U.S.D.A.
Soil Conservation Service

SCS-CPA-026
(1-88)

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

1. Name and Address of Person: Robert H. Bruce, Box 338, Waterford, Pa. 16441

2. Date of Request: 9-7-88

3. County: Erie

4. Name of USDA Agency or Person Requesting Determination: ASCS

5. Farm No. and Tract No.: 826 T 1356

SECTION I – HIGHLY ERODIBLE LAND

	Yes	No	Field No.(s)	Total Acres
6. Is soil survey now available for making a highly erodible land determination?	X			
7. Are there highly erodible soil map units on this farm?	X			
8. List highly erodible fields that, according to ASCS records, were used to produce an agricultural commodity in any crop year during 1981-1985.			11, 12	18.5
9. List highly erodible fields that have been or will be converted for the production of agricultural commodities and, according to ASCS records, were not used for this purpose in any crop year during 1981-1985; and were not enrolled in a USDA set-aside or diversion program.				

10. This Highly Erodible Land determination was completed in the: Office [ ] Field [X]

NOTE: If you have highly erodible cropland fields, you may need to have a conservation plan developed for these fields. For further information, contact the local office of the Soil Conservation Service.

SECTION II – WETLAND

	Yes	No	Field No.(s)	Total Wetland Acres
11. Are there hydric soils on this farm?	X			
List field numbers and acres, where appropriate, for the following EXEMPTED WETLANDS:				
12. Wetlands (W), including abandoned wetlands, or Farmed Wetlands (FW). Wetlands may be farmed under natural conditions. Farmed Wetlands may be farmed and maintained in the same manner as they were prior to December 23, 1985, as long as they are not abandoned.				
13. Prior Converted Wetlands (PC) - The use, management, drainage, and alteration of prior converted wetlands (PC) are not subject to FSA unless the area reverts to wetland as a result of abandonment. You should inform SCS of any area to [illegible] used to produce an agricultural commodity that has not been cropped, [illegible]ged, or maintained for 5 years or more.			1, 4, 6, 8, 10, 13	
14. Artificial Wetlands (AW) - Artificial Wetlands includes irrigation induced wetlands. These Wetlands are not subject to FSA.				
15. Minimal Effect Wetlands (MW) - These wetlands are to be farmed according to the minimal effect agreement signed at the time the minimal effect determination was made.				
NON-EXEMPTED WETLANDS:				
16. Converted Wetlands (CW) - In any year that an agricultural commodity is planted on these Converted Wetlands, you will be ineligible for USDA benefits. If you believe that the conversion was commenced before December 23, 1985, or that the conversion was caused by a third party, contact the ASCS office to request a commenced or third party determination. Commenced filed with ASCS			14, 15	43.4

17. The planned alteration measures on wetlands in fields _____ are considered maintenance and are in compliance with FSA.

18. The planned alteration measures on wetlands in fields _____ are not considered to be maintenance and if installed will cause the area to become a Converted Wetland (CW). See item 16 for information on CW.

19. This wetland determination was completed in the: Office [ ] Field [X]

20. This determination was: Delivered [X] Mailed [ ] To the Person on Date: 9-20-88

NOTE: If you do not agree with this determination, you may request a reconsideration from the person that signed this form in Block 22 below. The reconsideration is a prerequisite for any further appeal. The request for the reconsideration must be in writing and must state your reasons for the request. The request must be mailed or delivered within 15 days after this determination is mailed to or otherwise made available to you. Please see reverse side of the producer's copy of this form for more information on appeals procedure.

NOTE: If you intend to convert additional land to cropland or alter any wetlands, you must initiate another Form AD-1026 at the local office of ASCS. Abandonment is where land has not been cropped, managed, or maintained for 5 years or more. You should inform SCS if you plan to produce an agricultural commodity on abandoned wetlands.

21. Remarks

22. Signature of SCS District Conservationist: Francis F. Stecker

23. Date: 9-15-88

Assistance and programs of the Soil Conservation Service available without regard to race, religion, color, sex, age, handicap, etc.

