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No Clue

I recently wrote an email to Kevin Lawrence, head of the Vermont Fish and Wildlife Board, regarding the new proposal to extend the trapping season for bobcats. He explained that the decision will be based on science. He emailed that Vermont trappers have submitted 100% of carcasses from trapped otters and hunted bobcats for decades of study.

I wrote back:

And how do you verify that they've submitted 100 percent of carcasses? Are you taking the trappers word? It would seem that the trappers are an interested party and would have bias in the outcome of your decision. Are you using any objective data for your decision?

He failed to respond to me. He did, however, send a reply to a high school teacher who raised the same concerns:

If you ever want to run a trapline with me and some students, I can arrange a trip in January. Perhaps your cynicism and lack of trust could use a dose of reality in the wood? Certainly I read a lot of angry lies from animal rights folks about what occurs on the trapline. They have no clue.

I'm sure Mr. Lawrence, who is himself a professional trapper, has a clue about the outdoors. In terms of public policy discourse, his response is troubling. I speak from experience. I am a small town official and in that capacity I know the stress and strain of managing a difficult public conversation. We should forgive the rudeness. Mr. Lawrence is passionate about what he does and that should be channeled into a productive conversation. Maybe there is a good reason to let interested parties guard a public resource. But we need to hear Mr. Lawrence make the case. Unfortunately the lack of open dialogue is a sign of a widespread neglect of the public's role in setting government policy. It is as if the institutions feel average citizens, and their concerns are pesky problems. Once again Mr. Lawrence is merely a product of an institutional environment that traps well-meaning officials into defending what appears to be bad policy. He is not the only state employee placed in this bind.

I also recently emailed Jim Porter, director of telecommunications and connectivity at the Department of Public Service, about the availability of maps showing broadband distribution in the state. His agency maintains a publicly available database of

addresses that can be checked for broadband availability. This does little for a government official, like myself, who wanted to be able to assess the larger picture. He explained the lack of a searchable map: Although state law allows the Department to ask broadband providers to voluntarily provide information on their networks that same law enables the providers to provide such information subject to non-disclosure agreements. In other words, the state's top regulatory official for telecommunications is forbidden by state statute to show a map of the telecommunications infrastructure, placed in the public right of way to a public official. It is unfortunate that Mr. Porter has been put in this predicament by not having the tools to do his job. His situation pales in comparison to Deb Markowitz at the state's Agency of Natural Resources. Over a year ago I reported an unfortunate incident. A renegade logger, with a history of violence and tens of thousands in uncollected fines, was terrorizing an elderly couple in my community. I confronted this person and was greeted with threats and a rattling chain while his assistant photographed my car's license plate. I told Secretary Markowitz that the brazen behavior was the result of a decade's worth of inaction by the state. Markowitz was responsive and improvements have been made. Unfortunately, the underlying problem has not been adequately addressed.

This logger still plies his trade while still owing tens of thousands in fines. Why? ANR has not been given the authority to take prompt action.

It is easy to place the blame on Markowitz, Porter or Lawrence, but it's not their fault. They are all responsive, knowledgeable, hard-working public servants who are ill-served by a Legislature that gives them half-baked mandates. This, in turn, forces them to be cheerleaders for awful public policy. The Legislature has been complacent and created an environment where bureaucrats feel the need to toe the line, rather than problem-solve. The poster child for this attitude is the Public Service Board. Whatever one thinks of the pipeline project, the act of attempting to ban the public from a contentious public forum is, by any measure, disgraceful. The PSB defended the decision saying that they were trying to guard the due process of people who were testifying. They said they could not find an adequate space to hold the hearing that would address the security concerns. It is interesting that they never bothered to contact the Legislature. Might the Golden Dome have been the perfect setting for this event? It probably never occurred to them to turn to the State House. Why should it? Their boss, the Legislature, has given them a mandate to safeguard the public trust while at the same time providing a process that has the opposite effect.

There is an institutional psychosis in state government in which the good people in the Legislature unwittingly set up good people in the various departments to alienate the good people of the state of Vermont. In order to break this vicious cycle all levels of government need to be more responsive by thinking outside traditional comfort zones. The way we manage everything, from bobcats to broadband, must keep pace with a rapidly changing world. The key is to balance institutional expertise with the knowledge of ordinary Vermonters. Sometimes people with credentials lack front line credibility. If an alcohol sales clerk had been part of the governmental regulatory process, Vermont liquor stores would have dispensed with their dial-up modems decades ago. If a road

foreman had be able to participate in the Act 64 water bill, the absurd mandate of having towns apply for road permits would have been abandoned.

As it stands now, everyone is doing their best, but the disenfranchisement of the average Vermonter is growing. Montpelier is unaware of how distanced the public is from the process and the consequences to small businesses, average citizens and citizen activists are devastating. To quote Mr. Lawrence, They have no clue.

Bram Towbin of Plainfield is a select Board member and is running for a seat in the state House of Representatives.