she hardly knew anyone else in her town—she just stayed here, farming, tending the land and the herd of 60 Holsteins. That's all she had planned to do, for the rest of her life.

Today that plan hasn't changed. But Alice has.

BY DOUG WILHELM

Alice Allen and her husband, Larry, rented dairy farms for 15 years while they looked for the perfect place to buy—the farm Alice had in a picture in her mind. Then one day seven years ago, Alice and Larry drove down a shadowy back road in the Boltonville section of Wells River, near the I-91 ramps. When the trees opened onto a little farm beneath the highway, Alice began to laugh.

"He turned around and said, 'Oh no, don't tell me—this is the place,'" she remembered. "I said, 'This is the place.'"

It had the bright airy barn with 104 windows, the gentle hills with a swath of pasture alongside the Wells River, and the woods that covered a ridge across that stream. "It was like a dream," Alice said—"to find the place that had been in my dreams for years.

"Paying for it was another story," she laughed. But that's not the story she's been telling people, over and over, whoever would listen, for several years now. This story is different; and it was never in her dreams.

THE UNEXPECTED PLAN

One night in September 1991, Alice Allen heard machinery working on the ridge across the river. She could see a derrick-like drilling rig, all lit up over there. It began to dig night and day. Eventually Alice went to the site and asked one of the workmen, a guy with a clipboard, what they were doing. "He said they were drilling test holes for the new landfill."

Casella Waste Management owns a 62-acre property that spreads beyond the ridge, and extends partway down its slope. On the property was an old unlined landfill, being closed by state order under Act 78, which requires new, lined, regional landfills. Though it had not yet received Act 250 approval for the plan, Casella was preparing to put a new regional landfill on its property, just above the Wells River.

Alice knew nothing about landfills. She had never heard of Act 250. She didn't even know who was governor. In fact, she hardly knew anyone else in her town—she just stayed here, farming, tending the land and the herd of 60 Holsteins. That's all she had planned to do, for the rest of her life.

Today that plan hasn't changed. But Alice has.

She is a compact and spirited woman who, out in her pasture recently, pointed across the river to the ridge. "There are three major and several minor groundwater seeps that run down that ridge to the river," she said. "There's no question that they come from underneath the proposed landfill site." She has learned, among many other things, that all leachate collection systems in lined landfills eventually leak. This plan, she said, "was a time bomb."

Alice Allen has become a seasoned and unrelenting activist. She founded the group SEWeR, Save Everyone's Wells River, which thrust itself into the Act 250 process and had much to do with a 1994 settlement between Casella and the Vermont Agency of Natural Resources (ANR) that stopped the regional landfill plan — at least for now.

"It still hasn't really ended," Alice said. "Even though there are no applications for this land, they aren't just going to ignore it. So we've got to keep people informed—even though they don't want to hear about it.

"Companies like Casella are big and very powerful, and the ANR has to deal with them all the time," she added. "They can get away with a lot; and they will, unless regular citizens like us get involved and say, 'Hey, how come you're doing this?'

"It's staggering," she said, "to think about what we didn't know about landfills. I think in a way, we all should—because we all throw things away. And there's no such thing as throwing things away."

"It Changes You Forever"

When she first learned of Casella's plans, Alice called her state representative, Peter Mallary of Newbury, who had registered

her to vote. Peter told her just to write down everything she thought was wrong about the landfill plan. More than a year went by; Alice thought the issue must be dead. Then in February 1993, Mallary called and said there was this District 3 Environmental Commission hearing, and she ought to go.

She did. The Casella representatives, she said, "were looking at the site as if it was in a vacuum—as if there was nothing else around it. I was getting more and more angry. That was the beginning.

"I just started making phone calls." She contacted VNRC, which suggested that she form a group. That was out of character for Alice, who says she is shy.

"I know I don't seem it now. But when you can't just sit back and let something happen, that changes you forever. You're never the same."

She organized SEWeR, which began meeting every Tuesday night. She met a neighboring landowner, Warren Kaplan, a Washington, D.C., attorney who was equally determined to stop the landfill, and who knew legal procedure. She learned from an ANR engineer that the old local landfill had contaminated a bedrock aquifer. She began "constantly hammering" on the Agency to stop the new plan.

"We contacted newspapers, TV stations, everything, just trying to put pressure on them. We were making phone calls, writing letters—and still, nobody was listening to us."

The Allens, Kaplan and another neighbor signed their names to an 85-page document, researched and prepared by Kaplan, called "Comments and Objections to the Proposed Landfill." They gave copies to ANR, the Environmental Commission, and local boards. In September 1993, an ANR order finally stopped activity at the Casella site. The company appealed, and SEWeR was granted party status in Vermont Environmental Court. In July 1994, the state and Casella settled.

Looking back on the whole struggle, Alice is amazed by how much she has learned—and not just about landfills or Act 250.

She has learned about making a stand.

"You can't just sit at home in your own little world any more—which I was happy to do. If you believe in something and you think something is wrong, you have to do something about it. No matter how busy you are.

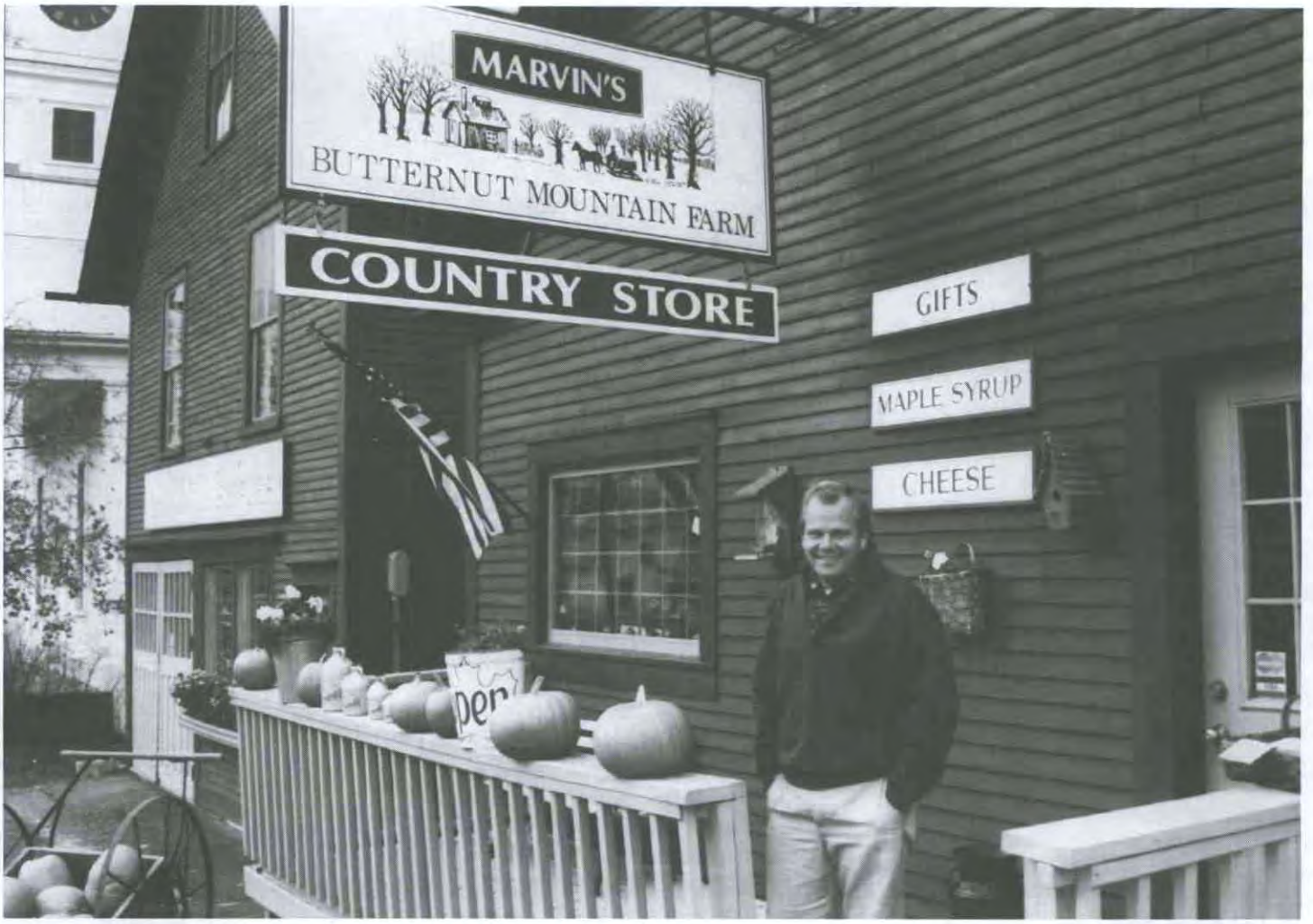
"Yes, there still have to be landfills, unfortunately. Where you put them and how they operate—that is really critical. And you can't count on the town to take care of it, and you can't count on the state. People have to get involved."

You Can Do It In Just 60 Seconds

When the drought and sun scorched our area this summer, most people began reducing water consumption. Meantime, the state house lawn was being doused by fire hoses hooked up to large water trucks.

"It was unbelievable," remarks the still-surprised VNRC Office Manager, Stacie McNary, who realized that her voice needed to be heard. She, along with many others, called the Governor's Hotline (1-800-649-6825) to raise her concerns.

How long did this take? "About a minute." Would she do it again? "Yes! This was blatant disregard for the environment."



