

REDWOOD CHAPTER

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TO: Marnie Ajello, Staff Counsel
Via email: Marnie.Ajello@waterboards.ca.gov
California Regional Water Board, San Francisco Bay Region
1515 Clay Street, Suite 1400, Oakland, CA 94612

RE: Comments Regarding Point Buckler Island Complaint for Administrative Civil Liability (ACL) and Tentative Cleanup and Abatement Order, R2-2016-1008.

DATE: June 6, 2016

Dear Ms. Ajello,

The Redwood Chapter represents some 10,000 members of the Sierra Club, the nation's largest and oldest environmental organization, residing in northwestern California. Our geographic area incorporates the northern shoreline of San Francisco Bay in Sonoma, Napa, and Solano Counties, including all of Suisun Marsh and Point Buckler Island. Preservation and restoration of the Bay and its wetlands have long been important conservation priorities for our organization.

The Sierra Club supports the Regional Water Board's efforts to correct the serious wetlands and water quality violations at Point Buckler Island. The Sierra Club is concerned, however, that despite such efforts the Discharger's recalcitrance will significantly delay, or even avoid, meaningful wetlands restoration. More than two years have already passed since the Discharger's violations. The Sierra Club therefore supports the May 17, 2016 Tentative Cleanup and Abatement Order issued by the Regional Water Board as long as the Order is revised and reinforced as suggested below, and the Water Board is successful in securing the Discharger's acceptance of, and compliance with, the Order as revised. We suggest the Order be revised to include:

1. a requirement within Provision No. 2 on page 15 of the Order, that the Restoration Plan to be submitted to the Water Board on or before February 17, 2017 include fully prepared draft permit and approval applications for all necessary permits and approvals, and
2. an implementation time schedule which shall include a deadline of April 17, 2017 for the submission of all necessary permits and approvals to all applicable agencies, and
3. a restoration construction completion date of no more than six months after the issuance of all necessary permits.

Sierra Club also supports the Regional Water Board's administrative penalty assessment of \$4.6 million, as long as the Regional Water Board promptly secures the assessed sum from the Discharger. We also request that the Regional Water Board instigate a strong incentive for prompt

restoration of the damaged wetlands by additionally assessing and obtaining a \$10,000 per day penalty against the Discharger for each and every day after August 10, 2016 that the damaged wetlands remain unrestored.

Sincerely,



Victoria Brandon
Chair, Sierra Club Redwood Chapter
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