

Per Curiam

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D. C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

SUPREME COURT OF THE UNITED STATES

No. 01–1243

BORDEN RANCH PARTNERSHIP AND ANGELO K.
TSAKOPOULOS, PETITIONERS *v.* UNITED
STATES ARMY CORPS OF ENGINEERS
AND ENVIRONMENTAL PROTECTION
AGENCY

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT

[December 16, 2002]

PER CURIAM.

The judgment is affirmed by an equally divided Court.

JUSTICE KENNEDY took no part in the consideration or decision of this case.