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**San Francisco Bay Regional Water Quality Control Board**

*Sent via certified mail and electronic mail*

September 11, 2015  
CIWQS Place ID 816826

Point Buckler LLC/John Sweeney  
c/o Miller Starr Regalia  
1331 N. California Blvd., 5<sup>th</sup> Floor  
Walnut Creek, California 94596  
Attn: Wilson Wendt, wilson.wendt@msrlegal.com

**Subject: Cleanup and Abatement Order No. R2-2015-0038 for Unauthorized Levee Construction Activities at Point Buckler Island in the Suisun Marsh, Solano County**

Dear Mr. Sweeney:

Enclosed with this letter is Cleanup and Abatement Order No. R2-2015-0038 (Order) for unauthorized levee construction activities at Point Buckler Island located in the Suisun Marsh, Solano County.

As described in finding 14 of the Order, the Regional Water Board is entitled to recover reasonable costs actually incurred by staff from responsible parties to oversee cleanup of unauthorized activities and/or discharges that have adversely impacted or threaten to affect waters of the State. To assure that sufficient Regional Water Board staff resources are available to conduct the necessary reviews and approvals, we intend to include this site in this Region's Site Cleanup Program (SCP) Cost Recovery Program, more fully described in the attached Reimbursement Process for Regulatory Oversight enclosure. Pursuant to provision 8 of the Order, you are required to acknowledge in writing your intent to reimburse the State for cleanup oversight work by returning the Acknowledgment Letter (Attachment 3), or its equivalent, within 14 days of the date of the Order.

**Estimate of Work to be Performed and Expected Outcome**

Regional Water Board staff will be actively overseeing the investigation and cleanup of this site. Given this, Regional Water Board staff estimate that the following work will be performed for the subject site during State fiscal year 2015 - 2016, ending June 30, 2016: 1) Review work plans; investigation reports; corrective action plans; and associated correspondence from the discharger, its consultant, and/or interested parties; 2) Conduct site inspections following up on the technical reports and Order compliance; 3) Conduct meetings regarding the site on issues relevant to corrective

actions; and 4) Discuss issues related to the site and prepare written correspondence between the Regional Water Board and interested parties.

### **Billing Rates**

Attachment 1 provides a detailed description of the billing procedure. Attachment 2 lists the billing rates for employees expected to engage in the work or services for your site/facility. We estimate that 100 hours will be required in the oversight of the site for the remainder of the State's fiscal year, which ends June 30, 2016. This is merely an estimate. The actual time needed will depend on the nature and extent of the necessary oversight. The name and classification of employees making charges will be listed on invoices. The average billing rate is approximately \$150 per hour. An estimate for any necessary work after June 30, 2016, will be provided in late spring 2016.

### **Contact Information**

If you have any questions, please contact Agnes Farres of my staff at (510) 622-2401 or by e-mail to [agnes.farres@waterboards.ca.gov](mailto:agnes.farres@waterboards.ca.gov).

Sincerely,

Bruce H. Wolfe  
Executive Officer

Enclosures: Cleanup and Abatement Order No. R2-2015-0038  
Attachment 1 – Reimbursement Process for Regulatory Oversight  
Attachment 2 – Billing Rates  
Attachment 3 – Acknowledgement Letter

Copy by email:

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