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**VOLUME XIII • NUMBER 1** 

WINTER 2000

PLA Special Report

# Strength In Numbers

here was a time when a man's land was his own. As long as the owner did not infringe upon his neighbor's rights, he could do pretty much whatever he wanted to do with his land. That's the way the world was back in the 1950's, when Robert Ibach's family bought 15 acres of land, of which about 900 feet bordered the Schuylkill River. The family enjoyed their land, using it for recreation and for growing crops.

The land is about a mile from Robert Ibach's home in Reading. Over the years, others too, enjoyed Robert's land, often without permission. Irresponsible users sometimes damaged the property, once stealing an entire stand of walnut trees. Robert doesn't want his land used by others, unless they first get his permission to do so.

That is his right, of course. It is his property, he pays taxes, and he should be the sole authority to determine who may and who may not use his land. There was a time when no one would question Robert's right to control access to his property. No more.

In recent years, the idea of private property rights has come under attack, especially by Green Advocacy Groups (GAG's), and by the governments which they have infiltrated. The Wilderness Society has advocated "nationalization" of all forests since the 1930's. Its former President is now the Chairman of the President's Council on Environmental Quality. William K. Reilly, former EPA Administrator, once signed a document that declared private property to be the "source for the accumulation of wealth which contributes to social injustice," and that "Public control of land use is therefore indispensable." Carl Pope, President of the Sierra Club, a part of the President's Council on Sustainable Development, says the idea of private property "vest[s] in landowners rights worth trillions of dollars—rights they do not own—rights they never paid for." This

same influence has taken control of Pennsylvania, and many other states as well.

With this green influence throughout government, it is little wonder that the government of Exeter Township expects Robert Ibach to relinquish his right to control access to his private property. The Greenways Association thinks Robert's property should be a bicycle trail.

In a letter from John Theisen, Exeter Township engineer, Robert learned that the township wanted an easement from Robert so the Township could construct an 8-foot-wide bike path across the length of his property. The request specifically wanted the easement to cover not only the bike path right-of-way, but all the land to the river's edge. Robert said "no thank you."

Then a meeting was requested. Robert met. Robert said no. The township threatened condemnation. Robert said no.

Then came the big guns. Another meeting was requested to "walk the property." Three people from the State Department of Transportation, a federal official, and another unidentified man, appeared on Robert's property.

"What's this meeting about?" Robert asked.

"We want to talk about the bike path," answered one of the men.

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PLA Set to Celebrate 13th Anniversary! ...Details on page 9

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#### **Strength In Numbers**

"There's nothing to talk about," said Robert.

The federal agent told the others that there would be no federal money for the bike project without the landowner's full cooperation. They left.

The visitors were somewhat surprised when they arrived to find that Robert's land was posted from one end to the other with "PRIVATE PROPERTY" signs from the Pennsylvania Landowners' Association.

"Those signs did more than anything," Robert says. "It got their attention when they learned I have the PLA behind me."

Robert received a letter from Craig Brenheiser, President of the Exeter Supervisors, which said as long as he remained in his position, the Supervisors would take no further action to overrule his private property rights through condemnation. Brenheiser was not reelected, however, and the future is uncertain.

Robert has been keeping State Legislator Sam Rohrer informed about the effort to take his property. "Sam's one of the good guys" Robert says, "We need more people like him."

Robert's experience provides three very important lessons for the people of Pennsylvania. First, no private property is safe from the grasp of Green Advocacy Groups or the governments they permeate. Second, when an individual's private property rights are threatened, there is



strength in numbers; membership in the Pennsylvania Landowners' Association lets the agency know the individual is not fighting alone. Finally, and most importantly, it does make a difference who we put into elected positions. Every candidate's position on property rights — from local Supervisor to the office of President — should be known by every voter before any vote is cast.

# U.N. Millennium Assembly Celebrates Arrival of

# GLOBAL GOVERNANCE

decade of preparation will culminate in the year 2000, in a massive celebration and series of events, carefully designed to change the world forever. The United Nations' Millennium Forum, Assembly, and Summit have been planned to set the world on a course of global governance under the authority of the United Nations.

The new scheme of global governance will empower, and fund, the United Nations to be the supreme governmental authority on the planet. Selected NGO's (non-government organizations), called civil society, will take their place as both representatives of the people, and implementors of U.N. policies. More than 130 international organizations, called IGO's (inter-governmental organizations), will be consolidated as direct administrative agencies of the new U.N. system. National governments will become administrative units, reporting through the appropriate IGO's, to the supreme authority of the U.N.

As the rash of U.N. conferences unfolded during the last decade, few people realized that they were a part of a long range plan to establish global governance:

- 1. World Children's Summit, held in New York in 1990;
- 2. United Nations Conference on Environment and Development (the Earth Summit), held in Rio de Janeiro in 1992;

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#### **GLOBAL GOVERNANCE**

- 3. World Conference on Human Rights, held in Vienna in 1993;
- 4. International Conference on Population and Development, held in Cairo in 1994;
- World Summit for Social Development (the Social Summit), held in Copenhagen in 1995;
- 6. Fourth World Conference on Women, held in Beijing in 1995;
- 7. Second United Nations Conference on Human Settlements (Habitat II), held in Istanbul in 1996;
- 8. World Food Summit, held in Rome in 1996;
- 9. International Criminal Court, held in Rome in 1998.

ach of these conferences produced a policy document, declaration, or treaties, that now serve as the basis of international law to be enforced through global governance.

The less publicized Commission on Global Governance, established in 1993, created the framework document to integrate the international law into global governance. The Commission's 1995 final 410-page report *Our Global Neighborhood*, set forth the additional steps that needed to be taken to fully empower the United Nations to operate as the supreme global governmental authority.

Among the Commission's recommendations was the creation of a "People's Assembly," and the creation of the documents necessary to achieve global governance by the year 2000. All the documents are now prepared, or are in the final stages of preparation, and the plans are all in place to make the 2000 Millennium events at the U.N. the launching pad for global governance in the 21st century.

Few people in America are even aware that the U.N. has six regional commissions that have been holding hearings around the world during the last few years, gathering information about, and fanning the fires in support of global governance. The final regional hearing will be held in Chicago in January 2000.

