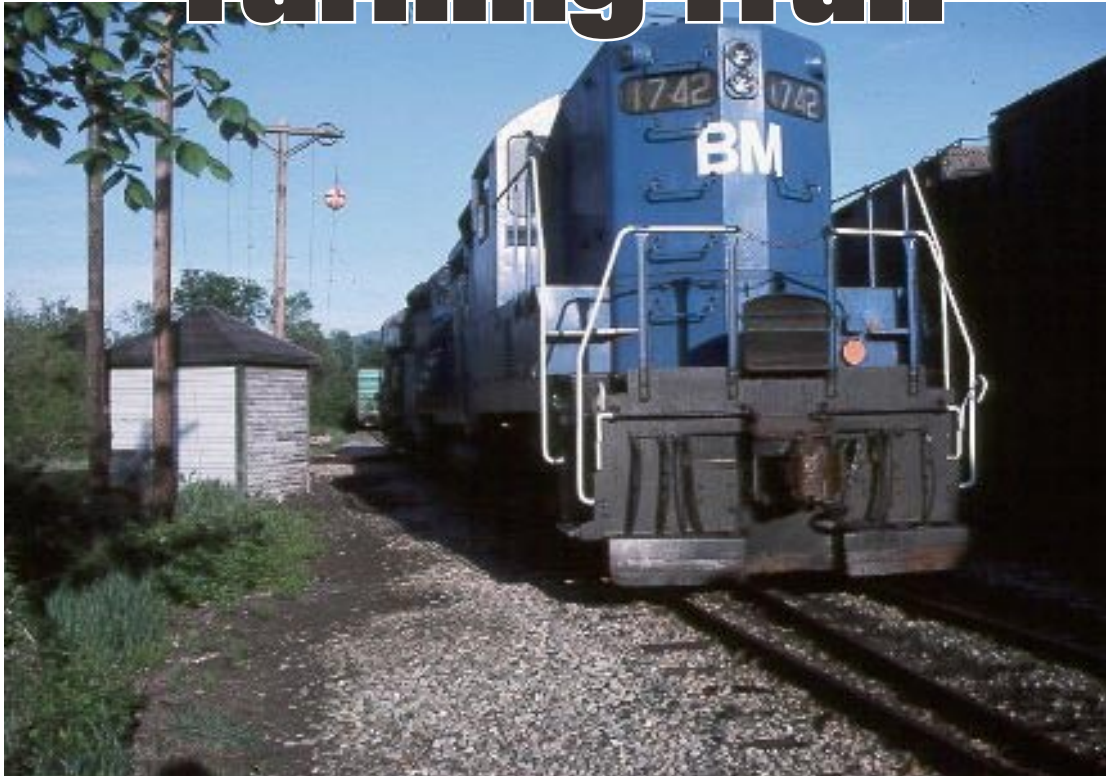


Turning Trail



Lamoille Valley Rail Trail's winding road

By John Bauer
Special to the *Vermont Guardian*

The conversion of a railroad track into a recreation path is a lot like assembling a jigsaw puzzle. The postcard image stares up at you from the box, and then the pieces are dumped onto the table and the sorting and assembling begins.

After years of effort, the myriad of people working on the Lamoille Valley Rail Trail (LVRT) are beginning to get the edge pieces to fit together and are poised to begin the task of filling in the rest of the puzzle.

One of the pieces was put in place recently when the state Agency of Transportation (VTrans), agreed to an interim management plan with the Vermont Association of Snow Travelers (VAST). The March

14 agreement is a significant step toward continuing the conversion from a railroad bed to a four-season recreation path.

The management plan allows VAST to create a committee to manage the trail. LVRT Committee co-chairman Ted Chase, a VAST member, said the next order of business will be to sign a "cooperative agreement" between VAST and VTrans. The agreement will allow VAST to begin crediting volunteer time toward the \$1.2 million in matching funds the organization needs in order to get a \$5.8 million earmark secured by former U.S. Sen. Jim Jeffords, I-VT, in the 2006 federal Transportation bill. Chase says that Bryant Watson, VAST's executive director, is working with VTrans and an agreement is "imminent."