A Sweet Business

David and Lucy Marvin's Butternut Mountain Farm

By David Dobbs

"Growing a business responsibly means growing it by providing things that serve a useful purpose. If we have to grow by encouraging conspicuous consumption or creating needs ... well, it's no good. The earth just can't sustain that level of extraction and consumption."

These may seem strange words from someone whose business has quadrupled its sales in the last 5 years, as has David and Lucy Marvin's "Butternut Mountain Farm"—a maple products processing and marketing business that ships maple and other Vermont food products to retail and wholesale buyers all over the United States. Butternut, which was once David Marvin and some sap buckets, now includes a storefront and an office in Johnson, a 12,000-square-foot packing and shipping facility in Morrisville, and 25 employees. The company processes syrup from scores of Vermont landowners and pulls hundreds of thousand dollars a year into the area's rural economy.

Value in Stewardship

Yet this is a business that benefits the environment as well as the economy. Butternut and other companies that buy and process forest-based products provide a vital market incentive for farsighted woodlot management. Economists call these businesses the "value-added forest products sector"; unfortunately, their role in encouraging good forest stewardship generally goes unrecognized.

As Marvin puts it (speaking of not just syrup but of the furniture, toys, pizza boards, violins, and other forest-based products made in Vermont), "There's a conception that all this stuff is just artsy-fartsy-cutesy-craftsy. But they're *not*. These are things that are useful, that use the woods well, and that add value to every tree cut. And the more value you add locally, the more refined you can make your local woods management."

Some see this integration of stewardship and modernized, locally based business as an important model. In VNRC Executive

Director Jane Difley's view, "businesses like the Marvins' play a vital role here in Vermont, for they fruitfully blend the latest business and marketing techniques with the traditional forest-based economy." The key element in this formula, of course, is the sense of stewardship and responsibility that the Marvins bring to this synthesis. In Difley's words, "They're using those things—the forest, the marketing techniques—in service of a very traditional relationship to their land, their community, and the small-town economy."

Marvin's environmental roots (as well as his interest in syrup-making) are not hard to trace. His father, a botany professor at the University of Vermont, was a leader in the study of maple syrup production and sugarbush management; he also helped found VNRC and the Vermont Chapter of The Nature Conservancy. Marvin himself first developed a taste for working outdoors as a teenager on his grandfather's Connecticut farm. He began college at the University of Pennsylvania, then transferred to UVM and enrolled as a forestry major. There he helped organize activities for the first Earth Day in 1970 and worked on the Green Mountain Profile Committee, which sought to conserve the high land along the ridges of the Green Mountains.

When he graduated, he moved to a woodlot his father owned in Johnson and started working it. A year later he bought land of his own, and with money saved from a job with the U.S. Forest Service, purchased some sugaring equipment and started making syrup. That was in 1972. "I haven't had a real job since," he says.

He has worked. Marvin started making maple syrup and, armed with his own studies and knowledge he'd picked up from his father, began a consulting business advising others on how to manage their sugarbushes. Through the 1970s he acquired more land in Johnson, eventually accumulating about 800 acres; he worked his biggest patch of land, 635 acres of south-facing hills dominated by maple and red oak, into one of the area's finest wood lots.

Meanwhile, he married Lucy (in 1979), had two kids (Ira in 1980, Emma in 1983), and steadily expanded the sugaring operation. He and Lucy built a large sugarhouse on the 190-acre lot, started buying sap from other producers, and established the Butternut Mountain Farm marketing operation, opening the Johnson storefront and expanding their mail-order sales. As both the business and the woodlot matured, they began to attract some attention among the state's foresters and sugar producers.

"I've seen what happened to my grandfather's farm in Connecticut—it's all condos and golf courses now—and I've seen the way South Burlington has changed since I grew up there, with little improvement. I've seen the cuts up along Route 2. That stuff just repeats itself if you let it."

Pushing for Change

David also stayed active in more public arenas. In the mid-1970s, he served on VNRC's board of directors. And in the early 1980s, he, like many Vermonters, became alarmed about the damage acid rain was inflicting on the state's woodlands. On behalf of the Vermont Maple Industry Council he began lobbying for increased regulations on coal-burning power plants and other sources of the sulfur dioxide and nitrogen oxide that cause acid rain. The Reagan administration's resistance to such measures made it tough going. But in the end, many of the measures Marvin and others advocated were written into the 1990 Clean Air Act.

These energetic efforts didn't go unnoticed. In 1984, the American Tree Farm Program named David and Lucy the nation's Outstanding Tree Farmers; the same year, *Esquire* magazine, citing the lobbying work, the Tree Farm designation, and the Marvin's commitment to responsible locally based business, deemed David one of "The Best of The Generation" (the generation then under 40, that is).

The *Esquire* citation represented a peak of public attention for the Marvins—who, being fairly private people, were just as happy to see it pass. Since then David and Lucy have exercised their sense of stewardship through less formal channels: By running the woodlot and the maple and forestry consulting businesses well, and more recently by selling conservation easements on their 635-acre woodlot to the Vermont Land Trust. They also hosted a couple of the "living room meetings" that the VNRC has held over the last few years to stimulate dialogue among North Country residents about the future of Vermont's forests.

Marvin is not at all sure about that future, but lately, he says, he finds himself thinking about it a lot. But he feels certain that if Vermont's woodland owners and business community don't exercise some restraint in their use of the land, the Vermont we know now won't be left for his kids or grandkids to enjoy. "I've seen what happened to my grandfather's farm in Connecticut—it's all condos and golf courses now—and I've seen the way South Burlington has changed since I grew up there, with little improvement. I've seen the cuts up along Route 2. That stuff just repeats itself if you let it.

"It just seems to me that if you're going to err in the way you use the woods, in the way you treat the land, you *have* to err on the conservative side. I mean, if we go at it too slowly—well, we can always hit it harder later, right?"

Angella Gibbons:
PEOPLING THE NATURAL WORLD

By Will Lindner

Angella Gibbons is one environmentalist who's content to leave the politicking to others. She wants to save the earth, all right, no less than the policy wonks and activists who haunt the committee rooms where decisions are made regarding its precious resources. But Angella works toward the same end from a different angle: Her goal is to generate an enduring respect and reverence for the earth in the youngsters of central Vermont.

Actually, her goal is greater than that. Working around the year with hundreds of students and campers through the Lotus Lake Discovery Center in Williamstown, Angella nurtures their personal development by giving them rewarding outdoor experiences. The environment becomes for her a kind of tool for building people who respect themselves, respect each other and respect the natural world—who recognize that they are parts of a wondrous whole.

"My passion is the planet," says Angella, 34, whose dusky red hair and rugged frame seem somehow formed from her arduous connection to it. "But I've evolved from being an environmental educator to a more humanistic educator. I have a passion for the outdoors and a passion for kids; putting them together is my life's work."

"My passion is the planet," says Angella, 34, whose dusky red hair and rugged frame seem somehow formed from her arduous connection to it. "But I've evolved from being an environmental educator to a more humanistic educator. I have a passion for the outdoors and a passion for kids; putting them together is my life's work."

Odysseus' Homeric journey was scarcely more exotic than the odyssey Angella Gibbons followed which led her to Lotus Lake, an eminent summer camp run since 1952 by the Martin family, where she developed the outdoor education center in 1993.

A graduate of the University of Vermont—1983, with a degree in art—the Massachusetts native followed her instincts and her love of adventure for 10 years, bouncing around the country from job to job and always, miraculously, finding an employer looking for someone who understood the earth and understood children. She led teenagers on a backpacking and canoeing trip in Wyoming (they called themselves "hoods in the woods"); she guided a cross-country bike trip for 15- and 16-year-olds, pedaling from Seattle to Portsmouth, New Hampshire, in two months; she served as residential environmental educator at the San Mateo (California) Outdoor Education Center, and worked with youngsters for an environmental group based on the Maine coast.

In between times, she rented out sea kayaks in Glacier Bay, Alaska, and taught first and second graders at a bilingual school in Costa Rica (where she also became the first woman to play on a high-profile men's soccer team, and illustrated a children's book about sea turtles). She floated around the South Pacific on a sailing vessel.

Angella has put in her time as an advocate as well, working for PIRGs (public interest research groups) in Massachusetts and Colorado.

"That was more political than I ever wanted to get," she says, "knocking on doors and educating adults."

What came more naturally to her was knocking on the doors of children's minds.

Seeds of Wonderment

"I love their curiosity, love their way of being in the moment. I feel that experiential education and being in the outdoors brings them back to the moment. And I feel that's where we ought to be, as a culture, instead of losing 'the moment'

But always, the environment is a teaching tool for subtle lessons that extend beyond the earth to the theme of how we live upon it. "Social harmony, cooperative behavior, problem solving, the skills of working in a group.

behind TV and drugs and computer screens."

She likes the youthful sense of wonder, too. Angella tells a story of standing with a group of children in a redwood forest near Santa Cruz, holding a tiny seed in her palm.

"What's this?," she asked.

"A seed," the children chimed.

"What's it for? What kind of seed?"

They looked around, pointing to plants and bushes on the forest floor.

"Nope," she replied to each urgent guess. Then she cast a glance at the behemoth trunk beside her, with its thick reddish bark, and a dozen pairs of eyes followed hers up, up, up to the crown, 300 feet overhead.

"Nooooo....," the children whispered.

In Vermont, Angella's classroom is the 400 acres of pond and lake, woods and fields at Lotus Lake Camp. Her students come, predominantly, from the elementary and middle schools in the regional communities, although she also leads outdoor workshops and retreats for adults, including VNRC's staff and board (which earned her a membership in the organization).