AD-1026
(07-66)

UNITED STATES DEPARTMENT OF AGRICULTURE

HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION CERTIFICATION

NOTE: *The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a). The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and regulations promugulated under the Act (7CFR Part 12). The information will be used to determine eligibility for program benefits and other financial assistance administered by USDA agencies. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court magistrate or administrative tribunal. Furnishing the Social Security Number is voluntary. Furnishing the other requested information is voluntary; however, failure to furnish the correct, complete information will result in a determination of ineligibility for certain program benefits and other financial assistance administered by USDA agencies. The provisions of criminal and civil fraud statutes, including 18 USC 286, 287, 371, 641, 1001; 15 USC 714m; and 31 USC 3729, may be applicable to information provided by the producer on this form.*

PART A - PRODUCER'S INTENTIONS FOR USE OF LAND

1. NAME AND ADDRESS OF PRODUCER	2. SOCIAL SECURITY NUMBER (or tax ID number)	3. CROP YEAR
Robert H. Bruce Box 338 Waterford, Pa. 16441		1988

FARM NUMBER(S) 4	COUNTY(IES) WHERE LOCATED 5
824	Erie

	Yes	No
6. During either the crop year entered in item 3 above, or the term of a requested USDA loan, will an agricultural commodity be produced on fields of the farm(s) that were not used for the production of any agricultural commodity (see instructions) or not enrolled in an USDA set-aside or diversion program during any crop year 1981 through 1985? If "yes," list the farm and field numbers. FSN-816 T-1356	✓	
7. Will an agricultural commodity be produced on any land on the farm(s) listed above that was a wet area but was improved, drained, or modified, or converted after December 23, 1985? If "yes," list the farm and field numbers. FSN-816 T-1356	✓	
8. Do you plan to convert any land including wet areas for the production of an agricultural commodity this year or during the term of a requested USDA loan or other program benefit? If "yes," list the farm and field numbers.		✓

	9. SIGNATURE OF PRODUCER	DATE
I hereby certify that the above information is true and correct to the best of my knowledge and belief.	Robert H. Bruce	8-31-88

PART B - REFERRAL TO SCS

	CHECK
10. Based on county office information, a SCS determination is:	
a. Needed prior to the producer's certification in Part C.	✓
b. Needed before January 1, 1990.	

NOTE: If the producer answers "No" to Part A, items 6, 7, and 8, and the agency so agrees, the producer may complete the certification in Part C without a SCS determination. However, beginning January 1, 1990, or 2 years after a soil survey is completed, the producer must be actively applying an approved conservation plan on all highly erodible fields. Therefore, a SCS determination regarding the existence of any highly erodible fields on the farm(s) listed above is necessary before January 1, 1990.

11. DATE REFERRED TO SCS FOR DETERMINATION	12. SIGNATURE OF AGENCY REPRESENTATIVE	DATE
9-7-88	[illegible]	9-7-88

PART C - USE CERTIFICATION (Completed by producer)

13. As a condition of eligibility for any USDA loans or other program benefits, I hereby certify that:

a. I will not produce an agricultural commodity on highly erodible fields (except fields that, in any crop year between 1981 and 1985, were used to produce any agricultural commodity or were enrolled in a USDA set-aside or diversion program); and I will not use the proceeds of any FmHA loan, insured or guaranteed, received after December 23, 1985, for a purpose that will contribute to production of an agricultural commodity on these highly erodible fields, as determined by SCS, unless an approved conservation system has been fully applied.

b. I will not produce an agricultural commodity on converted wetlands or use proceeds from any FmHA farm loan, insured or guaranteed, received after December 23, 1985, for a purpose that will contribute to the conversion of a wetland to produce an agricultural commodity, as determined by SCS.