"Then the money will start flowing and allow us to start accumulating the matching funds," he said. "Some people think we will have trouble raising the

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Activists walk the nuclear trail

By Christian Avard
Vermont Guardian

BRATTLEBORO — In an effort they hope will make people aware of the need to shut down Vermont Yankee and put more renewable energy online, activists are walking across Vermont.

Their goal is tell Vermonters they have the power to determine their energy future and they can act to shut the plant down and move to a more sustainable energy future.

On March 24 the Citizens Awareness Network (CAN) of Shelburne Falls, MA, and the

Buddhist order of Nipponzan Myohoji began their trek in Greenfield, MA and walked to the Vermont towns of Guilford, Brattleboro, and Putney where they held potlucks and informational discussions with Vermonters about the state's lone nuclear power plant.

"This is the second time we've held the 'Walk for a Nuclear Free Future,'" said Hattie Nestel of Athol, MA.

Nestel worries about Vermont Yankee's bid to extend its operating license beyond 2012, and wants Vermonters to understand why Vermont shouldn't extend it.

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Senate passes new campaign finance law

By Shay Totten
Vermont Guardian

MONTPELIER — Vermont's Senate unanimously approved an update to the state's campaign finance laws, setting new limits on how much candidates can take from donors, and how much donors can give to all candidates.

The bill now heads to the House.

A provision that would have expanded Vermont's public funding of campaigns was stricken from the original proposal, authored by Sen. Ed Flanagan, D-Chittenden, and

will be taken up separately this session.

The bill was offered in response to last year's U.S. Supreme Court decision. In June, the nation's highest court struck down the nearly 10-year-old law in June, after it was challenged by the Vermont Republican Party, the Vermont Libertarian Party, and the Vermont Right to Life Committee, as being unconstitutional.

Vermont passed its campaign finance law in 1997, placing a \$300,000 spending cap on gubernatorial candidates and lower limits for other political seats. Contributions to state

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"Nuclear power plants have been given uprates all over the country to put out more electricity which creates more fuel for bombs, plutonium, and tritium," said Nestel, noting that the Nuclear Regulatory Commission (NRC) has yet to say no to an uprate or relicensure request.

"I think the reason that they are [being approved] is because the public is not really aware of how dangerous they are," said Nestel.

The NRC is now reviewing Vermont Yankee's application of re-licensure and their request to operate an additional 20 years. Currently the NRC is evaluating whether or not Vermont Yankee components can withstand operation until 2032, and if the plant has any adverse effects on the surrounding environment. However, the NRC is not taking into consideration whether or not the plant is vulnerable to terrorist attacks and nuclear waste storage that some CAN members take issue with that omission.

The Massachusetts Attorney General is taking the NRC to federal court over the issue of waste storage and vulnerability. An attempt by the attorney general to have these issues reviewed during the relicensure process was denied by the NRC and its advisory panel, the Atomic Safety and Licensing Board.

The attorney general is also, along with nine other attorneys general, asking the NRC to reconsider how it examines the safety of spent fuel pools and long-term onsite waste storage at all nuclear power plants.

The issue of long-term, on site storage of nuclear waste is one that concerns many people who live near the Vernon reac-



photo by Christian Avard

tor, whether they are in New Hampshire, Massachusetts, or Vermont.

And, activists believe people outside the immediate emergency planning area should also be concerned.

"I think that central and northern Vermonters really need to take into account the high-level radioactive waste and right at this point, Yucca Mountain is not open and it's never going to open and it's very unlikely we're going to have a federal repository for the high-level nuclear waste and even if we did, it would take us 20 years to move it all," said Claire Chang of Gill, MA. "So it's not a situation where Vermont can just close it's eyes and hope and wish and pray that's it's just not there and we're not going to pay any attention to the pink elephant in the middle of the living room."