Her idea of learning, real learning, is experiential. In warmer weather, Angella will lay a loop of string on the ground or the lake shore and challenge the children to see how many living things they can find within it. She'll collect items from the forest and put them in a box (lichen, seeds, deer droppings), give the kids a few moments to look at them, and then send them off to find the same things in the woods.

In the winter she'll show children the tracks of animals, letting them figure out who went there; they'll learn about habitat, and create their own by making fires and constructing shelters—becoming competent. "Those are life skills," she explains.

But always, the environment is a teaching tool for subtle lessons that extend beyond the earth to the theme of how we live upon it. "Social harmony, cooperative behavior, problem solving, the skills of working in a group. These things are never unspoken or unaddressed," Angella says.

For her goal is not only to engender respect for the planet, but to plant seeds of imagination and connection that will produce people who deserve the bounties, the pleasures and rewards the earth has to give.

You Can Do It When You're 16

"I grew up in the woods—the trees are really a part of me and it hurts me to see what people do to hurt the environment," explains Elizabeth Reaves, who will help to organize Vermont's Youth Conservation Summit once again this year (scheduled for May 17 and 18).

The summit is, according to Reaves, a "time of learning *and* a time of celebration." Because a teenager's major obstacle is transportation, the summit is a time when Vermont teens gather to share information and set strategies on what they can accomplish at home.

"I will always be an environmentalist," declares Reaves. Her advice? "Have a plan. You've got to start at home and let it grow."

The "Accidental" Activist

Dr. George Humphreys Stirs Up a Storm

By Doug Wilhelm

The town of Dover has been a part of Dr. George Humphreys' life through quite a few changes, and for quite a while.

"I've been coming here for almost 80 years," he says, sitting in an armchair in his wood-beamed living room, warmed by a fire in the giant old hearth. "So you might say I'm devoted to the place."

You might say so, indeed. As a former local Planning Commission chairman, Dr. Humphreys is well-known and respected locally. Yet his current role as the leader and public spokesman for the environmental cause in a noisy and caustic dispute, over the proposed reclassification of a short stretch of mountainside stream, is something of a surprise. It's not the kind of activity one would expect a person to immerse himself in, at age 91.

"I do consider myself an environmentalist," the retired New York City surgeon allows. "I never have considered myself an activist. I sort of got into it by mistake."

But first, some history. The town of Dover and George Humphreys have a lot of that.

Generations of Struggle

When Dr. Humphreys began spending summers here with his family when the outbreak of World War I was still three years away. He played with his future wife here on Handle Road in West Dover, still the home of the town's original small summer colony.

When later married, Dr. Humphreys remembers asking local farmers in this hardscrabble, steeply wooded river valley how the Great Depression was affecting them. "They'd say, 'We don't notice the difference,'" he remembers. "'It's been a depression all our lives.'"

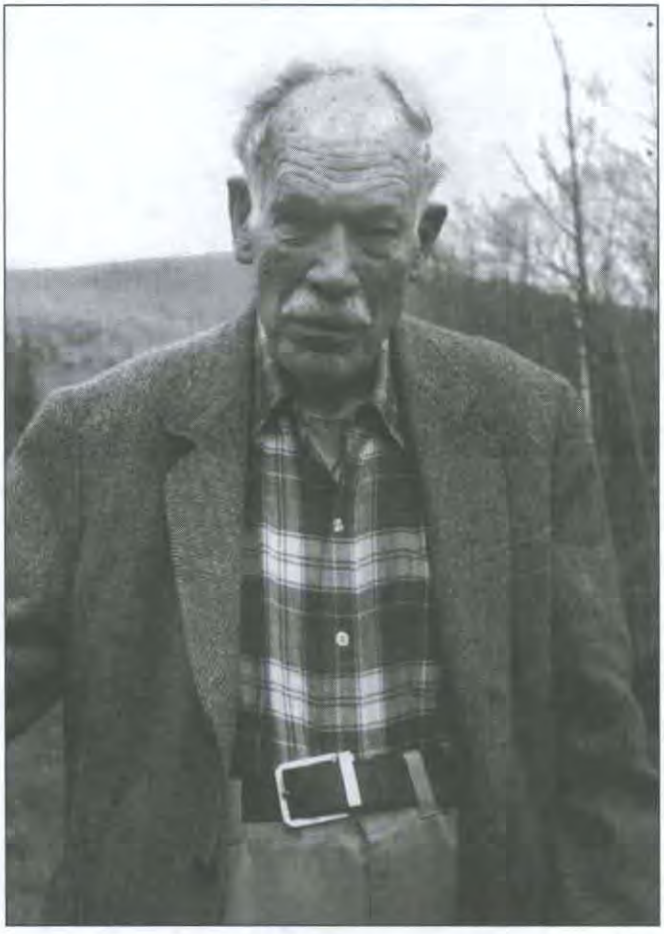
The Humphreys had seen several generations struggle in the scant economy when suddenly, in the 1960s, rampant and uncontrolled development shot up the mountainsides around the new Mount Snow ski area.

"That was the period," Dr. Humphreys recalls, "when the more responsible citizens of the state became so alarmed at what was happening here that the governor [Deane Davis] came down, and Act 250 came into being."

Dr. Humphreys became a citizen of Vermont in 1980, and moved here full-time as a new wave of development was gathering steam.

"I decided to get involved," he says. "I joined the Planning Commission, and became its chairman in another very active period, the 1980s. We managed to get a town plan through, and we also got zoning through. That was my first foray, you might say, into activism."

Guided by the town plan, local development "has tended to slow down," he notes. "The recent flurry of activity was, as I say, more or less accidental."



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Ridgeline Expansion Plans

Handle Road, where Dr. Humphreys still lives, runs along the base of a long wooded ridge that connects the Mt. Snow and Haystack ski areas, in Dover and Wilmington respectively. The two resorts are jointly owned, and several years ago area residents learned that the owners were planning to build a ridgetop trail system linking them. The idea "horrified us," Dr. Humphreys says.

In 1993 he led an effort that gathered 47 names on a petition to reclassify Cold Brook, a highland stream that drains the area midway along the ridge, from Class B to Class A, pristine waters. The reclassification, if approved by the Vermont Water Resources Board, would impose development controls that would provide greater protection for the ecology of the brook.

"Apparently," the doctor says drily, "I stepped on a sore corn."

Apparently he did. When the petition was filed in December 1993, Mt. Snow-Haystack launched a dramatic reaction.

The ski developers, he notes, "talk a good line about how precious the community is to them, but they don't give a second thought to the community if it's not profitable. They've got to please their stockholders—and the money they make doesn't stay in the community. They create a few jobs, but they're most low-level, service jobs."

"They wrote to all the people who signed the petition, saying 'You're going to ruin the valley economically, because we can't go ahead with our expansion,'" Dr. Humphreys recalls.

After the resort challenged the petition on procedural grounds, Dr. Humphreys' group withdrew it, and fashioned a new petition. This one called for a shorter stretch of Cold Brook to be reclassified: from the 2,500-foot elevation level, above which it is already Class A by law, down a mile and a half to the point where the stream joins with another.

This year the new petition drew 177 signatures—more than four times as many as the original.

"It triggered a lot of people who are concerned about unrestricted development," Dr. Humphreys says.

How important is the reclassification drive? "It seems to me they're making a big fuss over something that isn't very consequential," Dr. Humphreys remarks about the resorts — "but they're very sensitive to anything that gets in their way. They feel they've got to keep expanding, or they won't be able to keep up with the other ski areas."

The local *Deerfield Valley News* recently summarized the conflict this way: "Battle lines have been drawn over a tiny patch of land and a short expanse of water which some people believe hold the key to the future of the Deerfield Valley."

"More of a Community"

And 91 or not, Dr. Humphreys has been speaking for those people. He has taken the heat at public meetings, standing stubbornly in the center of this storm of hard words.

He retains his dignity, and speaks carefully but pointedly about what, to him, is really at issue.

"My feeling is that the more dependent the area becomes on the ski industry, the more fragile it becomes," Dr. Humphreys says. "Calling this a recreation-industry area doesn't mean it should all be one industry. It's an ideal place for second homes—which it won't be if it's overdeveloped."

The ski developers, he notes, "talk a good line about how precious the community is to them, but they don't give a second thought to the community if it's not profitable. They've got to please their stockholders—and the money they make doesn't stay in the community. They create a few jobs, but they're most low-level, service jobs.

"There is a base of community activity that's unrelated to skiing, that is real—but it's small. And it tends to be dwarfed and pushed aside by the skiers. Still, there is more of a community than just ski development; and I think the number of signatures that we've gotten is a testimony to that."

Spoken like a genuine activist—accidental or not.

You Can Do It When You Think—And Act—Locally

"We try to get as local as possible—we focus on water sheds," says David Brynn of the Addison County Conservation Congress. "When people can smell it, taste it, and touch it, then they can move on it."

The goal for the Addison County Conservation Congress is to bring people together on highly contentious issues. It's a setting where people don't draw lines; rather, by hearing a variety of perspectives on controversial issues, the outcome is *dialogue*.

Brynn insists there are several key steps to succeed with community-level activism: Minimize peoples' time in meetings—convene crisp, highly facilitated, and action-oriented sessions; people need to have fun; and always have lots of good food on hand.

"We had an idea on what good building should be," as Reiss puts it. "So we decided, we should design a house—a plan, material specfications, the whole thing—that shows people that it's possible to build a house that is both affordable and environmentally low-impact."