Simultaneously, civil society (NGO's accredited by the U.N.) have also been preparing to create the "People's Assembly." To prepare for the home stretch, a World NGO Conference was scheduled for December 8-12, 1999 in Montreal, Canada. The NGO process began at the U.N. University in Tokyo in 1996, shortly after the publication of *Our Global Neighborhood*.

The process is moving toward the "Millennium Forum," scheduled for May 22-26, 2000, in New York, which will be the first meeting of the People's Assembly.

The Forum will be followed in September by the U.N. Millennium Assembly, which will consist primarily of the Millennium Summit, the largest gathering of the heads of state in the history of the world. The purpose of the summit is to consider, and possibly adopt, the documents necessary to implement global governance as envisioned and planned by the United Nations.

The Millennium events were authorized by the U.N. General Assembly in resolution 53/202, December 17, 1998. There was

little publicity; no one noticed. Under the guise of "United Nations Reform," the agenda for the Millennium events was developed and revealed in the Secretary General's report to the 54<sup>th</sup> General Assembly, May 10, 1999. Major themes identified in the report are:

- 1. The role and function of the United Nations in the 21st century;
- 2. Towards a global society: the tasks for the U.N. in the 21<sup>st</sup> century;
- 3. Challenges to multilateralism;
- 4. International cooperation;
- 5. The role of the U.N. in peace and global sustainable development.

Among the specific proposals to be considered are:

- 1. Conventional and nuclear disarmament;
- 2. Sustainable development;
- 3. Globalization;
- 4. Structural changes and enhancement of the U.N. system;
- 5. Regionalism and multilateralism;
- 6. The relationship of the U.N. and civil society;
- 7. The role of the U.N. in the 21st century.

t these Millennium events of the U.N., virtually all of the recommendations of the Commission on Global Governance will be incorporated one way or the other. Some of the Commission's recommendations have already been adopted. For example, the International Criminal Court was established in 1998 at a U.N. conference in Rome. Another important recommendation of the Commission has been adopted by fiat: eradication of the national sovereignty barrier to U.N. action. Before Kosovo, the U.N. could not act inside the borders of a sovereign nation without an invitation by that nation.

At the 54<sup>th</sup> General Assembly, both the Secretary-General and the President of the United States said that national sovereignty would no longer prevent the United Nations from taking action to protect the "security of the people" inside any nation. The term "security of the people" signals a major shift in the philosophy of the U.N. And it has already occurred. Security of the people is not threatened only by armed conflict. The production of greenhouse gas that threatens global climate is seen by many U.N. delegates to threaten the security of the people. Many U.N. delegates, and most of civil society, are eager for the U.N. to be empowered to take action against such threats to the "security of the people."

The recommendations of the Commission which have not yet been implemented are all contained in a civil society document called the Charter for Global Democracy that is in the final stages of preparation for submission to the Millennium Assembly and Summit. This document contains 12 principles for strengthening and enhancing the U.N.:

1. Consolidation of all international agencies under the direct authority of the United Nations;

- 2. Regulation by the U.N. of all transnational corporations and financial institutions;
- 3. Independent source of revenue for the U.N. such as the "Tobin tax" and taxes on aircraft and shipping fuels, and licensing the use of the global commons;
- 4. Eliminate the veto power and permanent member status on the Security Council;
- 5. Authorize a standing U.N. army;
- 6. Require U.N. registration of all arms and the reduction of all national armies "as part of a multilateral global security system" under the authority of the United Nations;
- 7. Require individual and national compliance with all U.N. "Human Rights" treaties;
- 8. Activate the International Criminal Court, make the International Court of Justice compulsory for all nations, and give individuals the right to petition the courts to remedy social injustice.
- Create a new institution to establish economic and environmental security by insuring sustainable development;
- 10. Create a new International Environmental Court;
- 11. Adopt a declaration that climate change is an essential global security interest that requires the creation of a "high-level action team" to allocate carbon emission based on equal per-capita rights;
- 12. Cancellation of all debt owed by the poorest nations, global poverty reductions, and for "equitable sharing of global resources," as allocated by the United Nations.

his transformation of the United Nations will not suddenly be the law of the planet upon adjournment of the Millennium Summit. It will take a while to complete the restructuring and bring the full program into reality. The Millennium Assembly and Summit are designed to achieve "consensus" among the heads of state there assembled, that the future of the world depends upon the U.N. moving in this direction. Such a consensus will authorize the U.N. to do whatever it needs to do to implement the principles outlined above.

The person in charge of restructuring the U.N. is Maurice Strong, Executive Coordinator of U.N. Reform. Strong was the Secretary-General of Earth Summit I, in 1972, Earth Summit II, in Rio in 1992, served on virtually every important commission and conference throughout the 1980's and 1990's, including the Commission on Global Governance, from which he moved to his current position at the U.N.

Expect to see these events unfold throughout 2000, presented as unprecedented global cooperation, and the "coming of age" of a new global society. Do not expect the media to report on steps already taking place to empower the U.N. to collect global taxes, nor the restructuring of the Security Council, or the treaty to give the U.N. the power to control the "manufacture, sale and distribution" of all fire arms, as recommended by the Commission on Global Governance.

The world is at the threshold of world government. Most of the people of the world do not know it, yet they will be its subjects. There is very little reason to think that these efforts will not be successful. There is virtually no organized resistance, and the resistance that has been identified is ridiculed, and even labeled by the FBI and the Department of Justice as potential terrorists. Only a handful of Congressmen know about the events here described, and some of those who do know are advocates of the global governance.

The only power on earth strong enough to stop this tidal wave of world government is the United States of America. Should America say no - with authority - the entire plan could crumble.

The Clinton/Gore administration, however, is among the strongest advocates for global governance.

Congress, as it is presently constituted, has showed some resistance, but when push came to shove over the U.N. dues question, Congress crumbled.

The timing of the Millennium events insures that Clinton appointees will represent the U.S. in the decisions taken by the U.N. As they have done throughout this decade, they can be expected to support the U.N. plan. World government can be stopped only if the 2000 elections produce an administration and a Congress that remembers the U.S. Constitution, and respects the blood that has been spilled to defend it.

By Henry Lamb
CEO of the Environmental Conservation Organization,
and Chairman of Sovereignty International, Inc.

The only power on earth
strong enough to stop
this tidal wave
of world government
is the United States of America.
Should America say no
- with authority the entire plan could crumble.

