Prosecution Team Rebuttal Evidence Submission
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Submitted for the Board's Consideration:

1) Rebuttal Legal Brief
2) Factual Rebuttal
3) Evidentiary Objections

Initial Evidence Exhibits:

Exhibit No.	Description of Exhibit Previously Provided by the Prosecution Team (CAO Factual Rebuttal)
45	Prosecution Team's Revised Factual Rebuttal to Discharger's CAO Initial Evidence Submittal, August 4, 2016

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically
46	Experts' Response to October 19, 2016, Evidence Package (includes attachments)

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically or by Reference (Ability to Pay and BEN Economic Benefit Model)
47	47a. Ability to Pay Analysis Memo – Sweeney/Point Buckler Club, Bryan Elder, November 16, 2016 47b. Individual Ability to Pay Claim, Financial Data Request Form 47c. BEN Economic Benefit Model Program - U.S. EPA https://www.epa.gov/enforcement/penalty-and-financial-models 47d. BEN User's Manual - U.S. EPA http://www.waterboards.ca.gov/water_issues/programs/ocean/docs/wqplans/benmanual.pdf

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically (CDFW Point Buckler Review)
48	CDFW Vegetation Classification and Mapping Program Review of Point Buckler Tidal Wetland Conversion, Todd Keeler-Wolf, November 14, 2016

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically (BCDC Documents)
49	49a. Declaration of Adrienne Klein, September 23, 2016 49b. Declaration of Ming Yeung, November 1, 2016 49c. BCDC Recommended Enforcement Decision, September 23, 2016 49d. BCDC Enforcement Committee Recommended Enforcement Decision, November 4, 2016 49e. BCDC Final Cease and Desist Order No. 2016.02, November 18, 2016

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically (Court Proceedings)
50	50a. Solano County Superior Court Order for Stay of 2015 CAO, December 29, 2015 50b. Solano County Superior Court Order Sustaining State's Demurrer, July 1, 2016 50c. Solano County Superior Court Formal Dismissal, July 20, 2016

Exhibit No.	Description of Exhibit Provided by Reference (Water Board 401 Certifications)
51	51a. Conditional Water Quality Certification for Blacklock Restoration Project, SRCD Ownership #635, Suisun Marsh, Solano County, CA; Corps File No. 303850N, September 7, 2006 http://www.waterboards.ca.gov/sanfranciscobay/water_issues/hot_topics/PointBuckler/Water%20Board%20Orders/New/Correspondences%20from%20the%20WB/Blacklock_WQC_Sept2006.pdf 51b. Conditional Water Quality Certification for the Suisun Marsh Exterior Levee Maintenance Dredging Program, Solano County, June 4, 2014 http://www.suisunrcd.org/documents/2014Dredging401Cert..pdf

51	51c. Conditional Water Quality Certification for the Roaring River Distribution System Fish Screens Sediment Removal Project, Montezuma Slough, Solano County, December 16, 2015 http://www.waterboards.ca.gov/sanfranciscobay/water_issues/hot_topics/PointBuckler/Water%20Board%20Orders/New/Correspondences%20from%20the%20WB/Fish_Screens_Sediment_Removal_WQC_815147_Dec2015.pdf 51d. Conditional Water Quality Certification for the Tule Red Tidal Restoration Project, Solano County, July 19, 2016 http://www.waterboards.ca.gov/sanfranciscobay/water_issues/hot_topics/PointBuckler/Water%20Board%20Orders/New/Correspondences%20from%20the%20WB/R2_Tule_Red_Tidal.pdf

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically
52	Point Buckler Survey Memo, November 9, 2016

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically (October 2016 Meeting and Discharger Workplan)
53	53a. October 25, 2016, Meeting Minutes – Point Buckler Island, Suisun Marsh, Solano County 53b. Final Interim Corrective Action Workplan, November 10, 2016 53c. Prosecution Team's Assessment of the Interim Corrective Action Plan for Point Buckler Island and Recommendations, November 18, 2016

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically (Water Board and Discharger Correspondence)
54	Re: Request to keep information confidential, email thread, November 7, 2016

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically (Social Media Posts)
55	55a. Jeff Kafka (Point Buckler Partner) Facebook 2014 Posts 55b. Suisun Marsh Property Owners Forum Post, April 6, 2016 55c. John Sweeney Twitter Account Snapshot, October 31, 2016 55d. John Sweeney Facebook Post, November 4, 2016 55e. Point Buckler Club Facebook Description, November 11, 2016 55f. Point Buckler Club Facebook Post, June, 20, 2016

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically
56	2015 Annual Application for the USACE Wetlands Maintenance Permit – Point Buckler Club, LLC

Exhibit No.	Description of Exhibit Provided by Hard Copy and Electronically (California Online Business Entity Search)
57	57a. Lost Islands, Inc., Secretary of State Details 57b. Lost Islands, Inc., Secretary of State Snapshot, November 11, 2016

Exhibit No.	Description of Exhibit Provided Hard Copy and Electronically
58	Declaration of Dyan Whyte, November 18, 2016

Exhibit No.	Description of Exhibit Provided Hard Copy and Electronically
59	59a. Sacramento Bee Article – Sacramento-San Joaquin Delta Faces Deadline for Restoring Fish Habitat, April 22, 2016 59b. ACB News 10, Delta Island Owner Seeks Feds' OK for Quick Levee Fix, January 3, 2012 59c. Business Wire - SuperCarDirect Articles, 2007-2009 59d. America's Cup Yacht Listing, November 3, 2006 59e. John Sweeney LinkedIn Page