

From: [Param Dhillon](#)
To: Carlton.Cleet@Waterboards
Subject: Re: Notice of 30-day Comment Period - Tentative Cleanup and Abatement Order for Dhillon Property, Vallejo
Date: Sunday, April 25, 2021 7:17:46 PM
Attachments: White Slough Area.pdf

EXTERNAL:

Mr Carlton,

I am responding to the Tentative Cleanup and Abatement Order:

Here are the reasons why the "Tentative Clean Up and Abatement Order" should not be adopted.

1. Before I placed Clean Dirt not "Waste" on my property, I did my home work by contacting BCDC to check if the Agency had Jurisdiction over the Property in question. I called BCDC because I was told so by Planning Dept. City of Vallejo when enquired about the zoning, so I spoke with Simon Pascale, she took the information of the property and called me back 10-15 days later, telling me the Agency did not have Jurisdiction over my Property, I asked her to email me what she just told me to have the information for my record. I had gotten the information, I had called about over the phone and did not care to check the email till after I was contacted by the Agency telling me of their Jurisdiction over the Property.
2. After confirming Bcdc did not have Jurisdiction over the property, I contacted Public Works City of Vallejo. The Public Works City Employee at front desk asked me the address for the Property and pulled up the property on her Desktop Computer. I asked her if I need a Permit to place dirt on my Property to fill Holes and Ditches in order to drive over it to Mow the weeds for Weed Abatement and comply with Fire Dept. Regulations. She answered if you intend to place less than 55 yards of Dirt, I won't need a permit, I told her thats all I need to fill the holes and ditches. She did not inform me to check with any other agencies. I had never heard of Water Board and or it can have Jurisdiction over Private Property without Waters of US.
3. After I had checked with City and BCDC, I figured it was ok to place Clean Dirt on Property, soon after I placed dirt on Property I was contacted by City, Bcdc, Army Core of Engg. and Water Board. I stopped work as soon as I was told to do so.

I had no intent to break any Agency Rules and Regulations it was entirely an accident that it happened, I was misled by Bcdc and City of Vallejo, thinking it was ok to place dirt.

Since I did not have intent to do any wrong , I should not be held liable for this action, this order will cost me over \$200,000 , I don't have the money to accomplish the task. It will force me to go bankrupt. I am retired and I have limited income.

4. I would like to talk about the Regional Water Board's Jurisdiction over my Property. Property is not connected to any Coastal or Tidal water and the Water from Property does not flow to anywhere, it's self contained. The Property is Dry all year except when it rains. The 80% of Water that used to pool on the property came from City Storm Drain during the rainy season and the rest comes from the Hwy 29 Sonoma Blvd and the neighboring Properties. So if there was no illegal discharge from all of the above, there will be hardly any water on the property. After the Storm Drain was closed before the rainy season began in 2020, there was hardly any water on the property this rainy season. The Storm Drain is not a Culvert and there are no other Culverts that connect the White Slough to the Property. The end of Serano Drive where the City Storm Drain flows to White Slough during rainy season has no Tidal connectivity any given 24 hours Period, so there is no tidal and coastal connectivity to Storm Drain either.

So if it rains on my property and it's not coastal or tidal water and it does not flow to any other body of water, there was hardly any water this rainy season after one of the illegal discharge of Storm Drain was closed, how is it State water, it's My Water. I have God given right to this Water. If for sake of reason, Water collects on the Property and it does not flow anywhere and it evaporates or percolates into soil, the earth filters it before it reaches groundwater, how does that affect the Quality of Waters of the State unless we can prove that the dirt placed was contaminated with chemicals.

Here is the recent Case Law that applies to your Jurisdiction in this case,

"The Sacramento County Superior Court recently issued a final decision in *San Joaquin Tributaries Authority v. California State Water Resources Control Board*, finding that the State Water Resources Control Board (State Board) is not authorized to adopt a state-level water quality control plan for waters that are not classified as waters of the United States. As a result, the State Board is prohibited from applying the Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries of California (Inland Surface Waters WQCP) to wetlands that do not meet the federal definition of waters of the United States."

The agency calls Clean dirt Waste, Dirt is not Waste, nothing can exist without dirt, food comes from Dirt, So our Body comes from Dirt and go back to dirt when we die, dirt has everything we need to live on this earth. All the precious metal like Gold, Silver,

Platinum, Iron, Aluminum come from Dirt and now the Batteries we need for Electric Cars come from Dirt. Why placing a little Dirt on my private piece of property is a Crime. There was no water when dirt was placed, I had no intent to place dirt in water, after closing Storm Drain illegally discharging contaminated water on to the property, there was no water anywhere close to dirt. Leaving Dirt where its sits causes no harm to any plant or living things.

Vallejo Flood and Wastewater District has been illegally discharging Storm Drain water on this Private property for decades. The Rainfall washes all parking lots and street surfaces and collect all oil based contaminants, Pesticides, Herbicides and drains the contaminated Storm water over to my Property. The Water is already contaminated by the time it reaches my property, thus it has been causing contamination on property for years and thats the real problem.

5. White Slough Protection and development Act protects White Slough not the property in question, So Called East Lagoon is not a Lagoon, the very Word Lagoon means a Body of Water originating from Ocean, Coastal or Tidal water. It was called East Lagoon under the impression that it was connected to White Slough but its not connected to White Slough. The East Lagoon does not exist thus the White Slough Protection and development Act does not apply to property in question.

6. I have been told by your Regional Water Board to remove the block from the Storm Drain and allow the Contaminted discharge of Storm drain on to my Property. I am a Private properety owner, the property comes with Rights. I have the Right to Fence my Property and I excercised my Right by closing the illegal discharge on my Property. By Stopping me from closing the Storm Drain, You will be violating my property Rights.

7. Please refer to Storm Drain Line Diagram, It clearly shows the Storm Drain Lines with Arrows and the directions the water supposed to Flow. The Private Pick Up Line which I closed is the Line that supposed to pick up Water from my property and take it over to main Storm Drain. But instead it has been dumping tons of water on to my property. Vallejo Flood and Wastewater District charges me a fee every year for taking that water off my Property to Storm Drain. Vallejo Flood has no Right to discharge Storm Drain on to a Private Property. Vallejo Flood and Wastewater District has no Easements or Covenants that allows any rights to Drain on my Property.

I humbly ask you to reconsider your action, put yourself in my shoes and imagine how you would feel to go thru something like this especially when you had no intent to do any wrong. The laws come with discretion and it allows you not to punish an innocent man. You are a branch of The State and State has the burden to make sure the Justice is Served to its People and not to be a Cause of Injustice.

I am attaching some recent pictures of the property and the Storm Line Diagram of the Area.

God Bless..

Sincerely,

Param Singh Dhillon

On Thursday, March 25, 2021, 05:04:07 PM PDT, Carlton, Cleet@Waterboards <cleet.carlton@waterboards.ca.gov> wrote:

Dear Param and Amandeep Dhillon,

Attached is a Tentative Cleanup and Abatement Order for your property at Solano County Assessor's Parcel No. 0052-160-090 in Vallejo. Please refer to the attached transmittal letter for more information on submitting written comments. Comments must be received no later than 5:00 p.m. on Monday, April 26, 2021.

Sincerely,

Cleet Carlton, P.G.

San Francisco Bay Regional Water Quality Control Board