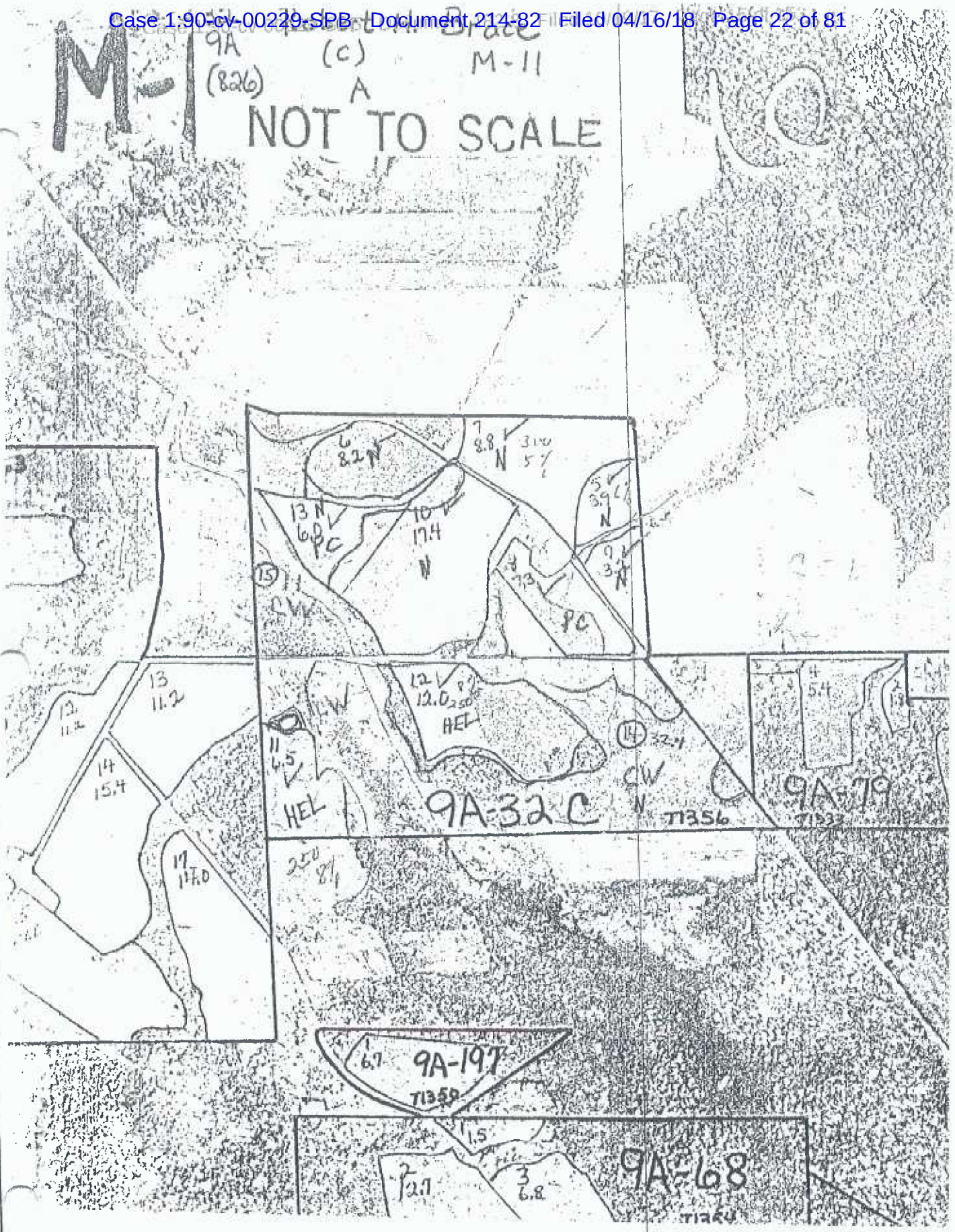
c. I will not convert wetlands or bring new lands into production for the purpose of producing an agricultural commodity without first consulting all USDA agencies with which (1) I have a current contract or loan agreement, insured or guaranteed, or (2) I have a crop insurance contract issued by or reinsured by the Federal Crop Insurance Corporation.

d. USDA representatives may enter upon my land for the purpose of confirming any of the above statements.