## A Message from the President...

## It's Time To

## **Stop Compromising**



By Keith Klingler

losses, but more important, private property and property rights are getting more attention especially from Democrats. This past year, we also saw individuals and organizations take a stand and not back down despite tremendous pressure. For example, take Adam Waltz, a retired teacher who owns a small farm in Clinton County, and grows 15 acres of vegetables to sell at a roadside farm market. A couple of years ago, the Pennsylvania Game Commission decided to locate elk in a nearby state forest. Mr. Waltz had never been involved in politics and is a laid back man who simply minds his own business. The Game Commission claimed they would locate

the elk at least 10 miles from Mr. Waltz's farm, one of the few farms in the area. After Mr. Waltz found elk munching on his crops, he was told the Game Commission decided to drop the elk just 2 miles from his property. That's when Adam's nightmare began. Mr. Waltz has been the focus of a tremendous amount of media attention since

he had to resort to shooting several elk. At one point, Mr. Waltz had to circle his field every two hours during the night just to chase elk away from his crops. He has been threatened by animal rights activists and even called a murderer by an Erie teacher whose class raised money for the elk.

The Game Commission finally offered Mr. Waltz a proposal to fence his field, but Mr. Waltz said with the layout of his property a fence would not be practical. Mr. Waltz simply wants the elk gone and to be left alone. For Mr. Waltz the answer is simple, fence the public land and keep the elk from destroying private property. I take my hat off to Mr. Waltz for taking a stand despite the pressure.

Also in 1999, we had to deal with the proposed introduction of the Forest Legacy Program. This is a Federal initiative to funnel money through Conservancies and Land Trust groups for acquisition and purchase of development rights to forest lands. The National Land Trust presented the program to the Forest Stewardship Committee, of which I'm a member. After a sub-committee meeting in January of which only 4 members could attend due to a blizzard, a vote was cast stating that the program be presented to the entire Forest Stewardship Committee in the Spring.

In May I attended the full Committee meeting at which less

than half of the members were present. The majority of those present were either employees of the federal or state government, or employees of a conservancy or land trust. After a short debate a vote was taken, and as you probably guessed, I was the only "no" vote. Can you imagine a federal employee voting "no" on a federal program? Three of my main concerns were, the pork barrel nature of this program, knowing that the federal government is already \$6 trillion in debt; secondly, the fact that Pennsylvania's Clean and Green Program already provides a subsidy of sorts not to develop forest lands; and thirdly, the fact that Pennsylvania is gaining forested acres, not losing them. I went away from the meeting trying to grasp what I had just witnessed. I immediately

got on the phone with other leading resource based organizations and my State Representative and Senator. I told my legislators that almost the entire northern tier of Pennsylvania had been targeted for this proposal and that the vote taken was not legitimate. The Hardwood Lumber Manufacturers Association, among others, went

Association, among others, went into action and worked with us to get the word out. Two months later I received a meeting notice for another full committee meeting and there was a strong urgency mentioned in the notice for all members to be present for another vote on the Forest Legacy Program. Well, apparently the networking was paying off as the DCNR must have realized their vote could not be official without a quorum being present. As I drove to State College I was confident that all the major players were going to show up, and they did. After lengthy debate and several tries for a vote, the motion was tabled. It was obvious that the conservancies didn't want our politicians or timber industry folks aware of this program until the vote was taken. There are now rumors that DCNR is willing to compromise on this proposal, but guess what, there will be no compromising. It's time to send a loud, clear message of no new regulations, land acquisitions, or taxes to Harrisburg.

These are just a sampling of the issues PLA is concerned with and with your support, we will continue to make greater strides in the year 2000. Please don't forget to pass your newsletter around and encourage new members. Remember, when you're on the offensive and compromise, you win, but when you're on the defensive and compromise, you always lose freedoms and rights.

In 2000, lets get on the offensive and truly take a stand for our land!

## **Green Jihad**

By Douglas E. Carlson

The word Jihad generally means "holy war." Two recent news items prompt us all to think about the current situation in the radical environmental activities in our country. Conservation is being tossed on a trash heap of idealism. The culprits are those who would have us believe that only green radical activity and green spiritual philosophy

will save the planet. At the same time as the Green Jihad attempts to sell their pseudo natural religion, they claim that these philosophies are not a religion. Who tells the truth and what fate does conservation have? Let us take a brief look at some facts.

Associated Press recently released an item concerning loggers in Minnesota suing the U.S. Forest Service for promoting religion, something that Federal agencies are prohibited from doing according to the Constitution of the United States. The lawsuit is based on reactions by the Forest Service that seems to bow to radical activists who embrace something called "deep ecology." The lawsuit maintains that "deep ecology" is a religion. The loggers want the Federal Court to force the Forest Service to stop reacting to these claims by "deep ecologists" that end up limiting access to timber in National Forests. Executive director of Superior Wilderness Action Network, Ray Fenner, states "It's so ludicrous." The Network is one of the groups being sued. President of the Institute for Deep Ecology, Michael Pinto, answered the claim that "deep ecology" is a religion as follows: "Of course not. . Religion is faith based. Deep ecology is not." OK, so what is all the talk about wilderness and protection of wilderness fulfilling a spiritual need in humanity?

Well, maybe the next news item will reveal just what radical green activists do think. Remember the girl living in a redwood tree in California, well she is *out of her tree!* Yes, the butterfly has landed. Julia "Butterfly" Hill has come out of her tree, well, not really "her" tree, but Pacific Lumber Company's tree.

The media made a big deal out of this event; in fact, Butterfly is looked upon by some folks as special. *Good Housekeeping* magazine listed Butterfly as one of their "most admired women." Famous singers had visited the woman; she attended rallies via cell-phone while sitting in the tree. She lasted 738 days, squatting in a tree on private land. This act of single-mindedness and dedication can be envied but reason or common sense might cause one to see the act as being misguided at best, and criminal at the worst!

Why did Butterfly do it? The young lady was almost killed in a car accident, sustained brain damage (*is that a clue*) "that prompted a spiritual quest," according to *USA Today* (12/20/99). Butterfly, herself, is quoted as saying "*The only* 

way to survive is to become one with the tree." Does any of this sound like religion to anyone else?