Chuck Reiss: BUILDING GREEN

By David Dobbs

I met builder Chuck Reiss in the Hinesburg town hall, where he had invited me to a meeting of his builders group. When I got there, mid-meeting, 14 contractors and other building professionals were grilling a couple of Vermont legislators over a proposed law that would place limitations on how long a contractor or architect could be held liable for flaws in his or her work.

I've known dozens of ethical builders, yet I was still surprised when I realized the biggest concern of the contractors at the meeting was that the proposed statute might not hold builders and architects to a high enough standard of responsibility: Was 11 years a long enough window of opportunity for clients to sue builders for defects?

Clearly this wasn't just any builders' association. It was, in fact, the Builders for Social Responsibility, a progressive group of builders, subcontractors, architects, and other building professionals that Chuck Reiss and a few colleagues had formed in 1990. The founders first met when they answered a call for volunteers to build a recycling shed at the Hinesburg dump; while building the shed, they found they had certain progressive building notions in common: That buildings should be energy efficient; that their construction should minimize loads on the earth's resource base; that they should be healthy places in which to live; that they should fit in well with the needs of the larger world and the community in which they are built.

A Healthy Invention

"We had an idea on what good building should be," as Reiss puts it. "So we decided, we should design a house—a plan, material specfications, the whole thing—that shows people that it's possible to build a house that is both affordable and environmentally low-impact."

Chuck and a few others started meeting regularly to design this house; by 1992, they had the design and specs completed. As with most houses, it would be a while before that one actually got built—the group could not afford to build one on speculation, so they had to wait for an interested client. In the meantime, BSR, as the group came to call themselves, began meeting regularly to exchange ideas about other issues.

In the years since they have explored virtually all the concerns shared by progressive, environmentally-oriented builders across the country: energy efficiency; indoor air quality; affordable housing; the effects of development on communities; the impact on natural resources (forests, water supplies, the ozone layer) of making and using various building materials; alternative energy sources; recycling; and the total "embodied energy" of various materials—that is, the energy required not just to create or use a given building material or component; rather, the energy to create, transport, install, use, and ultimately dispose or recycle it. The group also held a major conference for both builders and consumers on "The Healthy House."

Chuck has worked steadily to keep the BSR an active organization, and the group, which has about 40 to 50 members at a given time, has done much to educate its members and the public about these issues. BSR is very much a cooperative organization. But as longtime member and building writer Clayton DeKorne puts it, "Chuck has been the guy that really made it happen."

Like many contractors, Reiss eased into the building business slowly. He started banging nails summers and part-time while a student, first

"People can relate to energy efficiency, because it costs money month-to-month, and indoor air quality, because it affects your health," says Reiss. "And most people understand about CFCs and the ozone layer. But their eyes glaze over at the more obtuse stuff, like embodied energy, and you have to sell them a decision that's cost-conscious."

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in Minnesota and then at University of Vermont, where he came in the early 1980s to do graduate work in environmental biology. While working on his master's thesis ("It was one of those theses that took a while to get written," says Reiss), he found himself banging more and more nails as Vermont's building economy grew.

During most of those years, he says, "I saw building mainly as a way to pay the bills. It wasn't until I finished my degree that I started looking at it as a serious occupation. Once I took it more seriously, I started to think about how to incorporate my environmental interests into building."

The late 1980s and early 1990s was a time when many forces—dwindling timber supplies, the emergence of the indoor air quality issue, Earth Day 1990, the recognition of economic and envioronmental limits that came with the end of the 1980s boom—were inspiring green building projects and groups across the country. The BSR formed a significant part of this surge, linking environmentally concerned building professionals within Vermont to like-minded colleagues nationwide.

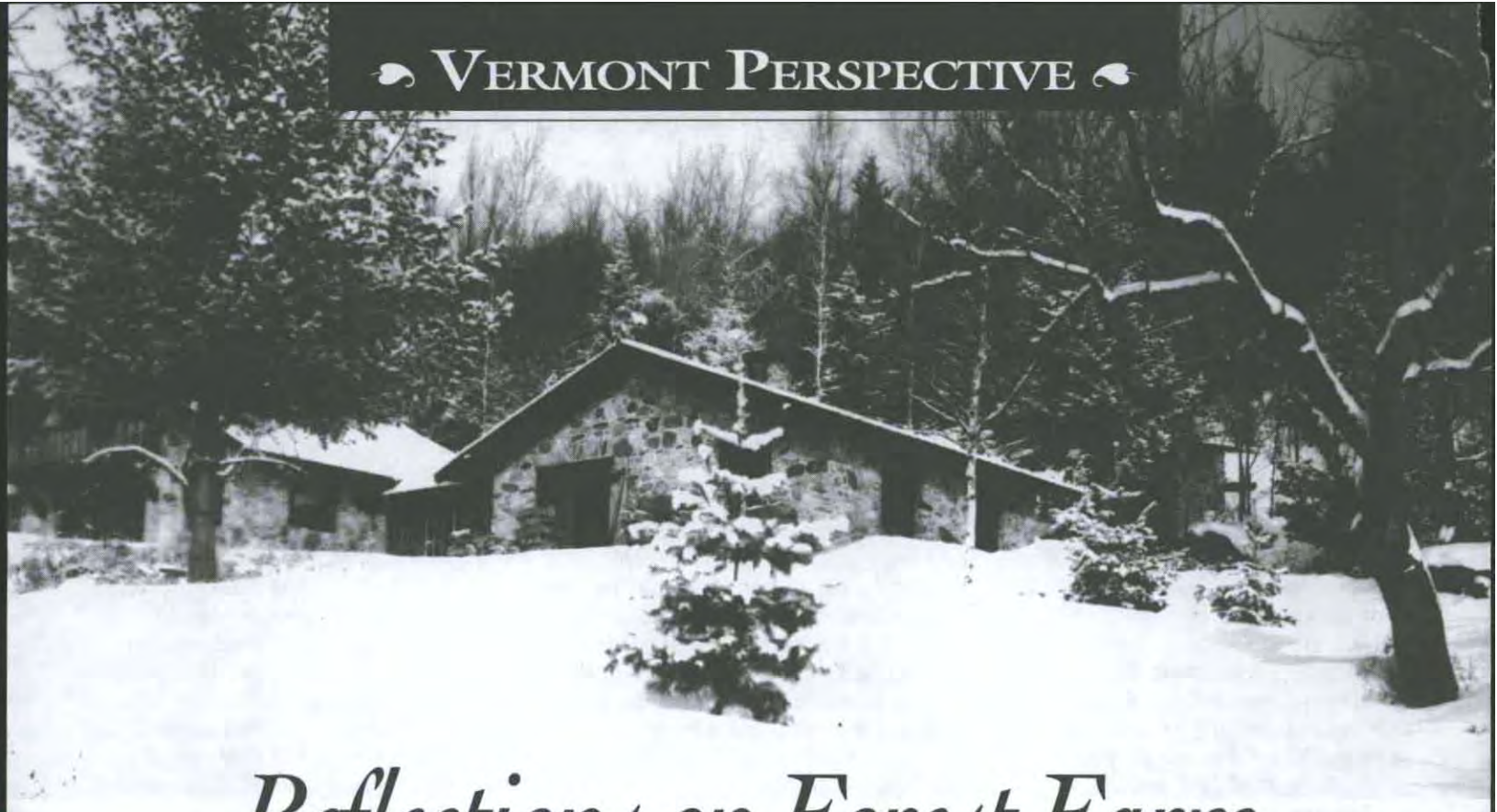
Consumers have lagged somewhat behind this curve. Reiss feels lucky to have found clients who are educated about these issues, and who will pay him to build environmentally sensitive houses. He has built or remodeled several in the Hinesburg area, and this year found a client who wanted to build a house based on the BSR Project House design.

Economics Favor Environment

The 1800-square-foot Cape will feature thick cellulose insulation in its walls, a tight, insulated basement, insulated windows, minimal use of products containing formaldehyde or other chemicals that might offgass noxious fumes, low-flow toilets and plumbing fixtures, flourescent lighting, and a passive solar design that will allow the house to be heated by a single Vermont Castings wood stove. Contrary to many people's expectations, these measures should not seriously inflate the house's cost: Chuck expects the house will cost about $110,000 to build, or about $61 a square foot—cheaper than many conventionally built homes of similar size and quality.

Not all clients, of course, fully appreciate such measures. "People can relate to energy efficiency, because it costs money month-to-month, and indoor air quality, because it affects your health," says Reiss. "And most people understand about CFCs and the ozone layer. But their eyes glaze over at the more obtuse stuff, like embodied energy, and you have to sell them a decision that's cost-conscious."

This is changing, however, and largely because of groups like BSR. In only a few short years, these grassroots groups have pushed "green building" concerns from a grassroots movement into the larger building industry. The National Association of Home Builders, for instance—a group not known for progressive stances—has completed its model green home, and green building design and marketing seminars are standard fare at mainstream builder conferences. "It takes time," says Reiss. "But I really think that people are realizing that buildings can do a lot to deal with our environmental problems."



Reflections on Forest Farm

By Eric Palola

When I learned of Helen Nearing's death at age 90 in September, the thought that came to mind instantly was the home that she and her husband Scott built more than fifty years ago in Vermont. I thought of it as I first saw it in August, 1972, as a teenager in my parents' car while they scouted a log cabin just down the hill from the Nearing's former Forest Farm. Even at first glance, one could sense a purpose to the gray stone buildings: They did not merely sit on the landscape; rather, the landscape seemed to flow through and around them.