Senate Pres. Pro Tempore Peter Shumlin, D-Windham, told the *Barre-Montpelier Times Argus* earlier this month that legislators were "astounded" to learn in February that the NRC is not considering storage of high-level radioactive waste with respect to Vermont Yankee's re-licensure efforts.

He has since urged for an independent safety assessment and removal of the high-level radioactive waste from Vermont Yankee's Vernon site.

"Why should Windham County be the designated dump for the entire state of Vermont? Morally, how can the rest of Vermont say, 'Oh well, we're just going to write off Windham County,'" said Chang.


She noted the irony that Chittenden County, the most populous of all Vermont counties and a major user of electricity, has been unable to site a garbage dump, yet seems to be OK with allowing a nuclear waste site to be OK'd along the Connecticut River.

On Sunday, more than a dozen participants walked from Guilford to Brattleboro with stops along away at the School for International Training where they met with students during lunch and proceeded to Vermont Yankee headquarters where they conducted Buddhist prayers.

On March 26, the group travelled by foot to Bennington where they held a potluck with concerned citizens and distributed literature in town to raise awareness. They will repeat that process all week.

"We want to alert the citizenry and they have the power, the right, and the responsibility to talk to their legislators about Vermont Yankee, the high-level radioactive waste and what they want done with it and also about their feelings about renewables. We really need to put in wind, and solar and it's not negotiable. It's not something we can wait to do in 10 years; we need to do it now," said Chang. "So, part of it is that every person that sees us will hopefully have more motivation to go and talk to their legislator and to impress upon the Legislature that we're serious, and they must stand up to the utilities and the monied interests and say that Vermont is going to lead the nation in renewable energy production," said Chang.

Lawmakers have also been lobbied by pro-nuclear groups, including Patrick Moore, a co-founder of Greenpeace, who now tours the country talking about how nuclear power should be considered a fuel source that does not emit greenhouse gas emissions and better for the planet than many current fuel sources.

By law, the Legislature must vote on whether Vermont Yankee should have its license extended, but there is disagreement about whether its vote would have any impact on the NRC licensing process. 

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money, but we've got guys lined up with bulldozers just waiting to get started."

Until now, the actual work on the trail has been limited to the emergency repair of washouts, plugged culverts and bridges that were deemed unsafe.

VAST has hired Alan Robertson to manage the LVRT project and Chase said that Robertson's first task is an engineering assessment — a detailed inventory of the trail from end-to-end.

"He'll need to work on an engineering proposal and get approval for ditching, surface materials and the designs of bridges and culverts," he said. "The trail has to comply with ADA (Americans with Disabilities Act) and we have to identify trail heads, scenic overlooks — some places may have to have hand rails."

Chase estimates that it could be 10 years or more before the trail is complete and will probably cost more than \$7 million.

Trail history

The 96-mile rail corridor began in 1877 when the St. Johnsbury and Lake Champlain Railroad was created to connect St. Johnsbury to Swanton via Hardwick, Morristown, Cambridge, and Fairfield. The S.J. & L.C.R.R. had several owners, ending up as the property of the state in 1973. The Lamoille Valley Railroad followed until 1994 when it was shut down for lack of money.

Then, the tracks fell into disrepair and disuse with the advent of better roads and trucks until only sections of track were in use. By the early 1990s, the popularity of recreation paths and the use of snowmobiles had grown to the point where people began to think about removing the tracks from the right-of-way.

In 1998, the Vermont Senate and House Transportation committees asked for proposals from groups interested in using the rail corridor. The two most prominent were trail advocates led by VAST, who proposed a recreation trail, and Vermont RailLink, who wanted to restore the railroad for freight use and as a scenic railroad.

The Legislature decided in favor of creating recreational trail and authorized VTrans to negotiate a lease with VAST. That lease was finalized in October and will last until June 30, 2016, with the option of two additional 10-year terms that could extend it to 2036.