Al Gore, Vice President of the United States, has written a book that defines his belief in nature and in spiritual philosophy. The book, Earth in the Balance, Ecology and the Human Spirit.

describes Gores' environmental thinking and attitude. Gore goes to great length to illustrate the loss of "connectedness" of humanity with the earth. He commends the "wisdom distilled by all faiths," which may be another way of saying that he embraces all faiths. The green spiritual trap that opens for Gore is this: pantheism and misinformation have clouded his defense of radical environmental thinking. Gore is certainly an important player (or terrorist?) in the Green Jihad being fought today.

Many fighters of the Green Jihad co-opt Native American belief, albeit in an extremely distorted fashion. An example of this appears in Gore's book, when he speaks of the words of Chief Seattle as bing "one of the most moving" quotes regarding our connectedness to the earth. There needs to be a short investigation of the oft-quoted letter of Chief Seattle. There is a version of the letter that goes as follows: "The earth is our mother. I have seen a thousand rotting buffaloes on the prairies left by the white man who shot them from a passing train."

The problem with this quote from Seattle is, according to Northwest historian, David Buerge, "But there were no bison within 500 miles of Seattle's home on Puget Sound; what's more, the letter is dated about 15 years before the first railroad crossed the Plains from Omaha to Sacramento, California. The great buffalo slaughter took place at least a decade after Seattle died." Mr. Gore did not seem to check his inspiration out while writing his book.

Other evidences of the Green Jihad attempt to supplant and substitute mainstream Christian perspective are found in the practices surrounding Earth Day. A rather pagan articulation of

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#### Green Jihad

faith was covered in *Time* magazine in May, 1991, when it reported the following account:

"To mark Earth Day, four women and two men stood on a hilltop outside Mt. Horeb, Wisconsin, literally praying to Mother Earth.

'Sacred Earth Power, bring healing to Planet Earth,' intoned barefoot Selena Fox, priestess of Circle Sanctuary. Similar nature worship was part of Earth Day festivals from Boston...to Berkeley...The ceremonies were part of a growing spiritual movement: Goddess worship the effort to create a FEMALE-CENTERED focus for spiritual expression."

It was no longer sufficient to talk about Mother Earth; it had become necessary to pray to Mother Earth. Gee, sounds like religion to me!

Well, there are many other examples that can be given to show how the radical environmental movement has embraced the goddess spiritual approach to understanding human existence. The Green Jihad has many players, including our Mr. Gore, and for the most part, the players are bent on overturning basic Christian theology. The New Age philosophies are full of pagan ideas and ideals, and embrace the approach of a sense of sacredness of the earth. Before anyone jumps to conclusions, from a Christian perspective, conservation is really not an option, it is a command. The Bible directs humanity to act as good stewards of the earth. It however, does not tell us to worship the earth or some manufactured green goddess.

Most of us ignore the Green Jihad, dismissing it as just a bunch of radicals agitating like radicals do. There does not seem to be a sense of serious danger attached to the actions of the Green Jihad activists, but if we stop and take an honest look at the motivations of these people it may cause one to reconsider. Butterfly illustrates the seriousness of motive the green radicals have. The fact that Pacific Lumber Company allowed itself to be blackmailed into striking a deal with the tree-sitting trespasser is distressing. In fact, many companies have succumbed to this kind of blackmail compromise with the Green Jihad. The Green Jihad has also overshadowed our national politics. Many facets of our society, from advertising to governing, from education to news reporting have all fallen to the wavy-gravy warm fuzzy logic of the Green Jihad. The new millennium approaches (depending upon which calendar one uses) and as we enter a new millennium and a new century, we might wonder about what brave new world awaits us? New Age, Green Jihad, or conservation. The question begs an answer.

> Douglas E. Carlson is a Conservationist and Planner in Forest County, Pennsylvania For questions or comments, please call: (814) 755-3560

# Private pond may cost millions in fines

By John Carlisle

1985, Robert Mondgock decided it was time to find a new home for his wife and two kids. After investigating the various options available to them, the family chose to build a house on a piece of property in Mansfield Township, New Jersey.

The land had some drainage problems caused by the Township's faulty drainage techniques. An easement on the land drained rain water to the front of the lot, from which the water would flow back across the property. Mondgock attended Township meetings to discuss this problem before he bought the house. He purchased the property after the Burlington County Soil Conservation District (BCSCD) informed him that he could construct a pond in the backyard to control the water runoff.

The BCSCD representative was quite excited about the pond, because Mondgock could use it to create a beautiful garden. The construction of ponds was a widely accepted practice in the area for controlling runoff. The Township approved the project and the BCSCD gave Mondgock written approval for the pond, along with a manual with specific directions on how to construct a pond to control excessive water runoff.

In 1986, Mondgock sold his existing home to raise the money to build the new one; he, his wife, and the children moved into a small apartment. He hired an excavator and began to dig.

Shortly thereafter, the New Jersey Department of Environmental Protection (DEP) informed him that he needed a permit to dig because his property was located in a flood plain. He dutifully applied for one. While waiting for DEP's approval, Mondgock contacted the Army Corps of Engineers because he "figured they should know *exactly* what I had to do."

The Corps was excited about the pond plans but did express some concern about some piles of dirt not having the proper sloping for erosion control. Mondgock took the necessary steps to address the Corps' concerns.

Despite the fact that the Corps' and county government officials approved the pond, DEP denied Mondgock's request for a permit on the basis that he violated regulations "promulgated pursuant to the Flood Hazard Control Act." They ordered Mondgock to fill in the dug pond and restore the property to its natural, wet condition. Mondgock requested an administrative hearing to address the alleged violations.

At this 1989 hearing, a DEP engineer testified that the agency often approves of man-made ponds in flood hazard areas. Furthermore, DEP did not introduce any testimony that Mondgock's pond posed an environmental threat to the area. Nevertheless, the Administrative Law Judge ruled that Mondgock was violating the Flood Hazard Control Act and

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#### Annual Dinner Meeting March 16, 2000

2000 marks PLA's 13th Anniversary as the leading voice of private landowners, working diligently for regulatory relief and legislative help to local, state, and federal governments, as well as to the media and community agencies. To show our appreciation to our loyal supporters and members, we invite you to join in the celebration of the Pennsylvania Landowners' Association's 13th Annual Dinner Meeting, scheduled for March 16, 2000, at The Inn at Franklin, in Franklin, PA. Shortly you will be receiving your invitation to this years event which promises to be as informative and festive as our members have come to expect.

ur keynote speaker this year is Mr. John W. Peterson, Executive Director of the National Watershed Coalition. John has been a friend to the agricultural community for more than forty years, serving in various positions with the Soil Conservation Service (SCS), including both Assistant Chief, and Deputy Chief. He witnessed the transition of the SCS to the "Natural Resources Conservation Service," and chose to retire in 1994 in order to work more closely with the nation's Soil Conservation Districts. His insight into the workings and philosophy of the bureaucracy are essential to those who depend upon the land.

