



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

AUG 2 - 2002

REPLY TO

Regulatory Branch

SUBJECT: File No. 173370N

Mr. James McKenney
Mount Burdell Enterprises and Burdell Ranch Partners, LTD
365 Bel Marin Keys Boulevard, Suite 100
Novato, California 94949

Dear Mr. McKenney:

This is in reply to your request to sell additional mitigation credits for the Burdell Ranch Wetland Conservation Bank, located on a 118-acre portion of the Burdell Ranch east of the Knoss Filed Runway and bordering the Petaluma River, in northern Marin County, California.

Based on a review of the as-built conditions of the Mitigation Bank, as verified during a field investigation of June 12, 2002, and specific hydrologic data obtained on that date, the Corps of Engineers and the California Department of Fish and Game concur with your determination that successful hydrology has been demonstrated on approximately 13 acres of constructed wetland habitat, consistent with the hydro-period monitoring criterion specified in the "Burdell Ranch Mitigation Bank Restoration and Management Plan" (April 2000, LSA Associates). The hydrology criterion calls for each constructed wetland area to be ponded or the soils saturated within 0.5 feet of the surface for a minimum period of 18 consecutive days during the growing season.

Pursuant to Section VII.E.1-2 of the Memorandum of Agreement for the Burdell Ranch Wetland and Conservation Bank Implementation Agreement, you are hereby authorized to sell a total of 130 credits (the equivalent of 13 acres of constructed wetland habitat with demonstrated hydrology) on behalf of the Mitigation Bank. This 130 credits includes the previously authorized 48 credits representing the initial 20 percent credit availability and the 82 credits representing the remaining 80 percent credit availability (130-48 = 82 credits). Authorization to sell additional mitigation credits for constructed and planned wetland habitat will be made upon the demonstration of future successful hydrology at these specific locations.

EXHIBIT A

You may refer any questions on this matter to Mr. Peter Straub of my staff at telephone 415-977-8443. All correspondence should be addressed to the Regulatory Branch, North Section, referencing the file number at the head of this letter.

Sincerely,

Calvin C. Fong

Calvin C. Fong
Chief, Regulatory Branch

Copies Furnished:

LSA Associates, Point Richmond, CA
US EPA, San Francisco, CA
US FWS, Sacramento, CA
CA DFG, Yountville, CA
CA RWQCB, Oakland, CA