VTrans began to negotiate and to discontinue service along the

railroad and requested permission from the federal Surface Transportation Board to "railbank" the corridor. Railbanking is an agreement to use an out-of-service rail corridor as a trail until it is needed once again as a railroad. It is an alternative to railroad abandonment, which can result in the corridor reverting back to the ownership of adjacent landowners. With railbanking, tracks and other equipment may be removed, but the corridor remains intact.

VTrans removed the rail, ties and other equipment before turning the rail bed over to VAST and sold the salvaged material to pay for their removal.

The years of public hearings and negotiations over the LVRT were sometimes contentious, with adjacent landowners expressing concerns about the noise and pollution of snow machines.

Neighbors' concerns

Kate Scarlott and Rob MacLeod live on 160 acres in East Hardwick where they raise draft horses and Devon cattle. The trail bisects their farm, passing 55 feet from their home and 50 feet from their barn. They bought their farm in 2001 knowing that a railroad was there and are opposed the conversion to a rail trail. Their biggest concern is the noise and pollution generated by snowmobiles.

"We have no problem with a railroad, that would be just fine," MacLeod said. "Pedestrian use is OK, its non-intrusive. Snowmobiles intrude on our ability to work our farm. The pollution from two-cycle, two-stroke engines is so much worse [than trains]. We can smell it, we can taste it."

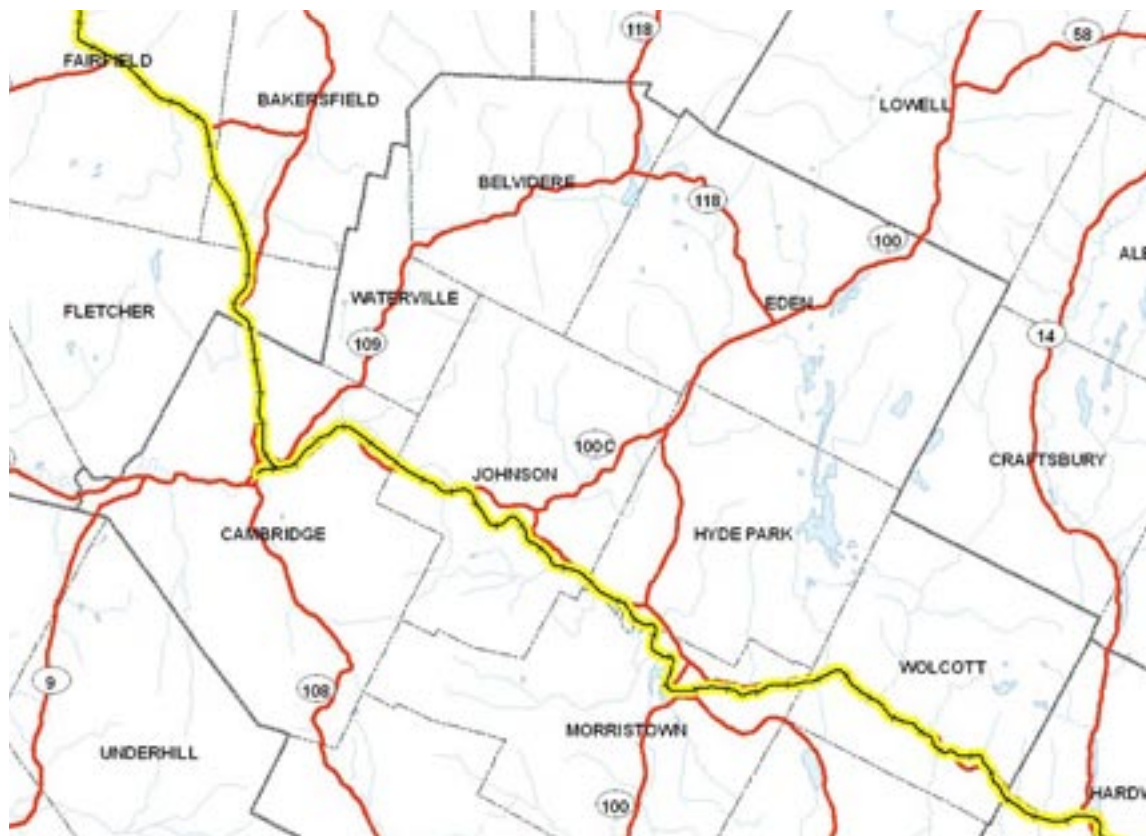
There is a posted speed limit of 35 miles per hour and a road crossing near the house where the machines are supposed to stop, but MacLeod says they usually don't.