The Nearing philosophy, borne out in a prodigious number of books and articles, had a direct and compassionate style that combined self-examination with social analysis. They were early to emphasize that environmental problems resulted from imbalances in the human condition. Their books were richly footnoted and drew from a broad intellectual experience in the sciences, literature, and arts. Although criticized for their seemingly arrogant idealism—they frequently left Vermont in the winter, they "farmed" maple trees instead of animals or crops, and they had start-up money for their project—their admonitions to live with less, and have more frequent interactions with nature, are still compelling today.

Their experiment in homesteading was amply documented in two back-to-the-land classics starting with *The Maple Sugar Book (1950)* and, later, urged to write of their experiences by their close friend and author Pearl Buck, they produced *Living the Good Life (1954)*. Taken together, these books became the practical authority, if not a virtual how-to cookbook, for people, "...willing and eager to clear their land, build their homes, dig and cultivate their own gardens, and subsist on their own work."

The "Vermont Project" as the Nearings often referred to their 20-year stint beneath Pinnacle Mountain, began during the Great Depression in 1932. Scott Nearing, a professor of political economics and a noted orator, had been black-listed from the Wharton School for his affiliations with the socialist party and the fledgling pacifist movement following the war. Few realize the depth of his career before coming to Vermont, a career devoted to exposing the excesses of the Guilded Age and the rising military economy. When, at age 50, he and Helen committed to living full time in the country, some Vermonters viewed the Nearings with suspicion.

Despite their independence, the Nearings employed a variety of local help in building Forest Farm. As my family grew into the neighborhood, anecdotes trickled in: George Wendland, a POW who with his wife Hilda escaped war-torn Europe with the Nearing's help, ruefully reminisced before his death that, "Scott Nearing would wring the last drop of sweat out of you if he had the chance." Vern Lightfoot lamented about how little credit he was given for helping build the farm. Robert Slade, a widower who gave us timbers from his collapsed barn, referred to them simply as "sawshilists" and their frequent visitors over the years prompted rumors of a "socialist camp." The concrete bins dispersed about the sugarbush for storing sap buckets and galvanized pipe were even said to hold munitions caches for a secret communist militia.

The Nearings left Vermont in 1952 for

Maine due to the impending development of Stratton Mountain. They were scornful of an economy based increasingly on tourism and wrote in the early fifties that, "such an economy will attract more cheap dollars to the state, but it will hardly produce self-reliant men." Today they would swallow hard at the immense, second homes filling their old sugarbush on roads like "Scott Nearing Road" and "Sap Bucket Drive," names which cheaply invoke their presence while undermining their core beliefs.

Scott Nearing died in 1983 at the age of 100 by gradually starving himself. The final and most poignant installment of the Nearings mutual search for the "good life" was Helen's 1992 memoir and tribute to Scott, in *Loving and Leaving the Good Life.* Here, she recounts her personal transformation upon arriving in Vermont from an admittedly bourgeois background to one where, "... I learned to live on simple local food...and get rid of unnecessary belongings." Despite the Nearing's focus on the moral reasons for practicing the "good life," their relationship to Vermont was very physical and by their own accounts more profound than they first imagined. In a sense they became environmentalists through their Vermont experience.

The main house still stands as a powerful reminder of the Nearings regard for Vermont and their insistence that "...buildings should be adapted to their environment using local materials," and, "...should express the inmates and be an extension of themselves." In 1977, my parents bought what remained of Forest Farm: 16 acres and six stone buildings. They came to our family in acute disrepair, having been managed in absentia for many years by a private foundation. Long hours have been put into restoring the house. Helen lovingly wrote of the special names she gave certain big stones she had placed into the walls. In retrospect, it is her name that belongs to them.

Eric Palola is Resource Economist for the Northeast Natural Resource Center, National Wildlife Federation. His recommended readings of the Nearings include: *The Maple Sugar Book* (1950), *Living the Good Life* (1954), *Loving and Leaving the Good Life* (1992), and Helen's last book entitled, *Light on Aging and Dying*, Tillbury House, September, 1995.

CONFERENCE EXPLORES THE CONTRACT

The Vermont Law School's Environmental Law Center co-sponsored a major environmental law conference with VNRC to illuminate the issues, particularly those affecting environmental quality, that are proposed in the Contract With America. This 16th annual conference was convened on November 30, 1995, and drew an attendance of more than 220.

The Honorable Jeffrey Amestoy opened the day by articulating his concerns about the Contract by stating, "...in my judgment we—and by *we* I mean those of us committed in good faith not to the Contract With America but to the social contract which binds us together as a community—are very unwise to treat this point in our history as political gamesmanship as usual."

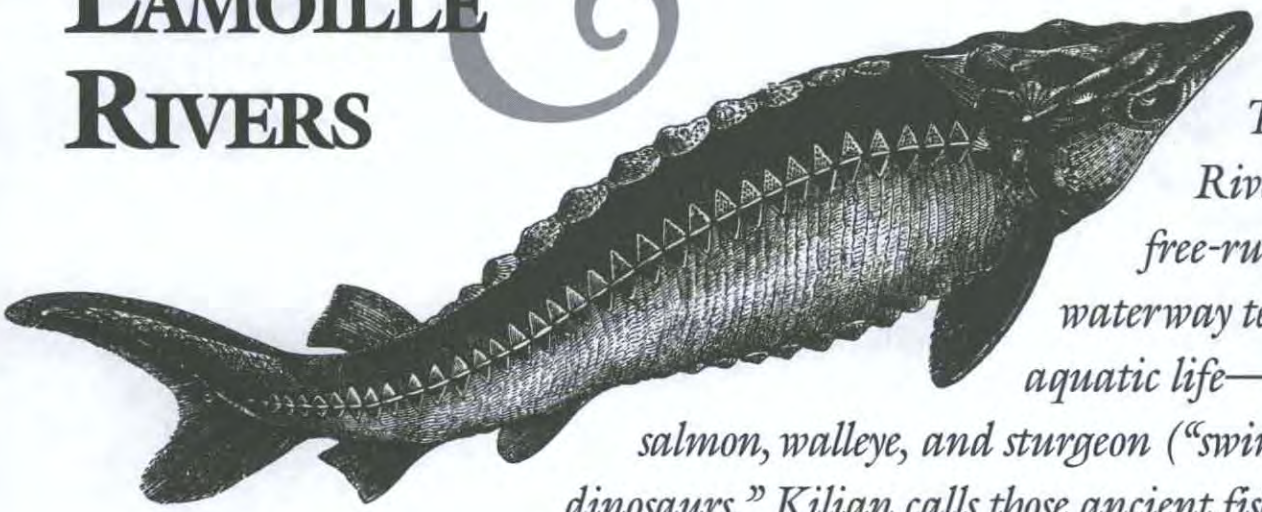
Other speakers provided information to help participants frame their thoughts on divisive issues such as the relationship between the environment and the economy. MIT Professor of Political Science, Stephen M. Meyer, hammered on a key point: *There is no environment-economic crisis.* He summarized: (1) Vermont's strong environmental policies have not imposed observable economic burdens, e.g., pollution regulations have not cost jobs or hobbled manufacturing, and land use regulations have not depressed real estate, construction, or farming; and (2) Vermont's economic health equals or exceeds that of its regional competitors, e.g. strong environmental policies have helped to stabilize economic growth and have enhanced sustainability.

There will be written and videotape materials on the Environmental Law Conference available in early Winter. Please contact Brigid Dunne at (802) 223-2328 for information.

Steven Rockefeller, Middlebury College, moderates a panel discussion on the environment and economy, involving Stephen M. Meyer, MIT; Eban Goodstein, Lewis and Clark University; and Karel Samson, UVM and Nijerode University (not in photograph).

Update:

THE CLYDE & LAMOILLE RIVERS



The Lamoille River was once a free-running waterway teeming with aquatic life—trout, salmon, walleye, and sturgeon ("swimming dinosaurs," Kilian calls those ancient fish).

Winter set in on Orleans County's Clyde River in May. Everywhere else in Vermont, May was a time of bud and bloom, when the rhythm of life picked up.

But on the Clyde River, where VNRC and a host of conservation groups and government bodies have called for the removal of the Newport No. 11 dam, May brought a regulatory deep freeze. The Federal Energy Regulatory Commission (FERC) had made history by preliminarily calling for the removal of the Newport #11 diversion dam. But in May, FERC and the state Water Resources Board reached a procedural impasse, each relying on the other to initiate reviews of the Citizens Utilities Hydroelectric project before initiating its own.

"What this has done is tie the process up in knots," said VNRC Water Program Director and Staff Attorney Christopher Kilian. "The (Water Resources) Board has said, 'We'll put the utility's appeal on hold until FERC makes a ruling whether to accept the amendment for review,' while FERC is saying, 'We're not going to act on this matter unless the project receives a water quality certificate from the state.' It's a federal/state stalemate."

In its draft Environmental Impact Statement (EIS), FERC cited both economic and natural resource advantages of dismantling Citizens Utilities' damaged Newport No. 11 dam and the powerhouse downstream. Returning the river closer to its natural conditions might enable the once-legendary run of Memphramagog salmon to resume spawning. An important factor in FERC's decision was the Vermont Natural Resources Agency's denial of a state Water Quality Certificate for the project. VNRC and other interested groups are now anxiously awaiting a final determination. In the meantime, Citizens Utilities has proposed to take down the dam but still retain the powerhouse, proposing to channel water to it outside the stream bed through a length of penstock.