SIGNATURE OF PRODUCER	DATE

14. REMARKS

FmHA COPY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NOT TO SCALE
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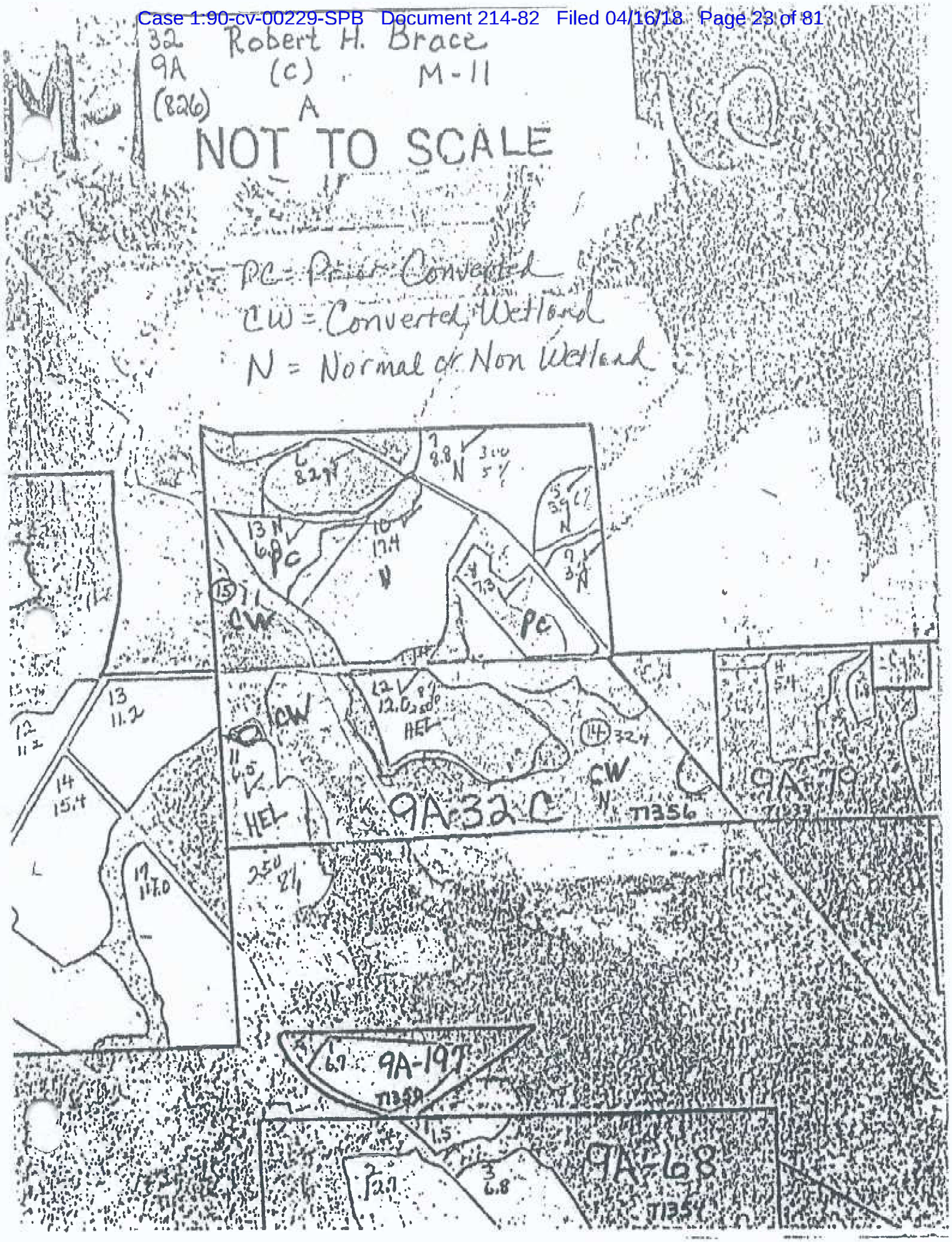
32
9A
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Robert H. Brace
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A
M-11
NOT TO SCALE
PC = Prior Converted
CW = Converted Wetland
N = Normal or Non Wetland
9A-32C
9A-79
9A-19T
9A-68
T1356
T1359
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ERIE COUNTY ASC COMMITTEE
MINUTES
REGULAR SESSION

The Erie County ASC Committee met on Wednesday, September 14, 1988, at 10:00 a.m. at the Agricultural Service Center, Waterford, PA. Present were:

Carl Beckman, Chairperson
J. Edward May, Vice Chairperson
E. Leslie Grace, Regular Member
Joseph Burkwa, County Executive Director
Lewis Steckler, District Conservationist, SCS
Thomas Dauson, Field Assistant
Carroll Lesik, COT

1. MINUTES

The minutes of the August 3, 1988, meeting were read and approved as corrected; the start time should have read 9 a.m. instead of 10 a.m. Also, in item 9 County Committee delete "for the ag. tour."

2. ADMINISTRATIVE

A. Pay Period Documents

County Committee reviewed and approved ASCS-134 Time and Attendance documents.

B. Quad Weekly Report

County Committee reviewed and approved PA-120 Quad Weekly Reports for Pay Period #13 and #14, and #15 and #16.

C. Within Grade Increase

County Committee noted a finding of satisfactory service for Thelma Marie Lewis, for a within grade increase.

D. Staffing

County Committee noted that Tom Dauson is working as Field Assistant, doing appraisals and bin measurements.

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DPP 1/26/18

Eileen McGahen, a former employee, is starting on Monday, September 12, 1988, five days per week, through October 30, 1988.

E. Payment Limitation

County Committee reviewed the agenda and made travel arrangements for the Payment Limitation meeting on September 15-16, 1988.

F. COT Report

Carroll Lasik, COT, reported on her training progress and will be happy to return to western Pennsylvania. Training is going well; she reported on activities in the county offices where training has been held.

3. CONSERVATION PROGRAMS

A. Review of Programs

County Committee noted follow-up for 1988 payments for ACP are being made; reconcilliations are being made in programs.

B. Requests for Cost Shares

County Committee reviewed and approved ACP-245 Requests for Cost Shares as noted on the form.

