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APR 27 1991

Lancaster Farming

VOL. 36 No. 24 Four Sections Lancaster Farming, Saturday, April 27, 1991 50¢ Per Copy 19.00 Per Year

Brightbill Offers Wetlands Preservation Legislation



A goose in a field does not a wetlands make. However, waterfowl are associated with wetlands, such as those created in and around Middle Creek Wildlife Refuge in northern Lancaster County. Legislators are currently working on creating protection laws for wetlands. Photo by Vernon Achenbach Jr.

VERNON ACHENBACH, JR.

Lancaster Farming Staff

HARRISBURG (Dauphin Co.) — A proposal for wetlands legislation that has been offered by the chairman of the state Senate Environmental Resources and Energy Committee deals with issues at least one farm organization said must be included before it will reasonably consider it.

A public hearing on the 57-page proposal is to be held 10 a.m. May 8 in Room 8E-B of the East Wing-Capitol Building, in Harrisburg.

Wetlands protection has been an issue of contention with many landowners for many years, especially within the last half of a decade when federal authorities have been enforcing laws in an effort to slow down the loss of the habitat.

Among problems that landowners face are varied and unclear definitions of wetlands. Also, enforcement jurisdiction has also been a problem for landowners, since several different agencies, at the state and federal level, have varying responsibilities according to the differing regulations they are charged with enforcing.

In an effort to coordinate efforts, state Sen. David Brightbill, R-Lebanon, has introduced a three-part comprehensive wetlands protection plan aimed at establishing uses of wetlands.

"Pennsylvania now has no comprehensive wetlands protection law," Brightbill said. "The program we have now is not effective in protecting wetlands and doesn't give landowners the help they need to preserve wetlands. We have the worst of both worlds."

The first part of the proposal seeks to adopt the "no net loss" principle for wetlands protection; requires the Department of Environmental Resources (DER) to map wetlands, county by county; classify wetlands according to value of function; sets deadlines for DER's review of permit applications; creates a seven-member "Wetlands Preservation Trust" to oversee education programs and purchasing programs; doubles fines and penalties; and provides about \$24 million annually for protection.

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Debate Mired: Preserve Wetlands Or Rights Of Property Owners?

LOU ANN GOOD
Lancaster Farming Staff

This is one in a series of articles. Consequent articles will examine how DER and the Army Corps of Engineers gained jurisdiction over wetlands and the pro-

cess they use to review a permit, when farmers must apply for permits, and a farmer's story on successfully gaining a permit to make changes to his wetland.

LANCASTER (Lancaster Co.) — "Existing wetlands regulations have allowed the state to confis-

cate our ground without any compensation," said Eva Foster.

Foster and her husband were planning to erect a pole barn and a poultry house to comply with township setback requirements in Chester Co.

The Department of Environmental Resources told them that since the pasture might constitute a wetland, it may be too close to a wetland to do any building. The Fosters were told to do delineation studies to determine if the wetland would be too close to the building.

Foster said that it would cost thousands of dollars to have the study done.

Since the Fosters can't expand their farming operation, and the wetland cannot be used for farming or grazing, they would like to move. But realtors told them that the property is greatly devalued because of the wetlands. One realtor said the wetland ground has no value, which reduces the value of their non-wetlands ground.

Foster said, "Restrictions on how we use farmland we own very

clearly infringes upon our constitutionally guaranteed property rights, especially considering that no such restrictions existed when we bought the ground in the 1970s."

From the property owners point of view, it matters little whether his land is condemned or whether it is restricted by regulation to its use if the effect in both cases is to deprive him of all beneficial use.

"Why should the government buy wetlands to preserve if they

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At the Pennsylvania Poultry Federation's annual fundraising banquet, John Hoffman, president of the Federation, greets Pa. Poultry Queen Kristi Mummert, center, and Lancaster Co. Alternate Poultry Queen Bev Ginder. About 1,660 people attended the \$125 a plate banquet at Hershey Convention Center. Photo by Lou Ann Good.

Cash Is Grand Showman At Expo

JUDY PATTON
Centre Co. Correspondent

UNIVERSITY PARK (Centre Co.) — Penn State livestock enthusiasts held two big events last weekend — the 20th annual Stockmen's Club dinner-dance and the 74th Little International Livestock Exposition.

Lori Cash of Centre Hall walked away with the all-around grand champion showman honors at the Expo last Saturday in the Penn State Ag Arena. The Penn State Block & Bridle Club sponsors this annual showing and fitting competition with beef, horse, sheep, and swine classes.

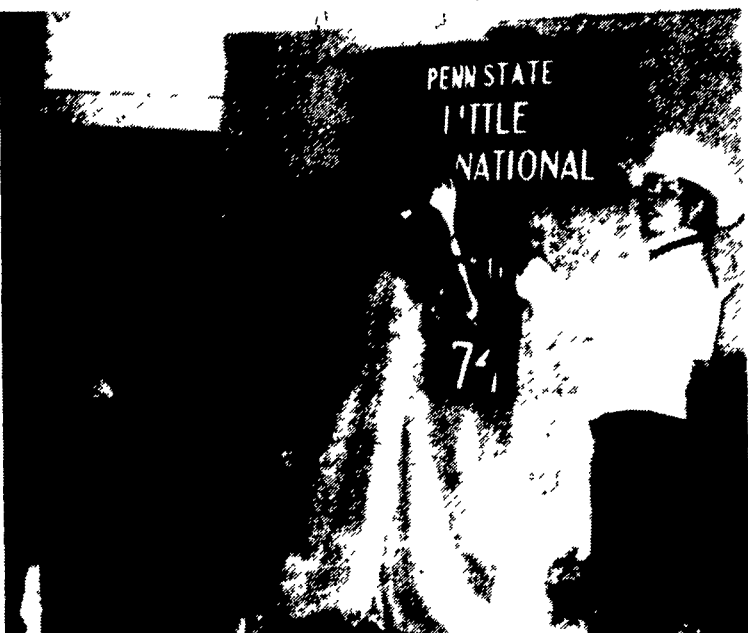
A sophomore in ag business and the daughter of Penn State animal science professor Erskine Cash, Lori was the champion horse showman with her yearling quarter horse.

Reserve all-around champion showman was Henry Zerby of Beavertown. He won the champion sheep showman trophy with his dorset ewe.

Barry Sands, a senior from Montrose, managed the show with assistance from Kevin Vandervort, Harrisonville.

This year's show was dedicated to Keith Bryan, an animal science instructor at Penn State. Having

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All-around champion Lori Cash with her yearling quarter horse, Jons Dancing Water, at the Little Livestock Expo.

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