The utility has appealed the Vermont Natural Resources Agency's denial of water quality certification to the Vermont Water Resources Board. Citizens Utilities has also filed an amendment of its original relicensing application to FERC, arguing that since the dam is now damaged and unable to restrain the river, the draft EIS is inaccurate and should be reconsidered.

The summer of 1995 was a hot one, but it produced no thaw around the frozen negotiations on the Clyde.

VNRC is hoping for surer resolution in its efforts on the Lamoille River. This matter also involves the state Water Resources Board. Hearings were scheduled for six days between November 15 and December 2.

The hydroelectric facilities on the Lamoille owned by Central Vermont Public Service received a water quality certification from the Agency of Natural Resources in 1994—a prerequisite for relicensing by FERC. But CVPS and VNRC both appealed the certification, the utility arguing its conditions were too stringent and VNRC that they were too lenient.

Before the start of the hearing, VNRC won on several key preliminary rulings:

- The Board concluded that issues related to the economy, energy, and air pollution (the utility would argue that taking hydropower projects off line means building other, more noxious generating facilities) were not relevant to its review. It would consider only the river and the river environment in its decision.
- The Board determined it had the authority to set conditions on a water quality certification which would, in effect, negate a dam's ability to generate electricity. "That's major,"

said Kilian. "It's the first time under the Clean Water Act that a state board has declared its authority to terminate the operation of a dam."

- Speaking directly to issues VNRC planned to raise, the Board declared that fish passage, aesthetics, and on-stream recreation were legitimate considerations in its review.

The Lamoille River was once a free-running waterway teeming with aquatic life—trout, salmon, walleye, and sturgeon ("swimming dinosaurs," Kilian calls those ancient fish). The Peterson Dam ended all that in 1949. VNRC is fighting to return the river to its rich, natural heritage.

Editor's note: A survey conducted by the Agency of Natural Resources in September found 17 "young of the year" Atlantic salmon in a section of the Clyde River that had been dry since the Newport #11 was built in 1957.

VNRC's Christopher Kilian and Mark Naud attend the Troubled Waters Conference. (Chris wears a "Restore the Clyde" hat available through Kevin Coffey at the NE Kingdom Chapter of TU.)

STUDY PROBES FORESTS DEPARTMENT

Vermont comes honestly by its reputation as a "green" state. Through both public and private agencies, Vermonters have made protection and conservation of their environment a priority. It is widely recognized that the state's economy depends on its attractive, well-protected natural surroundings.

Vermont's public lands have been a success story. User fees and ski-area leases have offset much of the costs of maintaining the 48 state parks and 38 state forests (user fees alone cover approximately 55 percent of costs). In addition, the small towns that border those areas get $60 million a year in revenues for provisions and services to recreational users.

That is why the dilemma now facing Vermont's Department of Forests, Parks and Recreation is so important. The department is the state's principal land management agency, and its domain has grown over the past 85 years to 285,000 acres as the state has acquired more public land for citizens and visitors to enjoy. Just as our bridges and roads need maintenance, our natural infrastructure needs attention by this department.

Yet its budget has withered during that period. Now the department contemplates layoffs in 1996 that could leave it unable to fulfill its stewardship mission.

Last summer, VNRC and the National Wildlife Federation co-directed a study project to analyze the Forest, Parks and Recreation Department's budget.

Mark Lorenzo, a graduate student from Harvard's Kennedy School of Government, probed the history, trends, and responsibilities of the department to determine how it might more efficiently spend its funds and perhaps increase its revenues.

"Although recreationists are funding a majority of the Forest, Parks and Recreation Department's budget, the state hasn't maintained its commitment," said Jim Shallow, VNRC Forests Programs and Outreach Director. "But during the same period the people who manage those lands have seen their budget cut by 32 percent. Consequently, the department is facing layoffs, and the ability of the state to take care of these lands is in jeopardy."

In 1991, the department's appropriation from the state's General Fund was $3.86 million; by 1995, it had shrunk to $2.06 million. (The total 1995 budget for Forests, Parks and Recreation was $8.31 million, including dwindling federal funds, leases from commercial ski resorts, and park revenues.)

Shallow describes a "pincher effect" to explain why the department is economically stressed.

On one side, state and federal dollars have been reduced even as responsibilities have increased. On the other, the study found that the department is a victim of its own accounting systems. It claims to be in the business of ecosystem management, but its books ascribe the majority of its spending (close to 70 percent) to the categories of administration, road building, and timber harvest.

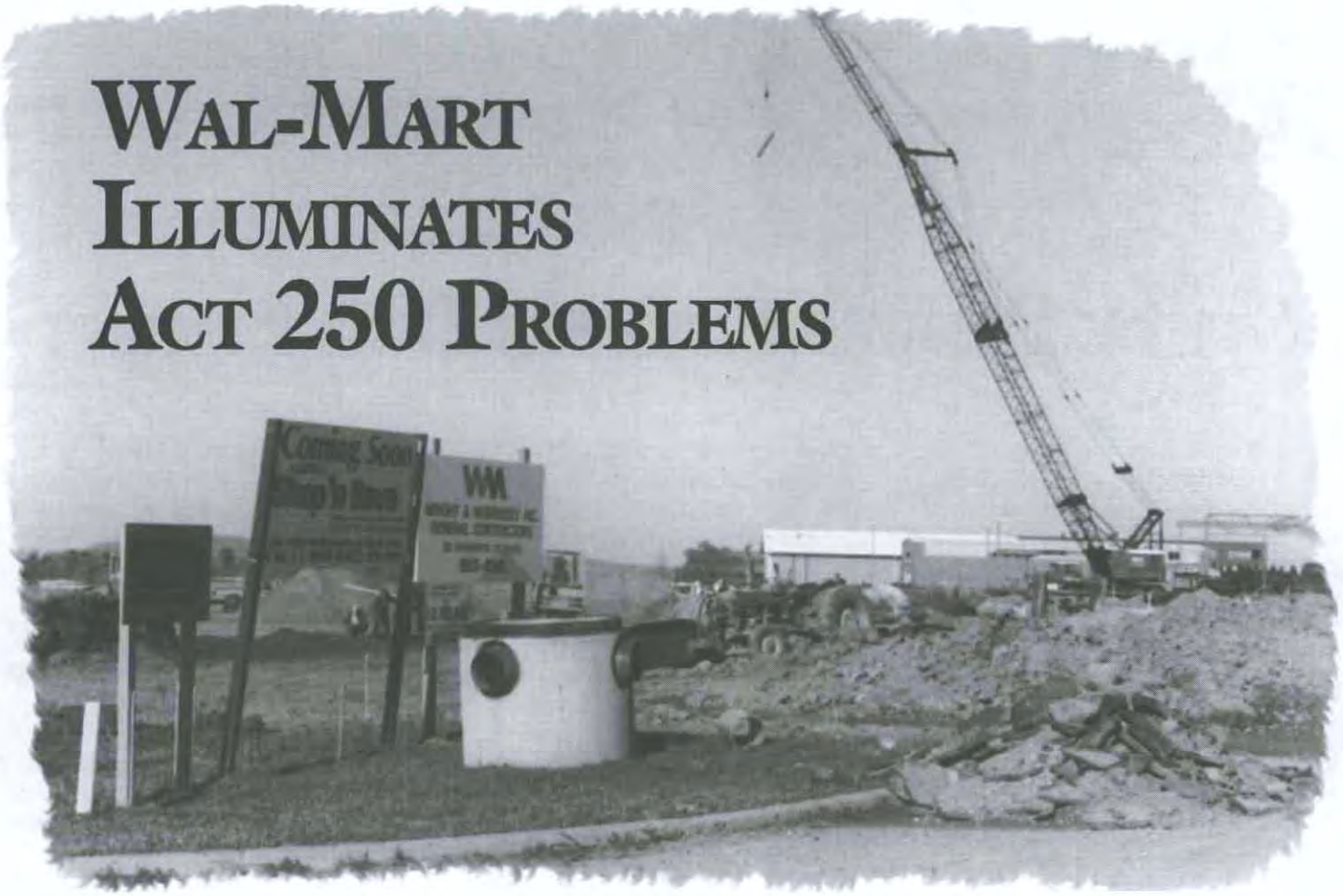
"This may be a function of their accounting procedures," Shallow pointed out. "Possibly, when they're out in the field doing conservation projects (the expense) may be entered under a category that doesn't reflect what they're really doing."

Those inaccuracies may be costing the department support.

"The agency is telling the paying public they're taking care of public lands for their benefit, but it's hard to convey that when their budget says they're spending money on roads, timber harvesting, and administration," said Shallow.

VNRC will issue a report to the next Legislature, recommending that a portion of Vermont's gasoline tax be dedicated to the Forests, Parks and Recreation Department. But just as important, said Shallow, is for the department to modernize its records to show more accurately how it uses the money it receives.

WAL-MART ILLUMINATES ACT 250 PROBLEMS



Now that the anniversary parties are over, supporters of Act 250 find themselves troubled by the noises at the fringes of the law. With the recent, final approval of a land use permit for the WalMart/Sam's Club mega-complex in Williston, VNRC members and other Vermonters are wondering whether Act 250 can withstand the resources that enormous national corporations can bring to bear when they want a project to go through.

VNRC hosted a celebration of Act 250's 25th birthday on the State House lawn on a rainy April 21. It attracted 300 devotees of the development-review process that was signed into law in 1970.

But on October 25 the Environmental Board hosted an anniversary party of its own, with a markedly different emphasis. VNRC's Northern Forest Project Director Brendan Whittaker, was the only person representing an environmental organization on a panel otherwise weighted toward business and banking interests, indeed, the whole day.