John has received many outstanding performance awards throughout his career, including four Senior Executive Service (SES) performance bonuses. He was recognized for his service to the Organization of Professional Employees of the USDA (OPEDA) by the establishment of the John W. Peterson OPEDA Agricultural Scholarship, and in 1992 was named OPEDA's Professional of the Year. In 1994 John was named a Fellow of the Soil and Water Conservation Society (SWCS), and also honored by the Senior Executives Association (SEA) for his leadership. All PLA members, and especially elected officials at every level, should hear John's message.

Inn at Franklin

1411 Liberty Street Franklin, Pennsylvania (814) 437-3031 • (800) 535-4052



All PLA members will receive a formal invitation and tickets to the 13th Annual Dinner Meeting. Mark March 16th on your calendar for this special event and plan to bring your family, friends and neighbors who may not be members, so that they may become better informed about the property rights movement.

#### Your dinner ticket includes:

- reception & formal dinner
- chance to win \$1000 cash giveaway and other door prizes
- Awards presentation
- gain new knowledge from our keynote speaker and other members
- gain and renew friendships

We now accept major credit cards for your membership renewal and dinner ticket purchases.

Call the office at (800) 757-5178 or visit our web site at: http://www.pa.landowners.org

## **Costly Encounters of the Worst Kind**

Should you run afoul of the EPA, and encounter an "enforcement action," expect your cost to be about \$36,500. That's the average paid by 1,350 individuals and businesses in 1997 to satisfy EPA enforcement actions. These are the lucky people. Civil actions in court were brought against 207 offenders who had to pay an average penalty of \$308,000.

When the EPA is really upset, they have the authority to file criminal charges; 446 offenders were so charged in 1997, and paid an average of \$124,035 in criminal fines. More than 100 offenders were given jail time that averaged 21 months.

About half the "crimes" were related to "emission of hazardous substances." The EPA has listed more than 700 such substances, and may also designate non-hazardous substances as "pollutants" if discharged into "waters of the United States." Under the extremely fluid "wetlands" regulations, virtually all land is subject to designation by the EPA as "waters of the United States."

The remaining crimes related to the more than 1500 species listed as endangered or threatened. Should the EPA or the Department of Interior decide that one of these species may want to use private property as habitat, the federal government needs only to declare such property as "critical habitat." Alteration of that habitat, even though it may be privately owned, can bring down the enforcement wrath of the government.

Nine out of ten defendants plead guilty when brought to court. By the time a case gets that far, the victim is either broke, or is broken in spirit, or both. Environmental crimes reverse the time-honored tradition of "innocent until proven guilty." When the EPA issues a cease and desist order, the victim is assumed to be guilty, and forced to prove his innocence. If the victim has the financial resources to hire an attorney to fight through the administrative

procedures and eventually the court battle, should he lose, he still must confront the financial penalties that can mount at the rate of as much as \$50,000 per day while fighting the battle.

As the numbers in the prosecution report suggests, environmental crimes are not limited to the occasional victim that makes the news. Prosecution of infractions of environmental regulations are widespread and growing. Ignorance of the law or regulation is no defense. Private property owners, especially those who have some hope of using the natural resources on their land, are automatically subject to scrutiny by dozens of federal agencies, and are increasingly targeted for enforcement action - or worse.

#### Private pond may cost millions...

Continued from page 8

ordered him to fill in the pond.

Mondgock appealed to the Office of Administrative Law Court, which found the Administrative Order to be "unduly punitive and out of proportion" to his actual culpability. The Appellate Division stated, "We cannot overlook the testimony of DEP personnel who indicated that construction of a pond within a flood plain is at times approved." They concluded that Mondgock should be allowed to reapply for a pond permit.

To date, Mondgock is still applying. Each time, his application is sent back with an ominous warning that the approval process "will not be inexpensive." He has been threatened with fines totaling \$2,500 a day and \$1,500 for each offense - the total is now in the millions of dollars. DEP is presently demanding a "donation" of over \$12,000.

Mondgock has spent more than \$83,000 and 14 years of his life fighting the state. "If I did have an extra \$12,000 to donate, it would certainly go for a needier cause, such as cancer research for children."

John K. Carlisle is director of the Environmental Policy Task Force at The National Center for Public Policy Research. He can be reached at Jcarlisle@nationalcenter.org.

# Foundation points to outrageous regulatory stories

The Heritage Foundation, a Washington, D.C. based think tank, keeps track of what it calls "outrageous" and "absurd" regulatory stories on its web site, www.regulation.org. According to the foundation, 55 federal regulatory agencies and more than 130,000 staff members develop, implement and enforce a myriad of regulations, with more than 2,000 new rules issued every year. Regulations now cost \$677 billion or nearly \$7,000 per household and absorb about 19 percent of a family's after-tax budget.

One of the Heritage Foundation's outrageous regulation stories details the lengths the government goes to protect wildlife that may or may not exist on someone's property.

In Florida, Anita Cragg bought an existing subdivision in 1992 with plans to expand and build new homes. Her permits were in order, and she had buyers ready to build and settle in. While surveying for waterline extensions in 1993, U.S. Fish and Wildlife Service (USFWS) officials noticed two scrub jays flying onto Craggs' lots. The scrub jay is listed as threatened under the Endangered Species Act. Officials decided Craggs' development posed a potential hazard to land "suitable for occupation by scrub jays" and suspended construction.

According to Cragg, neither the USFWS nor an independent environmental engineer hired by Cragg could locate any scrub jay nests on her property. Her four-person company fought the decision for 18 months, and she continued paying real estate taxes. The USFWS forced Cragg to purchase four acres off-site for every one on-site to compensate for the loss of potential scrub jay habitat. The decision cost her an extra \$100,000.

