



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY ENGINEER DISTRICT, SACRAMENTO**  
**CORPS OF ENGINEERS**  
**1325 J STREET**  
**SACRAMENTO CA 95814-2922**

REPLY TO  
ATTENTION OF

January 20, 2009

Regulatory Branch (SPK-2002-00475)

Mr. Bert Garland  
C&N Investments  
1802 N. Carson Street, Suite 212  
Carson City, Nevada 89701

Dear Mr. Garland:

We are responding to your consultant's request for an approved jurisdictional determination for the Linkside Estates Project. This approximately 118.7-acre site is located in Section 16, Township 19 North, Range 3 East, MDB&M, Latitude 39° 29' 39.43" North, Longitude 121° 38' 01.48" West, City of Oroville, Butte County, California.

Based on available information, we concur with the estimate of waters of the United States, as depicted on the September 11, 2007, Linkside Place Delineation of waters of the United States drawing prepared by Eco-Analysts. Approximately 14.93-acres of waters of the United States, including wetlands, are present within the survey area. These waters are regulated under Section 404 of the Clean Water Act, since they are contiguous vernal pool wetland complex, which exhibit wetland criteria as described in the Arid West Regional Supplement to the 1987 Corps Wetland Delineation Manual, and are adjacent to and flow to the Feather River.

This verification is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. This letter contains an approved jurisdictional determination for your subject site.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This determination has been conducted to identify the limits of Corps of Engineers' Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

We appreciate your feedback. At your earliest convenience, please complete our customer survey at [http://www.spk.usace.army.mil/customer\\_survey.html](http://www.spk.usace.army.mil/customer_survey.html). Your passcode is "yastrzemski".

Please refer to identification number SPK-2002-00475 in any correspondence concerning this project. If you have any questions, please contact Mr. Brian Vierria at our California North Branch Office, 1325 J Street, Room 1480, Sacramento, California 95814, email [brian.e.vierria@usace.army.mil](mailto:brian.e.vierria@usace.army.mil), or telephone 916-557-7728. You may also use our website: [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,

**ORIGINAL SIGNED**

Nancy A. Haley  
Chief, California North Branch

Enclosures

Copy Furnished without enclosures:

Ms. Jana Milliken, U.S. Fish and Wildlife Service, 2800 Cottage Way, Suite W2605,  
Sacramento, California 95825

Mr. Scott Zaitz, California Regional Water Quality Control Board, 415 Knollcrest Drive, Suite 100,  
Redding, California 96002

Mr. Albert Beck, Eco-Analysts, 1469 Humboldt Road, Suite 100, Chico, California 95928

Mr. B. Demar Hooper, 601 University Avenue, Suite 146, Sacramento, California 95825