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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF :  
AMERICA, :  
PLAINTIFF :

V : CIVIL ACTION NO. 1:17-CV-0006

ROBERT BRACE, ROBERT :  
BRACE FARMS, INC., AND :  
ROBERT BRACE AND SONS, :  
INC., :  
DEFENDANTS :

----- : -----  
UNITED STATES OF :  
AMERICA, :  
PLAINTIFF :

V : CIVIL ACTION NO. 1:90-CV-00229

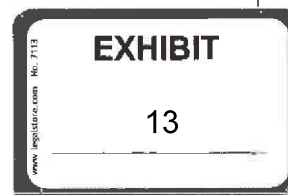
ROBERT BRACE AND ROBERT :  
BRACE FARMS, INC., :  
DEFENDANTS :

DEPOSITION OF: DAVID J. PUTNAM  
TAKEN BY: DEFENDANTS  
BEFORE: DIANE F. FOLTZ, RDR  
NOTARY PUBLIC

DATE: JANUARY 26, 2018, 9:22 A.M.

PLACE: HAMPTON INN HARRISBURG EAST  
4230 UNION DEPOSIT ROAD  
HARRISBURG, PENNSYLVANIA

VERITEXT LEGAL SOLUTIONS  
MID-ATLANTIC REGION  
1801 Market Street - Suite 1800  
Philadelphia, PA 19103



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APPEARANCES:

U.S. DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATURAL RESOURCES DIVISION  
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FOR - PLAINTIFF

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FOR - DEFENDANTS

ALSO PRESENT:

ROBERT BRACE  
BEVERLY BRACE

1 Q What had you heard had been done?

2 A I believe it was Bob's father had a blasting  
3 contractor -- and I think we might have even seen receipts  
4 from that -- blast the Elk Creek channel to lower the water  
5 table.

6 Q What else did the blasting -- so the -- so you're  
7 saying the blasting accomplished --

8 A The blasting blows the material out of the  
9 channel. It's the least effective -- or least expensive  
10 way generally to make a channel. It also is a way to make  
11 a channel in an area that is so wet it can't be accessed by  
12 equipment.

13 Q And did -- is your understanding of what happened  
14 is that the blasting occurred in a pre-existing channel?

15 A Not necessarily, no. That -- generally the  
16 blasting would have been in a straight line. No matter  
17 which way the channel went, they would have blasted a  
18 straight line.

19 Q Okay. Earlier we had talked a little bit about  
20 the restoration plan that you developed.

21 A Yes.

22 Q Do you remember at what time you developed that  
23 restoration plan?

24 A I think that was 1987. I was going to look at  
25 this and see if -- this doesn't seem to have a date on it.

1 Well, 1998, yeah. I believe that would have been probably  
2 about 1997.

3 Q And did you have any role in drafting the  
4 restoration plan that became a part of the consent decree  
5 in this case?

6 A No. They may have used my original one as  
7 something to go on, but I didn't -- I didn't participate in  
8 that.

9 Q Do you recall what the elements of your  
10 restoration plan were?

11 A The one that I did was to restore the areas that  
12 were wetlands prior to the activity back to wetlands and to  
13 not interfere with the elevation of water flowing through  
14 any culverts or bridges and not to impact any existing  
15 farming operations.

16 Q And when you say restore the wetlands, what  
17 particular actions would have been required to be taken?

18 A It was entirely restoring the hydrology, raising  
19 the water level back to the ground surface where the water  
20 level had been lowered by ditching.

21 Q And so to accomplish that would -- to accomplish  
22 that what would Mr. Brace have been required to do?

23 A Actually there was two parts of it. Some of --  
24 some of the -- there was some tile installed in the  
25 wetlands that we were requesting that be broke, broke and