- Manufacturer's Association of Northwest Pennsylvania

#### **Forest Service's Military Tactics**

You're driving along in a motorized vehicle and all of a sudden, you encounter a man-made wall of dirt 15-feet high backed by a pit 15 feet deep. Are you somewhere in Germany, looking at a tank trap relic of World War II, or perhaps in Kuwait, viewing a landmark of the Gulf War? Well according to People for the U.S.A., you're actually in no place other than the Targhee National Forest in Eastern Idaho where amazingly, federal land managers authorized the construction of these dangerous berms of earth to deny the public access to forest roads. The officials claim the outlandish traps are needed to protect elk and grizzly bears, but with their populations thriving, maybe it's time to start digging out from this absurd government plan.

— (CFACT) Committee for a Constructive Tomorrow

#### **Drilling for Habitat**

The Nature Conservancy, well known for protecting habitat for threatened plants and animals, is taking a fresh look at ways to fulfil its mission. Surprisingly, gas drilling on one of its preserves seems to make a lot of sense right now.

The Galveston Bay Prairie Reserve near Texas City was donated to the conservancy in 1995 by Mobil Exploration & Production US, Inc. It has provided badly needed habitat for the nearly extinct Attwater's prairie chicken. In fact, biologists estimate that of the 46 remaining wild birds, 28 of them make their home on this 2,263-acre site. In order to ensure the prairie chicken's survival, however, a wild population of more than 3,000 is needed. The current preserve can only support about 50 birds, which means the Nature Conservancy needs more land.

Money for the purchase of additional land could come from gas wells on the existing preserve. The conservation group has granted permits to two companies for exploratory gas drilling. Strict safeguards have been put in place, although some risk to the birds does exist. Still, the conservancy is willing to take that risk as the project could provide as much as \$5 million to finance the acquisition and restoration of more habitat.

- Houston Chronicle

## **GOOD NEWS**

## Conservation and Reinvestment Act - CARA

HR 701 and S 25 give the federal government and their environmentalist allies over \$1 billion annually to buy up private property and put it in federal lands. In the House, Rep. Don Young, Chairman of the Resources Committee, had said he needed to get at least 15 Republicans on his Committee to support CARA in order for the House Leaders to allow a vote on the floor of the House. He failed to do that. The final tally had 13 Republicans supporting CARA with 12 opposing and 3 taking a walk. *WIN!* 

On the Senate side, Senator Slade Gorton stopped a mark-up in the Senate Energy and Natural Resources Committee that probably would have passed. His insistence on sticking to his guns and refusing to allow himself to be rolled, forced the Committee to put off a mark-up until next year. In addition, it is a virtual certainty that the 2000 Interior Appropriations Bill would have included some form of a Billion Dollar Per Year Land Acquisition Trust Fund had it not been for the efforts of Senator Gorton. He single-handedly refused to give in and compromise. It appears everyone else among the budget negotiators were willing to throw in the towel at the last minute and give President Clinton what he wanted on Lands Legacy 2000 or include some version of CARA in the Interior Appropriations bill. WIN!

— The Deweese Report

# House Committee To Examine Clinton's Roadless Initiative

House Resources Chairman Don Young (R-AK) has asked the Clinton administration for records relating to President Clinton's initiative to study placing 40 million acres of remote, federal forest land off-limits to development.

The forest protection plan, announced in early October, would require no congressional action and could be enacted by U.S. Forest Service regulations issued after a year-long environmental review and public comment.

In letters to White House Chief of Staff John Podesta and Agriculture Secretary Dan Glickman, Young said the decision was made without proper consultation of Congress. "I'm very skeptical of the backroom, secret development of this process that will lock up even more of the West," Young said.

In the letter, Young also wrote, "The president's directive is an unsound policy based on an unsound premise. It is a sure ticket to allow the destruction of many of these forests by catastrophic fires."

— National Hardwood Lumber Association

#### **MORE GOOD NEWS**

## LAND Celebrates 10th **Anniversary**

Robert Brace, vice president of the Pennsylvania Landowners' Association, was the guest speaker at the 10th

Annual Meeting of the Landowners Association of North Dakota (LAND), in Minot, ND, on December 14, 1999.

Arden Haner, President of LAND, described the meeting as "excellent!" Mr. Haner went on to say, "Despite the bad weather, those in attendance were not disappointed. Bob's situation sparked common interest and concern over the government's over-regulation of private property."

After viewing a new PLA video, (now available for distribution), Bob took questions for over an hour from the attendees.

Following the dinner break, a panel discussion on "Easements: What legacy are we leaving?" with representatives from the banking community, real estate, and an attorney, took questions from the audience concerning federal easements, the government's ploy to acquire more land from

private landowners through programs such as the National Grasslands program.

Above. PLA vice president Robert Brace(R) speaking with Wes Tossett(L), past president of LAND along with another attendee. Right, LeAnn Harner, executive director of LAND, welcomes Robert Brace to their 10th annual meeting,

PLA and LAND have enjoyed a close working relationship for 10 years and will continue to fight together in the ongoing battle to protect all landowners from the intrusive governmental control of private property.

### From the Homefront:

PLA Member Speaks Out

Dear Sir/Madam:

Well its been an interesting six weeks and it may be an even more interesting Summer of 2000. I own several acres of land in Pennsylvania and am a member of the Association but work as an environmental engineer for the environmental health division of a

county health department located just north of New York City. I have worked as an environmental engineer for thirty years and have been involved with wetlands since 1974. Part of my job is to oversee the safe disposal of infectious and regulated medical wastes generated in the county.

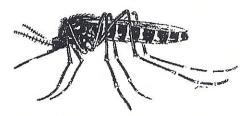
Consequently, I have been very much involved with our recent problems with the West Nile viral infection of both birds and humans which took place in New York metropolitan area during the past few weeks and which resulted in several cases of encephalitis and a number of deaths of mostly young and elderly people. In addition, numerous birds have died from the disease and unknown numbers have been infected and may be carriers of the disease. The disease is transmitted to humans by mosquitoes that have bitten infected birds.