"Even when they do, the rapid accelerating produces more pollution," he said.

MacLeod and Scarlott have negotiated with VAST and the local snowmobile club over re-routing the trail but have yet to find a compromise that satisfies everyone.

Chase said that disgruntled adjacent landowners really don't have a say in the use of the rail bed because it was ordered by the state to be used for "alternate transportation activity."

Landowners are challenging the project by insisting on air quality testing and making the



case that the project should be reviewed under Act 250, Vermont's landmark environmental law.

The Vermont All-terrain Sportsmen's Association, (VASA), made a last-minute attempt to gain limited access to the trail in case their future trails should cross the LVRT.

All terrain vehicles, or ATVs, are small engine, four-wheeled machines that can be used in most terrain under almost any conditions and are increasing in popularity. They are favored by homeowners, outdoorsmen, and farmers for many purposes and have a contingent of enthusiasts who like to ride fast. Unlike snowmobiles, they have four-stroke, four-cycle engines similar to cars.

Planning the pieces

Ben Rose is a land use and transportation planner for the Northeast Regional Planning Commission (RPC), which represents Franklin and Grand Isle counties and is one of 12 RPCs in the state. It is one of the three RPCs through which the new trail passes and home to the 26-mile Missisquoi Trail, a converted rail bed that is the closest example of what the LVRT could become. The Missisquoi Trail intersects the LVRT in Sheldon.

Rose has been part of the process of creating the trail for many years and opposes ATV access on the LVRT. ATVs are not allowed on the Missisquoi Trail.

"One of our concerns are young families and the elderly," he said. "I don't see how machines capable of high speeds are compatible with strollers."

VASA was not successful in

"We are trying to get our house in order, to make our organization a good organization. The hard work is about to start and we hope to get people excited about the prospect for the trail."

— Heidi Krantz

Friends of the Lamoille Valley Rail Trail

their quest to gain access through the lease in spite of intense lobbying in Montpelier. Advocates of non-motorized uses for the trail organized in opposition and prevailed. Any future bid for ATV access will be subject to a process of public hearings, but Danny Hale, VASA's president, is one of the members of the trail committee.

One of the organized groups is the Friends of the Lamoille Valley Rail Trail (FLVRT), a membership-based organization that seeks to "support the development, maintenance and Promotion" of the LVRT, and represent the interests of non-motorized trail users.

President Heidi Krantz said that the group's board is gearing up for the next phase of the trail by creating four new committees to support the effort. A fundraising committee will help raise money to match the federal grant, a public relations and outreach

committee is creating a website and publishes a newsletter, and there is now an executive committee and a trail maintenance committee. They plan a series of meetings in April that will feature a slideshow by Becka Roof and Tom Good who cycled 500 miles on rail trails in Quebec.

"We are trying to get our house in order, to make our organization a good organization," she said. "The hard work is about to start and we hope to get people excited about the prospect for the trail."

Krantz is also the community development director for Morristown. She said that businesses are keeping the trail in the back of their minds.

"It's kind of like the 30-year-old Route 100 bypass that is yet to be built," she said. "People are waiting to see if it will happen. I think it has huge potential economic potential for our area and we have to be ready for it." ☐

Committee meetings

The Lamoille Valley Rail Trail Committee meets the second Wednesday of every month, 6:30 p.m. Hilary's Restaurant, Morristown