



# Media Release

## **SF Bay Regional Water Board Issues Complaint and Tentative Cleanup Order at Point Buckler Island**

**For Immediate Release:  
May 17, 2016**

**Contact: Dyan Whyte  
Assistant Executive Officer  
(510) 622-2441**

The San Francisco Bay Regional Water Quality Control Board Prosecution Team today issued an [Administrative Civil Liability Complaint](#) (Complaint) and a tentative Cleanup and Abatement Order (Cleanup Order) to John D. Sweeney and Point Buckler Club, LLC for the alleged fill and degradation of over 29 acres of tidal wetlands at Point Buckler Island, which is located in the Suisun Marsh, Solano County.

The Complaint proposes a monetary penalty of \$4,600,000 for the unauthorized work and harm to tidal wetlands in Suisun Marsh, and the Cleanup Order includes requirements to restore wetland functions and abate harm to beneficial uses. A Board hearing on these matters is scheduled for August 10, 2016.

Mr. Sweeney and Point Buckler Club, LLC allegedly conducted numerous construction activities without authorization from the Water Board, including the excavation and fill of tidal wetlands to build a perimeter levee, filling tidal wetlands inboard of the levee to build amenities that include helicopter pads, a lounge area and a toilet facility, and installation of a dock in the Bay. It is estimated that over 16,000 cubic yards of tidal marsh was excavated and that over 9,000 cubic yards of fill was placed in waters of the State and United States without authorization. This work was completed to develop the Island for use as a private sport and social club.

The levee construction has blocked tidal flow to about 29 acres of tidal wetland on Point Buckler Island. As a result, the wetlands on the interior of the levee are highly degraded. The loss of tidal wetlands at the island are having a direct, negative impact on beneficial uses of waters and wetlands in the Suisun Marsh, which provides critical habitat to migratory birds and threatened and endangered species including migrating salmon and Delta smelt.

Mr. Sweeney and Point Buckler, LLC are alleged to have violated Prohibition 9 of the San Francisco Bay Basin Plan and Clean Water Act section 301 for filling waters of the State and United States to construct a levee at the Island and to have violated Clean Water Act section 401 for failing to obtain a permit (401 Certification) for the unauthorized work. The tentative Cleanup Order would require future work to reestablish the tidal wetlands at the Island and provide compensatory mitigation for wetlands loss. The Cleanup Order includes provisions to submit and implement interim corrective action and wetland restoration plans.

More information about this matter is available on the Regional Water Board website:  
[http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/hot\\_topics/PointBuckler.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/hot_topics/PointBuckler.shtml)





## Media Release

The website includes a report on the construction activities conducted and harm to tidal wetlands (“Point Buckler Technical Assessment of Current Conditions and Historic Reconstruction Since 1985”) and more information about the scheduled hearing before the Board, including an opportunity for the public to comment on the Complaint and Tentative Cleanup Order.

###