"Fortunately, said VNRC Deputy Director for Policy Stephen Holmes, Bren's words drew the best applause of the day and Elbert Moulton, who has held several

A new "mountain" emerges as sprawl begins to spread around Taft Corners in Williston.

economic posts in state government, spoke eloquently for Act 250. He said we needed to stand up and defend the law, and not be afraid to say that Act 250 has been good for the state."

But with the Legislature's new propensity for watering down Act 250 with exemptions, and with the Environmental Board itself last summer proposing rules changes that would have weakened citizen participation, the Board's event imparted a message of subtle distance from the Act. As we go to press, the Legislative Committee on Administrative Rules is Considering asking the Board to make even further changes to its proposed rules, thus enabling citizens to have better access to the Act 250 process.

The good news is that citizens rallied to Act 250 over the summer, attending hearings on the rules changes and essentially rescuing citizen participation from serious dilution by the Board.

The "body blow" to Act 250, in this quarter-century anniversary of its birth, came with the rejection by the state Supreme Court in October of final appeals of a land-use permit for the Wal-Mart/Sam's Club project in Williston. The epitome of suburban sprawl, certain to attract secondary development that will forever alter the character of a once-quiet town, the project is anathema to the environmental ethic.

How, people wondered, could it have obtained a permit? And what does its success say about Act 250 as a tool to moderate outsized development projects in the 21st century?

"Act 250 can be had," concluded Steve Bradish, chair of Williston Citizens for Responsible Growth, which fought the Wal-Mart proposal.

Indeed, it appears that the failure or success of a project as alien to Vermont as the Williston Wal-Mart—or the Wal-Mart targeted for St. Albans, which is opposed by VNRC and Franklin/Grand Isle Citizens for Downtown Preservation—can hinge on procedural factors practically unrelated to the merits of the case.

While Act 250 has protected Vermont steadfastly, Holmes knows it has holes big enough to drop a mall through. VNRC's task in coming years will be to plug those holes and adapt the Act to a changed world.

Wal-Mart was not a part of the original development proposal for Williston's Taft's Corners, which received an "umbrella permit" in 1987. An umbrella permit enables developers to satisfy certain basic Act 250 criteria so they can market their property.

"At the time, it seemed clear that this was not going to be a major regional retail center," said Paul Bruhn, VNRC Board member and Director of the Preservation Trust of Vermont.

It wasn't until three years later that Wal-Mart, like an Arkansas pig in a poke, became a part of the deal. By then, said the citizens' group's attorney, Gerald Tarrant, it was too late to raise issues that have proved effective in VNRC's fight in St. Albans. Most notably, the "impact of growth" criterion that enables parties to submit testimony on potential disruption to existing retail centers never could be aired.

"A whole bunch of (Act 250) criteria were excluded by the Supreme Court because they concluded that the umbrella permit had not been appealed within 30 days and (the criteria) could not be reopened," said Tarrant.

"What's quite amazing about this decision is that this is a project of potential very large impact—and it was never subjected to all the criteria of Act 250," said Bruhn.

"It's the biggest failure of Act 250 since the law's inception," added Bradish, of the citizens' group.

The project bounced back and forth between the district commission, the Environmental Board, and the Supreme Court for four years. In the end, when the Responsible Growth group tried to appeal an Environmental Board ruling that erased several million dollars of highway-construction obligations for the developer, the court ruled that the citizens had no standing to bring the appeal. In Act 250 the applicant, the state, the town, and the regional planning commission are the only parties with rights to appeal to the Supreme Court.

Case closed.

"The umbrella permit and the issue of access to the Supreme Court are the two barriers that show the shortcomings of Act 250 in the most dramatic way," said VNRC's Holmes. "We've tried to get a reform (of the latter provision) through the Legislature for years."

The Environmental Board came in for a drubbing from many quarters because it reduced, without apparent evidence, costly road-building conditions it had imposed a year earlier. Is the problem, then, not with

Act 250 but with the board that administers it?

Tarrant notes the case was heard by an abbreviated board of seven members (instead of nine), some of whom served on an interim basis. "The question is not so much whether the Environmental Board can handle these big cases," Tarrant said. "It's how you put in place a process to ensure that they don't do it arbitrarily."

Holmes has another worry about Act 250: It lacks a planning component that was envisioned but never passed in the original act, and as a result district commissions must judge projects almost in a vacuum, with little regard to their cumulative impacts. Local, regional, and statewide plans should be coordinated and have a special relationship to Act 250 "so that when a project of the magnitude of Wal-Mart comes down, there are the planning tools to appropriately evaluate it."

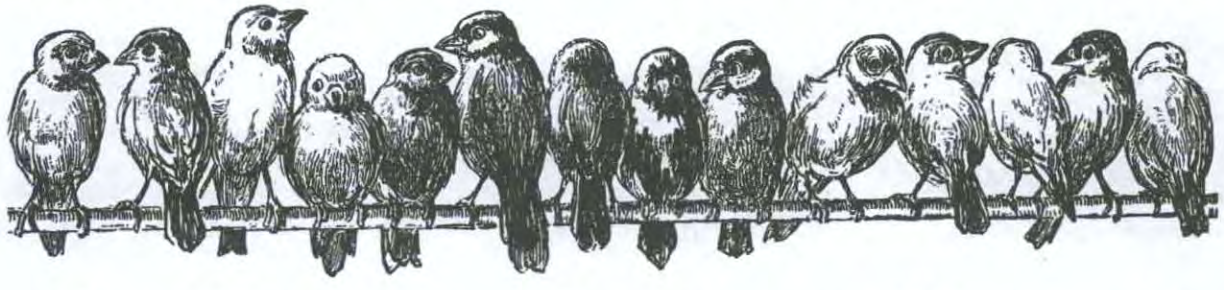
Times have changed since the act was formulated, Holmes said. "Now we have mega-developments like retail malls, large-scale timber liquidation, maybe casinos... I don't think Act 250 is equipped to consider such projects which have larger implications, because under Act 250 they are evaluated on a case-by-case basis."

VNRC is hopeful of a better outcome regarding Wal-Mart's St. Albans proposal. There, the Environmental Board has ruled against the project, citing primarily its long-term negative impacts on local businesses and the economy. Wal-Mart appealed the board's decision to the Supreme Court, and Holmes expects oral arguments by spring and a court ruling by June or July.

In this case, Holmes pointed out, Act 250 might serve well to stymie an inappropriate proposal. But it's largely a matter of circumstance: no umbrella permit, an appeal (which enables VNRC to present arguments to the Supreme Court) brought by the applicant itself.

While Act 250 has protected Vermont steadfastly, Holmes knows it has holes big enough to drop a mall through. VNRC's task in coming years will be to plug those holes and adapt the Act to a changed world.

Editor's note: The Environmental Board announced on November 27, 1995, its decision to maintain, unchanged, the rights of citizens to be "materially assisting parties" in Act 250 development hearings. This was approved by the Legislative Committee on Administrative Rules two days later.



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Please return this form to:
The Conservation Network, VNRC, 9 Bailey Avenue, Montpelier, VT 05602.
For more information, call Brigid Dunne at (802) 223-2328.
E-mail: VNRC@together.org

A GOP ENVIRONMENTALIST

By Brendan Whittaker

*Gordon K. Durnil, **The Making Of A Conservative Environmentalist.** Bloomington: Indiana University Press, 1995, 200p.*

Into this unhappy time of battle in environmental matters comes a book that may signify the stirrings of counter-revolution from the political right itself. As in the political commonplace, "Nixon had to be the first to go to China," it may well take an outcry from American political conservatives of conscience to lift the screen of hiddenness from the Republican Congress's sneak attacks on 100 years of conservation progress in our country.

Until last year, Gordon Durnil, an Indiana Republican, was U.S. chair of the International Joint Commission (IJC) — which oversees, with Canada, the quality of the environment along the U.S.-Canada border. (Vermonters will recall the IJC as very active in the early 1980's in Lake Champlain water-level negotiations with Quebec.) Appointed by George Bush to the IJC leadership, Durnhill has also been Indiana Republican state chair and a member of the Republican National Committee. He agrees with Rush Limbaugh in at least some matters. He also, during his IJC leadership and continuing now, advocates for a total phasing out, a complete ban, on the use of chlorine-based industrial compounds. Durnil is convinced from evidence he saw at the IJC that environmental health and human well-being — our offspring's future — is threatened by chlorine's continued use.

Durnil is tough on industry, his erstwhile natural political bedfellow. "On my tour with the (IJC) I watched the chemical industry, through its lobbyists, fight any potential for change and then try to avoid responsibility for its actions. Rather than join the dialogue regarding the responsibility we all have to future generations, their typical tactic was to disrupt such dialogue." He continues his fight to convince his fellow Republican conservatives (he is a friend of fellow Indianan Dan Quayle) that it is within their deepest interests, political and otherwise, to care for the earth.

"Can a political conservative be an environmentalist?" he asks. "Can an environmentalist be a political conservative? Sure. Why not?"

The response that his fellow politicians and leaders give to Durnil and his proposals could well determine some important outcomes of the current campaign for environmental sabotage; and thus his effort is most welcome.

Meanwhile, for the rest of us who have been engaged in the battles for years, the environmental fight of our lives goes on since the 1994 elections. We need all the help we can get, and we sincerely welcome this important book from another point of view.

