

Faith Brown

From: Bruce Post <bruce.post@yahoo.com>
Sent: Tuesday, November 06, 2018 10:42 AM
To: Amy Sheldon; Brian Campion; Christopher Pearson; David Deen; Paul Lefebvre; Richard McCormack
Cc: Aaron Adler; Faith Brown
Subject: Follow-up thoughts
Attachments: Act 250 mailer - land use plan intro.pdf; Maerki - VT environment lagging.pdf

Dear members of the Act 250 Commission:

I am following up on a few of the issues I discussed during my presentation at the October 26 meeting:

1. Toward the end of my public comments, Sen. McCormack asked about whether I was recommending a State Land Use Plan. Obviously, the recommendation of such a plan deserves extensive consideration beyond my opinions, but I think that the commission's prior consideration of "public trust resources" provides an intersect with the state land use plan issue. Public trust resources would need to be identified and mapped, and how those resources might be regulated would, in my mind, need elaboration. For your information, I have attached a PDF that I scanned from a multi-page newspaper-style mailing intended to reach every household Vermont. The mailing, sent by the Environment Board with VNRC support in late 1972, was intended to orient the public about the plans envisioned by Act 250. The scan I have attached is the *Introduction to the State Land Use Plan*. It was printed on a single page of the mailer, and I first scanned the top-half of the page and then the bottom half. If you launch the PDF, you should be able to read the document by the individual columns as they flow from the top half to the bottom half. (I unfortunately cannot find my scan of the maps that were included in the mailing.);
2. At a previous meeting of the commission, legislative counsel Adler outlined land use plans in other state jurisdictions. Because of the proximity of the Adirondacks, I would encourage the commission to consult individuals knowledgeable about the New York practices. Obviously, the Adirondacks are a special case, given the constitutional protections of the 2.6-million acre public Forest Preserve and regulation of other lands in the six-million acre Adirondack Park at-large. In this regard, I am trying to track down Tim Burke, who was Rep. Dean's predecessor in the Legislature. Mr. Burke chaired the House Natural Resources Committee and then went on to be the Commissioner of Environmental Conservation and Secretary of ANR under Governor Kunin. Mr. Burke then became executive director of the Adirondack Council, a prominent non-profit organization that educates and advocates on behalf of the Adirondacks. I have personally been interested in finding Mr. Burke because of my own historical research, feeling that he would be an excellent source capable of providing a unique perspective on Vermont's environmental laws in comparison to New York's. I will let you know if I find him; and
3. Toward the end of my presentation to you, I believe I lamented the gap between Vermont's boasts of environmental virtue and the actual experience on the land. While I was searching newspaper articles for my research, I serendipitously found an Op Ed that appeared in the Burlington Free Press on February 12, 1989, titled "Environmental reputation is only that" by Vic Maerki. Vic, who died in 1990, was a legendary journalist for the BFP in the 50's-60's and later worked for Sen. Bob Stafford, for whom he helped staff environmental issues. I was a colleague of Vic's when I worked for Sen. Stafford. I consider Vic's attached Op Ed notable not only because of his observations but also because Vic was named by Gov. Davis to the group of advisors who served the Gibb Commission.

Thank you for your consideration.

-- Bruce Post