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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SOLANO

11 In The Matter of the Application of:

12 SAN FRANCISCO BAY REGIONAL
13 WATER QUALITY CONTROL BOARD

14 For an Inspection Warrant of:
15 Point Buckler Island, Suisun Bay

Case No. *MISC002135*

INSPECTION WARRANT

C.C.P Section 1822.51

(Filing Fees Exempt Per Gov't Code 6103)

16 THE PEOPLE OF THE STATE OF CALIFORNIA TO:

17 The San Francisco Bay Regional Water Quality Control Board and their authorized
18 representatives:

19 PROOF, by declaration under penalty of perjury under the laws of the State of
20 California, having been made this day before me by Benjamin Martin, Environmental Scientist
21 and investigator for the San Francisco Bay Regional Water Quality Control Board, submitted
22 to the Court on the 19th day of February, 2016;

23 THAT THERE IS REASON TO BELIEVE that there exists at the Point Buckler Island in
24 the Suisun Bay, Solano County, California, violations of California Water Code section 13385,
25 particularly subsections: (a)(1), failure to submit report of waste discharge; (a)(4), unauthorized
26 discharge to waters of the United States in violation of the *San Francisco Bay Basin (Region*
27

1 2) *Water Quality Control Plan*¹ Prohibition 9, issued pursuant to California Water Code,
2 Division 7, Article 3, Chapter 4, subsection 13243; and/or (a)(5), a requirement of the federal
3 Clean Water Act section 301 and/or 401 (33 U.S.C. Sec. 1311, 1341) that here is
4 authorization for an inspection pursuant to Water Code section 13267, subsection(c), with
5 respect to the premises named above, as required by the California Code of Civil Procedure
6 sections 1822.50 et seq. for the issuance of an Inspection Warrant. The property is
7 associated with assessor parcel number (APN) 0090-020-010, and comprises a total of 51.5
8 acres. The property is currently operated as a premier kite boarding destination for Silicon
9 Valley executives with plans to open a duck hunting club. On the parcel, over half the island
10 area is interior of a recently constructed levee, where a number of mobile storage containers
11 have been positioned. Along the southeast corner, a large boat dock is installed for access to
12 Point Buckler Island.

13 Based upon the declaration of the affiant, good cause exists to authorize an inspection
14 without the presence of the owner or occupant of the location. Yes X No Initials HJK

15 Based upon the declaration of the affiant, it has been shown that prior consent has
16 been sought and permission has been denied. Inspection is authorized without ~~out~~ 24 hour
17 notice. Yes No Initials

18 Pursuant to CCP § 1822.5b, 24 hour notice to owner/occupant
19 is required.

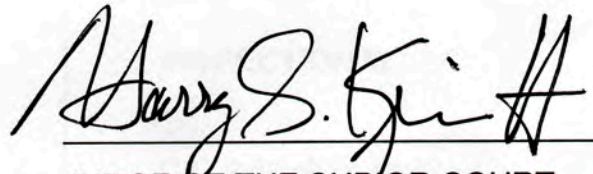
20 THEREFORE, San Francisco Bay Regional Water Quality Control Board authorized
21 representatives including Ben Martin, Dyan Whyte, Bill Hurley, Brian Thompson, Agnes
22 Farres, Dr. Peter Baye, Dr. Stuart Siegel, CLE Engineering, Inc., Special Agent Dan Tanner
23 (National Marine Fisheries Service), Paul Jones (US Environmental Protection Agency), and
24 the County of Solano Sheriff's Department members are hereby directed at some time
25 between the hours of 8:00 a.m. and 6:00 p.m. for two consecutive days to enter upon said
26 premises and make an inspection of any facility, pollution source or area related to compliance
27 located therein, questioning of or conferring with persons present on the property privately to

28 ¹ Commonly referred to as the *Basin Plan*, the document and information can be found on the San Francisco Bay
29 Regional Water Quality Control Board's website:
http://www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml

1 obtain information bearing on whether violations of the laws and regulations occurred,
2 obtaining photographs, videos and copies of required documents or records required to be
3 maintained in connection therewith by the San Francisco Bay Regional Water Quality Control
4 Board. This inspection shall be reasonably conducted so as to affect as minimal an intrusion
5 as possible on the normal operations of the property.

6 PROVIDED FURTHER that said entry and inspection are made within 14 days from the
7 date of signing and issuance hereof. This warrant shall be executed and returned to this Court
8 within 14 days of the issuance hereof, and shall be void unless executed within 14 days period
9 of time, unless extended or renewed by this Court.

10
11 ISSUED ON 2-24-16

12
13 
14 _____
15 JUDGE OF THE SUPERIOR COURT

16
17 This instrument is a
18 correct copy of the original
19 on file in this office

20 ATTEST:

21 FEB 25 2016



30 Clerk of the Superior
31 Court of the State of California in and
32 for the County of Solano

33 By  _____
34 DEPUTY CLERK