MEASURING NATURAL ASSETS: SHARPEN YOUR ECONOMIC TOOLS

*Kari Dolan and Patrick Field, **Fishing For Values: A Primer for River Protection Activists in the Use of Contingent Valuation as an Economic Tool for Conserving Anadromous Fisheries. National Wildlife Federation and River Watch Network, Vol. 1 (report) & II (appendices), June 1995.***

A growing number of public policy decisions involve the tools of economics to quantify tradeoffs on environmental decisions. How do we make a decision on development versus preservation; how do we assess the value of market and non-market goods and services? This primer is an excellent reference to help river protection advocates and other conservationists understand the basic economic principles that are used to analyze public policies for natural resources and the environment.

In particular, this primer will help people understand and possibly use economic valuation in their efforts to protect or enhance the quality of rivers. It is especially helpful for those advocates who are seeing economic valuation techniques being used in regulatory proceedings, such as hydropower relicensing cases by the Federal Energy Regulatory Commission or the U.S. Army Corps of Engineer's Section 404 "dredge and fill" proceedings.

To order, contact The National Wildlife Federation, The Northeast Natural Resource Center, at (802) 229-0650.

Above, Harry Montague receives his well-deserved Citizen Activist Award from Jane Difley at the VNRC office.

Annual Meeting Unites Members

VNRC members convened in Brattleboro last September 23 for a variety of purposes: to hike, to learn about the area's rich natural and cultural history, to attend a workshop on being effective citizen activists, to hear acclaimed author W.D. Wetherell, to be updated on VNRC's policy initiatives, and to pay respects to those who earned VNRC Citizen Awards.

Below, environmentalists for our future, Flannery and Emma McCoy, Rebecca Hamilton, and Kyle McNary, at the annual meeting.

Those honorees included:

Policy Awards

Doug Kitchell and Chris Hamilton of the Northeastern Vermont Development Association

Citizen Activist Awards

Peter Zilliacus of the Windham Citizens for Responsible Growth;

Harry Montague of the Vermont Federation of Sportsmen's Clubs (see below);

Gary Doyle of Trout Unlimited

Grassroots Leadership Award

Steve and Linda Bradish of Vermonters Against the Wal and the Williston CRG

At right, keynote speaker W.D. Wetherell fastens a flag describing a "hot issue" to a Vermont map at the annual meeting.

Below, VNRC group enjoys leader, Patty Smith, on an exploration of Putney Mountain.

Outstanding Volunteer Award
Emily Sloan

Excellence in Environmental Reporting
John Dillon, *The Times Argus*

River Action Network Publishes Newsletter

Where are citizens working together to restore water quality and fish habitat? Which stream's legendary salmon run is being reclaimed by activist anglers? How can *you* help revitalize a river near you?

VNRC and River Watch have begun a joint initiative, the Vermont River Action Network, that is strengthening lines of communication among Vermont groups and individuals interested in protecting our rivers and streams.

If you are interested in receiving *River Action*, the just-published first newsletter for this initiative, contact Stacie McNary at (802) 223-2328.

Support Is Available

The Northern Forest Alliance will be offering small grants to individuals and groups working at the community level to protect the Northern Forest. The focus of this mini-grant program is protected wild lands, health economies, and sustainable forest management. If you are interested in applying for support, call Brigid Dunne at (802) 223-2328 for an application and guidelines.

The Vermont Department of Forests, Parks and Recreation has announced a grants program to help maintain existing trails, restore areas damaged by use of trails, develop trailside and trailhead facilities, enhance accessibility, construct new trails, develop trail plans, prepare and publish maps, and protect trail corridor land. Applications are due on January 31, 1996. Call (802) 241-3689, to receive an application packet for the Vermont Recreational Trails Fund.

The REAL McCoy

VNRC's water program is grounded with new scientific expertise: C. Mead McCoy III recently began working as staff ecologist.

C. Mead McCoy III

With an academic and work career that has spanned more than a decade, Mead has considerable knowledge of the aquatic sciences. He began his work in Cameroon, West Africa, as a fish culture technical advisor for the U.S. Peace Corps. Mead next worked for Smithsonian Institution's Division of Fishes as a museum technician. He has also been a fish culturist, a science teacher (at the Vershire School, where he met his wife, Jennifer), a fisheries biologist, and a research associate at the SUNY Oneonta Biological Field Station, on Otsego Lake, New York.

Mead will now use these skills and his indefatigable conservation ethics to protect Vermont's precious waterways. We are pleased that Mead is a part of our water program team; please stop by to say hello. (Mead's two daughters, Emma and Flannery, are pictured on page 26 at the VNRC Annual Meeting.)

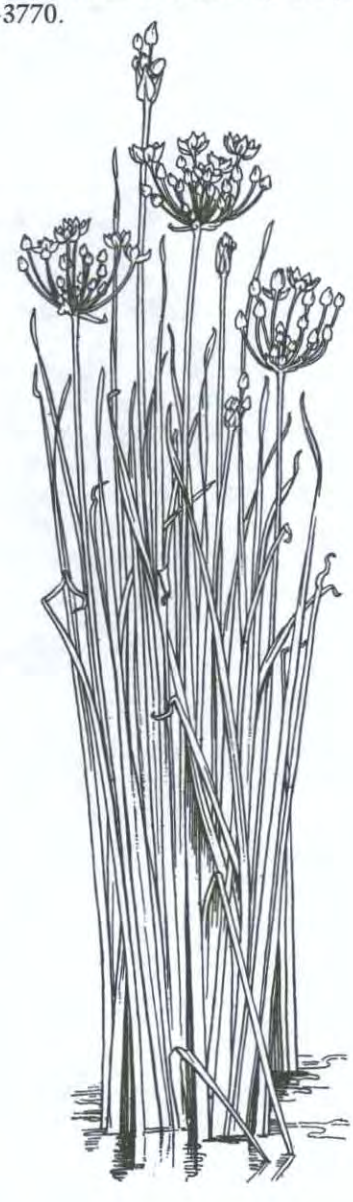
VNRC Welcomes Mark Naud

Mark Naud recently joined VNRC to fulfill his passions for environmental advocacy and to complete his clerkship requirement for the Bar. While serving as law clerk to Christopher Kilian, Mark will focus primarily on hydropower relicensing cases. Mark attended University of Michigan's School of Natural Resources as an undergraduate, and recently completed the Pace University Environment Law Program. Mark lives in Charlotte with his wife, Hilary, and their toddler son Eric.

Learn About Wetlands

A new video on wetlands may be borrowed free of charge from the Agency of Natural Resources by schools, groups, and individuals. The 25-minute video includes information on identifying wetlands, their functions and values, current threats and impacts on them, and an overview of state and federal wetland regulations. The show also features footage of many of Vermont's beautiful wetlands.

For more information on "Vermont Wetlands, A Natural Resource," call (802) 241-3770.



Stay Current on Environmental Law

The Vermont law firm Burak & Anderson publishes and distributes for free, to those who ask to be on the mailing list, a newsletter on recent environmental law developments in Vermont. Please call Jon Anderson at (802) 862-0500.

Energy Savings Save our Environment

The statewide Home Energy Improvement Loan Program (HEILP) is offering loans to qualifying moderate- and low-income Vermonters, with interest rates as low as 8.5 or 9.5 percent, depending on household income, to make energy-saving home improvements. Call the Vermont Development Credit Union at (802) 865-3404; or 1-800-865-8328.

7th American Forest Congress

The Seventh American Forest Congress will be held in Washington, D.C., on February 20-24, 1996. (The last Congress was convened in 1975.) This will be the first *citizen's* Congress bringing together a broad group of forest "stakeholders." Before the February event, round tables will be held across the country to develop common ground among participants. For more information, call the Office of the Congress in New Haven, CT, at (203) 432-5117.

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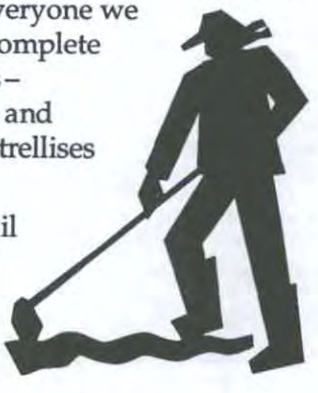

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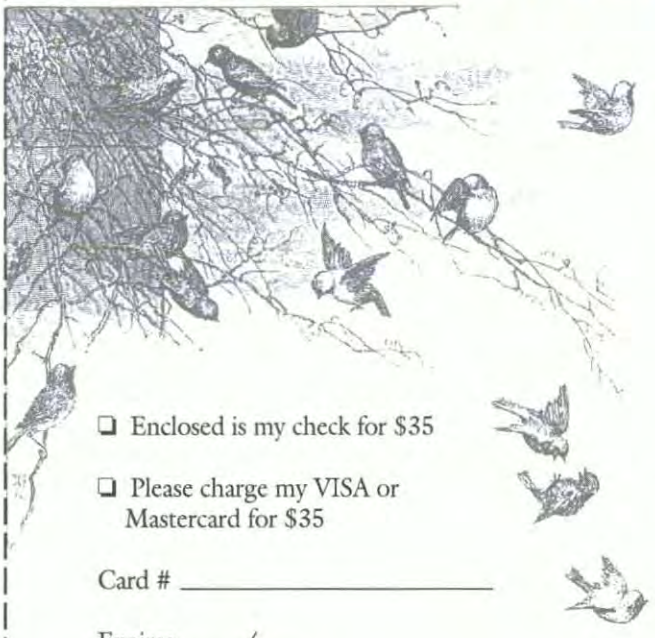

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