



**DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS**

P. O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890

IN REPLY REFER TO

March 9, 2006

Honorable Randy Forbes
United States House of Representatives
2187 Rayburn House Office Building
Washington, DC 20515-4606

Dear Mr. Forbes:

The purpose of this letter is to document key elements of our discussion of March 1, 2006, in your office in Washington, D.C., regarding the proposed Black Bear Landfill on property located on the east side of U.S. Highway 17, just south of the Virginia state line, in Camden County, North Carolina.

On September 26, 2002, the Wilmington District issued a determination of no jurisdiction to Mr. Frank Williams, the owner of what would become the proposed landfill site. That determination, which covered only the 793.3 acres under cultivation, was based upon the tract's status as prior converted cropland. Please note that our determination did not extend to any of the boundary ditches that flow off of the site, or to the uncultivated eastern portion of the tract.

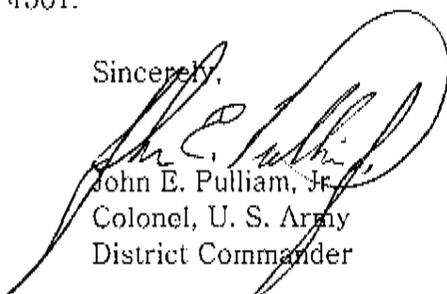
That jurisdictional determination would remain valid for this acreage until:

- September 26, 2007, when the current determination expires; or
- The property owner requests a new determination before that date; or
- The land is taken out of agricultural production before that date.

In any of these events, the Wilmington District would conduct a new jurisdictional determination on the subject property. In the third circumstance, the need for a new determination would extend to that portion of the property taken out of agricultural production.

If you have any further questions regarding this matter, please do not hesitate to contact me personally at (910) 251-4501.

Sincerely,



John E. Pulliam, Jr.
Colonel, U. S. Army
District Commander