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By Federal Express

The Honorable Harry S. Kinnicutt
Department 3
Solano County Superior Court
Hall Of Justice
600 Union Avenue
Fairfield, California 94533

Subject: In The Matter Of The Inspection At Point Buckler Island
No. MISC002135

Dear Judge Kinnicutt:

On behalf of Point Buckler Club, LLC, I am writing to respond to the Amended Affidavit For Inspection Warrant ("Amended Affidavit") submitted to this Court by the San Francisco Bay Regional Water Quality Control Board ("Regional Board") in response to my letter of March 9, 2016. In my letter, I identified important information omitted from the original Affidavit. In the Amended Affidavit, the Regional Board makes two arguments through a long recitation of facts.

First, the Regional Board suggests that it did not omit important information in its Affidavit (even though it did not mention the key e-mail in which I provided the Club's consent) because that information could have been found in the exhibits. But, the Regional Board adds, those exhibits were not in the Court's file.

I can't say whether the exhibits were originally filed included the key e-mail, because the Regional Board sent me only the Affidavit, without any of the exhibits. What I can say is that a Court should not have to search through exhibits to find important information. My letter noted that the Affidavit's description of e-mail exchanges ran for more than two pages, and was entitled "Consent Denied", but did not mention the e-mail in which I provided the Club's consent. The Amended Affidavit does not deny anything in my letter.

Second, the Regional Board asserts that it called off its inspection on February 26 because a person on Point Buckler Island was seen "firing off a small gun". The Regional Board should not be surprised by recreational shooting at a duck club when only one person is on the

island. The Regional Board did not call me to ask whether the Club would try to prevent the inspection, or would take any hostile action when they arrived. When the Regional Board e-mailed me about the cancellation and the gunfire, I e-mailed back that "no one should feel threatened" and "[o]ur position agreeing to access hasn't changed":

> Laura,
>
> Thanks for letting me know that the site inspection for tomorrow is off. If the Sheriff's Department wants to bring more deputies, that's certainly OK with us, but no one should feel threatened. You had said you would be visiting tomorrow. Any recreational activity on the island today, when only one person was present, should not be considered indicative of any intention or future behavior when your team comes to visit.
>
> In two e-mails last week and this week, we agreed to provide access in early March, and asked Dyan Whyte for proposed dates. Our position agreeing to access hasn't changed.
>
> Larry

Although I was not present, the inspection seems to have gone well. The Regional Board has not contacted me to make any complaints.

The Club is providing this letter for the Court's information, and is not requesting any action.

Sincerely,

Lawrence S. Bazel

cc: Counsel for the Regional Board in No. MISC002135
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