C. Conservation Reserve Program

County Committee reviewed seventh period CRP bids and accepted the 6 bids received. The bid was $65.00.

D. Swampbuster Commenced

County Committee reviewed a request for swampbuster commenced by FSN 826 Robert H. Brace. Committee noted wetlands determination was completed by U.S. Fish and Wildlife on tract 1356. Producer has been assessed a fine for converting wetlands and the process is now in litigation. Oats was planted on the area in 1987 and clover hay was harvested in 1988.

After reviewing invoices submitted by Mr. Brace and conferring with Lew Steckler, SCS, County Committee

determined [illegible] drainage commenced prior to December 23, 1985, [illegible] approved ASCS-492.

4. DISASTER PROGRAM

A. Review of Requests

County Committee noted 121 farms have filed ASCS-574 Request for Disaster Credit to date. Field Assistant Tom Dauson is trying to keep current on appraisals.

B. County Yields and Rates

County Committee reviewed PA Notice PAD-2 County Yields and Rates for 1988 Disaster Program.

5. EMERGENCY FEED PROGRAM

County Committee reviewed the Emergency Feed Program and the Emergency Feed Assistance Program process. It was noted that most farmers have sufficient feed on hand and are not eligible at this time. Alternative system was reviewed.

6. PRODUCTION ADJUSTMENT

A. Expired PIK

County Committee reviewed and approved a request for Shreve Farms' expired PIK certificate.

B. Late-filed Farms

County Committee reviewed farms filing late-filed acreage reports and established the following yields on comparable farms in the area.

7. RECONSTITUTIONS

County Committee reviewed and approved ASCS-155 Data for Farm Reconstitutions.

A. Combinations

A00095 FSN 70 Robert Huston and FSN 79 Robert Huston into FSN 2868 Robert Huston.

B. Divisions

A00096 FSN 2833 Ralph Gilkinson into FSN 2869 Alan Tech and FSN 2870 Ralph Gilkinson.

A00091 FSN 294 Fruit Acres into FSN 2843 John Pero and FSN 2842 Estate of John Phillips and FSN 2844 Fruit Acres.

A00089 Tract 2317 Fruit Acres into Tract 7838 John Pero and Tract 7837 John Pero and Tract 7841 Estate of John Phillips and Tract 7839 Fruit Acres and Tract 7840 Fruit Acres.

A00088 FSN 307 Souhall K. Rahal into FSN 2837 Souhall K. Rahal and FSN 2838 Daniel L. Betts.

A00087 Tract 2301 Souhall K. Rahal into Tract 7831 Daniel L. Betts and Tract 7830 Souhall K. Rahal.

A00086 FSN 1347 Richard R. Meehl into FSN 2834 Michael V. Baker and FSN 2835 Richard R. Meehl.

8. AERIAL COMPLIANCE

County Committee noted the slides for the county have been received. Indexing slides and selection for spotchecks will commence next week.

9. FARM STORAGE FACILITY LOAN

County Committee noted Farm Storage Facility Loan payment for Vernon Culver has been received.

10. GENERAL DISCUSSION

County Committee reviewed heavy work period and lack of trained personnel in the office.

11. COUNTY COMMITTEE MEETING

The next regular meeting of the County Committee will be on October 12, 1988.

12. ADJOURNMENT

The meeting adjourned at 4:10 p.m.

Chairperson, County Committee

County Executive Director

Erie County ASCS Office
R.D.#5 Route 19
Waterford, PA 16441
Telephone 796-6760

September 21, 1988

Robert H. Brace
Box 338
Waterford, PA 16441

Dear Mr. Brace:

The Erie County ASC Committee, at their regular meeting on September 14, 1988, reviewed your request for Swampbuster Commenced for your farm, serial number 826, tract 1356.

After reviewing invoices that you submitted an concurrence with Lew Steckler, District Conservationist, SCS, the County Committee determined that converson of the wetlands began before December 23, 1985, and will enable you to complete the conversion and produce an agricultural commodity on the converted wetlands without losing USDA benefits.

The County Committee determination is based on the following criteria (1) construction activities were actively started prior to December 23, 1985 as supported by invoices; (2) substantial funds have been expended in the wetlands for the direct purpose of converting the wetlands prior to December 23, 1985, as supported by invoices.

Please contact this office if you have further questions.

Sincerely,

Joseph Burawa, County Executive Director
For: Erie County ASC Committee

Enclosure

CC: Lew Steckler, D.C., SCS

EXHIBIT
Putnam 14
DPP-11/20/18

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