Fortunately we have had our first hard frost which has sent our mosquitoes into hibernation and for the time being the outbreak of the disease has stopped. However as I sit here writing this letter, tens of thousands of infected birds are wending their way south for the winter where they will meet their cousins flying in from the Northwestern, Midwestern, and Canadian states. There to greet all of

We have forgotten that over three million people a year are killed worldwide by diseases transmitted by mosquitoes.

these migrant birds will be many millions of mosquitoes born and bred in the "valuable wetlands" of our southern states and the Caribbean countries. In the spring millions of newly infected birds will again make their way north where they will be met by mosquitoes emerging from stagnant pools of water located in such places as abandoned tires, unattended backyard swimming pools and can you believe it! - our "valuable wetlands."

During our recent mosquito surveys we found that our largest single source of mosquitoes was small (less than 3 acres)



of wetlands with the most serious problem coming from the smallest wetlands (less than one acre). Water in these wetlands tends to remain stagnant because the wetland is not big enough to permit the generation of wind caused surface currents and the water is generally not deep enough to permit thermal currents to form. In addition, the water heats up quickly and the site is too small to provide food and escape cover for the type of wildlife that will consume mosquito larvae. The net result is an almost perfect environment for the breeding mosquitoes. It was not uncommon to collect over a hundred mosquitoes from one pass of the mosquito net while standing at the edge of one of these small wetlands. Looking at it from an environmental health standpoint, small wetlands have a serious health hazard aspect to them which has been ignored for years by the geniuses that formulate our state and federal wetlands policy. Up until now we have gotten away with this druidical adoration of bogs because we have not had to deal with diseases that are transmitted by the mosquito in the northern areas of this hemisphere. We have been extremely lucky but our luck may be running out. We have forgotten that over three million people a year are killed worldwide by diseases transmitted by mosquitoes. Now for the first time a mosquito transmitted virus is a reality in this part of the country and we have to rethink our policy with regards as to which wetlands are really valuable and which ones are basically a health hazard.

On March 12, 2000, I will complete thirty years as an environmental engineer. I started six weeks before the first Earth Day. When I started it was the policy of the federal government and every state government to fill every wetland whenever possible. It was an idiotic policy. There are wetlands that are extremely valuable and some that are even critical. The wetlands that surround the largest landfills in my county protect the water supply for 850,000 people. Another 40 acre Phragmites wetland allows us to substantially reduce the amount of chlorine we need to disinfect our water supply. The loss of these wetlands would be an environmental disaster. However, the existing federal and state policy of preserving every square foot of wetland is equally idiotic. The existence of an infinitely small functioning wetland is a scientific fiction. It is a

"politically correct" concept used by those individuals who have exploited our legitimate concerns for the environment to destroy the concept of private property rights. In so doing, they may destroy far more than property rights. Their policies may some day play a major role in a pandemic in which we may have to use our garbage trucks to collect the dead.

Joseph Puchalik, Westwood, NJ

# **DDT** and Pesticides

A 1989 health study reported in the American Journal of Public Health revealed no link between cancer risks and DDT. The banning of DDT has led to a dramatic increase in the mosquito-borne disease of malaria. Insect and rodent pests not only destroy one third of all the world's food each year, but are also the primary vectors of a wide variety of diseases. The United Nations not only banned DDT, but is now trying to ban eleven other pesticides and herbicides.

— Alan Caruba, National Anxiety Center



America is unique, different from any other nation on earth.

Among the characteristics that make America unique,
is our reverence for the land.

Land is the foundation of security, of opportunity,
of prosperity, of capitalism;
it is the foundation upon which the world's greatest nation has been built.

is not just the land, however. Every nation has land, but not every nation has prospered. The other essential ingredient required for the construction of a successful society, is the private ownership of land. Where individuals own the land and are free to use it, societies prosper. Where land is owned collectively by the "people," and managed by the government, societies falter, and eventually collapse.

Socialists reject the idea of private property, believing instead, that government ownership and management of land is the only way to assure its efficient use for the equal benefit of all.

For nearly half a century, America has been moving away from private ownership of land, to "public" ownership and control of land. Governments now own more than 40 percent of all the land in America. At the insistence of the administration, both Democrats and Republicans in Congress are creating a \$2.8 billion annual slush fund to continue buying more private property.

America, once a bright beacon of hope to the rest of the world, is selling its soul to the socialist ideal of "public" ownership of land.

Neither the President, Vice President, nor Don Young (R-AK) nor George Miller (D-CA), Congressional sponsors of the land grab slush fund, will discuss the socialistic odor of their program. Instead, it is presented as a "Lands Legacy," and "protecting the last great places." Socialism, called by any other name, smells the same. Public ownership and control of the sources of production is the classic definition of socialism. Land is the source of all production.

The land government does not yet own, it controls. Under the misguided pretense of protecting the environment, the government has quietly taken control of virtually every square inch of land in America. There is some kind of law in place that gives the government jurisdiction to prevent the use of any privately owned land. Consequently, the government already has the power to

transform this beacon of capitalism into just another slave of socialism. And the government is accelerating its use of its power.

By taking control of public education, government has succeeded in teaching two generations that wolves and grizzly bears are more important than humans. By handing out tax dollars to Green Advocacy Groups (GAG's), the government has employed an army of propagandists working in virtually every community to demonize the concept of private property, and hold up the principle of "public" control. By utilizing the power of taxation to force behavioral changes, government is penalizing free market initiative, and rewarding socialistic conformity.

Only a few of the people who are advancing this socialist agenda would call themselves a socialist. Some call themselves "Progressive." Others use the term "enlightened." It doesn't matter what terms are used to obscure the process or disguise the result; when government owns or controls the sources of production - socialism is the result.

The sad irony is that all the dollars, all the effort, and all the propaganda that has been required to effect the transformation, will not protect the environment. It will, in the end, transform prosperity into poverty, enslave the people, and the environment will be forgotten.

Our national priority should be environmental stewardship, not environmental protection. Private owners of land are, by far, more responsible stewards than an agency of government. Individual land owners have their livelihood at stake. They love their land. They gladly care for their land in the best way they know. Government's role, if any, should be to provide knowledge and technology, available to land owners to use as they wish. Where land use is restricted, the restrictions should be imposed only by officials elected by those whose land use is restricted. Land use should never be restricted by un-elected bureaucrats who think they know best how everyone else should live.

It may be too late to revive that reverence for private land ownership which is responsible for America's growth and prosperity. Americans now live in cities, and the land is a television image where they hope, one day, to load up their Land Rover and go visit - for a short while.

