Case 1:90-cv-00229-SPB Document 220-12 Filed 04/24/18 Page 1 of 4



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Suite 322 315 South Allen Street State College, Pennsylvania 16801

March 1, 1988

Mr. James Butch Environmental Protection Agency 841 Chestnut Building Philadelphia, PA 19107

Dear Mr. Butch:

A draft restoration plan for the Robert Brace is enclosed.

General Discussion

The plan is based on the following:

Aerial photography from 1968, 1977, 1980, 1983, 1984, 1985, 1986, and 1987; The Soil Survey of Erie County, Pennsylvania, published by the Soil Conservation Service; field visits by our staff and other agencies; a U.S.G.S. topographic map; the National Wetland Inventory map; information supplied by Mr. Brace; and technical discussions with the Soil Conservation Service, the Pennsylvania Department of Environmental Resources, and EPA staff.

The goal of the draft plan is to restore all wetlands disturbed since October 1984, while permitting Mr. Brace to maintain drainage in all areas drained prior to October 1984, as discussed with you and Mr. Don Wilson of the Buffalo Corps of Engineers. The plan was prepared by the Service because Mr. Brace has failed to provide has own plan and our biologist is familiar with the site and restoration techniques. This plan will be circulated to all agencies involved in the case with requests for comments.

We request that you coordinate any revisions with the regulatory agencies. We will prepare a revised plan with added details from those agencies.

We recommend that the draft or revised draft plan be submitted to Mr. Brace and his attorney for comment and that another on-site meeting be held with Mr. Brace to discuss details of the plan and any response or additional information that Mr. Brace may wish to add to the plan. The maps and information supplied by Mr. Brace in response to your request for information was sketchy at best.

Specific Details for Implementing the Plan

1. Restore all wetlands disturbed since October 1984 by:

EXHIBIT

12

- a) Plugging all drainage tiles in the areas disturbed since October 1984 in a manner specified by the regulatory agencies. Non-perforated drainage pipe may cross wetlands to maintain drainage in adjacent fields.
- b) Plugging the southernmost surface ditches in the areas indicated with cross hatching.
- 2. Maintaining drainage to all fields drained prior to October 1984.
- 3. Revegetating only if natural revegetation is not successful.

Agency Comments

By copy of this letter, we are requesting that each agency involved submit comments within ten days to EPA with a copy to the Service addressing the following points.

- 1. Does this plan satisfy your agency's resource protection goals?
- 2. Does the plan appear to be reasonable and technically sound?
- 3. Do you have any technical specifications that should be considered in developing the final restoration plan?

If you need additional information please contact David Putnam of my staff at (814-234-4090).

Sincerely,
Thash Kuf

Charles J. Kulp

Enclosures Supervisor

Photos w/overlays Restoration plan wetlands map



