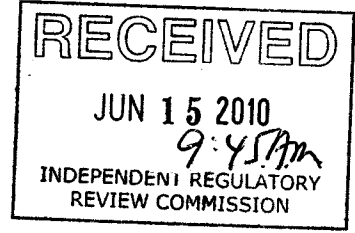


2783

From: charlene barry [cab1not2@yahoo.com]
Sent: Tuesday, June 15, 2010 6:13 AM
To: Mike Peifer; Robert J Mellow; Senator Robert Mellow; IRRRC; Smith, James M.
Subject: Opposing Title 25, Chapter 102 Regulation Changes at the IRRC

Charlene A. Barry
RR 3 Box 3271
Cresco, PA 18326
570-595-2269
6/15/2010



To whom it may concern:

RE: Proposed Revisions to Title 25, Chapter 102 E&S Control and Storm water Mgt.
Impacts of Riparian Buffers

I am writing to oppose the proposed buffer regulations with respect to the arbitrary nature in which the regulations propose to "take" riparian land without just compensation.

The Fourteenth Amendment to the United States Constitution extended the confiscation protection to citizens against their own states, and in so doing created both significant new protections for individual rights and a new avenue for federal interference with State and local democracy. Section 1 of the Fourteenth Amendment states:

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The proposed regulations "Riparian Forest Buffer Guidance" should be removed from the proposed table, or at least studied with respect to its cost to business in Pennsylvania, and this cost be addressed prior to enactment." If such a large buffer is truly needed on any property, this should be verified by some sort of a study specific to a distinct property, not just a blanket buffer for all high quality wetlands.

Personally I have 200 acres in Barrett Township, Monroe County. My township has already passed buffers similar to those proposed in the Riparian Forest Buffer Guidance. It was done to STOP development, not to save the wetlands and high quality of our waterways as its promoters claim. (yes I have attended many meetings where I heard pro motors say pass this to stop development). At the time it was passed I asked for proof such buffers would do as claimed and proof of a need for these large buffers. I was told "there is lots of proof buffers like this are needed." I was never shown or directed to any actual studies or proof. I am tired of environmental laws being passed in the name of saving the environment, when the actual reason is to stop any and all development. I am very annoyed that part of my property has already been taken in the name of wetlands buffers. If such regulations are passed property owners need to see compensation. Look around, think about properties you know of that have been developed, how many of them would not be allowed to be developed under such guidelines? Is this regulation really necessary? Will such regulation stand up in court, or will it just stop development until someone with deep enough pockets comes along and challenges it?

Thank you for hearing me out.
Sincerely,
Charlene A. Barry