It may be too late to rekindle that spark, which motivated another generation, to work hard and save enough money to one day buy a small piece of land where a few chickens, a horse, and a garden, could occupy children's after school hours. Rural communities where voluntary fire departments are the norm, where PTA's sponsor cake-walks, instead of gun-collections, may become victims of the urban sprawl propaganda.

This land is no longer our land -- individually. It is "our" land -- collectively, just as it was in the Soviet Union, and still is in China and Cuba. It is "our" land individually, only to the extent government permits us to use it. It is not the same land our forefathers founded. It is not the same land that our fathers fought to defend. It is a new land, increasingly owned and controlled by government. Our reverence for the land is being transformed into a forced reverence for the government which we have given the power to dictate how, when, and where, we may, or may not, use the land. America's unique characteristic of private land ownership is fading into history.

In another century or two, when the inherent flaws of socialism once again bring oppression to the people enslaved by it, another John Locke or Thomas Jefferson may arise, and dust off the history books and rediscover what Americans forgot during the last half of the 20th century.

## From the Mailbag...

Dear sirs,

While hunting in Potter County last season I came across your organization's signs. After looking you up on the internet, I decided to inquire about permission to hunt these lands. I agree that the government does impose unfair situations on farmers having grown up on a farm myself. I also know that hunters can cause problems but I think in general the hunters and the farmers can help each other. I am a life long resident of PA. Your reply would be appreciated. Thank you.

Edward Kopp

Is there a fee for permission to hunt on any land posted by the Pennsylvania Landowners' Association? Thank you very much for your time.

Lloyd Weber

Dear PLA,

I appreciate your response to the problem with my membership material. I also would like to thank you for the membership renewal. I support the efforts of the Landowners Association and have my acreage posted. I am including a donation with this letter.

Bruce C. Coffin

As a small business owner in the state of PA we are currently under threat of condemnation of our 25 year old business by the city govt. to put in a baseball stadium. We currently are seeking any advice or help to protect our rights as far as compensation is concerned. We know we can't stop it but we also would like to be compensated for losing our land, our business, and our only source of income. If you can help please call. Any information available would be very appreciated. Thank you.

Bill and Tracey Weaver

Pennsylvania would be helpful to me regarding Rails to Trails. It seems every state that has them has ongoing lawsuits with the exception of Pennsylvania. I live in New Jersey but recently purchased property in Susquehanna, PA and now have a problem with a trails group telling me they own part of my land. My title insurance company excepted my claim and is researching the deed back to 1862. I find it unusual Pennsylvania has about the most Rails to Trails in the country and cannot find one lawsuit filed. Maybe you would be able to put me in touch with some group in the state who opposes this land thief scheme. Thank you.

Stanley

We are interested in finding out if you are aware of the road easement situation in Brownsville, PA regarding Bull Run Road. The government is proceeding with meetings with local homeowners to take over property to build a bypass with a culde-sac that negatively impacts our family property. Any information you can share would be greatly appreciated. There seems to be a lot of political interest in getting this project approved, which is making it all the more difficult for us to make our interests/needs heard.

Thank you!

I'm sorry, but I looked at what you believe and I think you are way off base. I live in PA too mind you. Haven't you thought that people don't really care about the environment or species as much as they do about money. If you guys got what you really wanted then do you realize how much could be destroyed? Once the environment is destroyed or an animal is extinct there is NO replacement. How important are the individual's property rights compared to that?

Sarah Mailliard

### Show Your Commitment to Property Rights!

The membership categories below were initiated with the presumption that those owning higher acreage were, in all probability, relying more on their land as a source of livelihood and therefore, had a much higher stake in the property rights debate. Since PLA relies solely on individual membership dues and contributions to meet its financial needs, we hope you will join under the appropriate category. If however, finances preclude you from meeting the suggested guidelines, your education on private property rights issues is more important than the amount of your membership, therefore, you may enroll in a more affordable classification.

#### **PLA Membership Categories PLA Educational Materials** Please Indicate: New Member Renewal Posting for Support Yes, I wish to become a participant in this program. Please signs. ☐ Individual I . . . . . . . . . . . . I have enclosed 60¢ for each sign ordered. Any individual supportive of private property rights ☐ I am a current participant in the "Posting for Support" (owning 0 to 15 acres) ☐ Individual II ....... ☐ I am a new participant in the "Posting for Support" (owning 16 to 100 acres) ☐ Îndividual III ...... (owning 101 to 250 acres) \*\*\* NEW! RECENTLY UPDATED! \*\*\* (owning 251 to 500 acres) ☐ Individual V ☐ USA v. Brace & Brace Farms Videotape (VHS) (owning over 500 acres) "One farmer's 13 year battle with federal wetlands ☐ Associate I . . . . . . . . provisions." A must see for all land owners and resource Any business entity supporting the free enterprise system providers! and the principle of private ownership (local businesses in \$15.00 donation. communities) Wetlands Videotape (VHS) Part I Part II ☐ Associate II . . 'Our Environment, Whose Property?' \$15.00 donation each part. private property rights) ☐ Associate III ...... Major suppliers to land use entities (resource development, construction, agriculture) Address: Corporations or entities whose activities involve ownership, use and/or development of acreage in excess of 100 acres but less than 500 acres Same as Business I but in excess of 500 acres Acreage Owned: Any land owning member (excluding Individual I) purchasing Phone Number: (\_\_ PLA signs and participating in the "Posting for Support" program is entitled to a 50% reduction in membership fees for Fax Number: (\_\_\_\_ the current membership year. Membership dues and contributions may be deductible as a How many acres of land posted "Business" expense. Please consult your tax advisor regarding your particular situation. Membership amount . . . . . . . . . . + \$\_\_ Less 50% fee reduction if Enclose form with check or money order payable to: "Posting for Support" ..... \$ Pennsylvania Landowners' Association Amount of signs purchased ..... + \$ P.O. Box 391 Waterford, PA 16441 Additional contribution ..... + \$ Total remittance enclosed . . . . . . . . = \$ Please allow 4 to 6 weeks for your membership card.

PRSRT U.S. Postage PAID McKenzie, TN

Pennsylvania Landowners' Association, Inc. P.O. Box 391 ● Waterford, PA 16441

Return Service Requested

"Nor shall private property be taken for public use without just compensation."