

San Francisco Bay Conservation and Development Commission

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Commission Cease and Desist and Civil Penalty Order:

CCD2025.001.00

Effective Date:

TBD [Effective upon execution by the Executive Director]

Respondents:

Thaddeus Woodin
Steve and Lesley Belcher
Allen Kanady
William Woodin
Kittrell Estate

To: Thaddeus Woodin, the Belchers, Allen Kanady, William Woodin, and Kittrell Estate

I. Commission Cease and Desist Order

Pursuant to Cal. Gov. Code § 66638, Thaddeus (“Thad”) Woodin, Steve and Lesley Belcher, Allen Kanady, William (“Bill”) Woodin, and Kittrell Estate (together, “Respondents”) are hereby ordered to:

- A. Cease and desist from violating the McAteer-Petris Act (MPA) and the Suisun Marsh Preservation Act (SMPA).
- B. Respondent Thad Woodin must:
 1. By November 30, 2025, remove (i) the 20- to 25-foot-long recreational vessel identified in Section III.B and (ii) the fill identified in Section III.C, Section III.D(1), and Section III.D(4), to a legal disposal site or location outside of BCDC’s jurisdiction.
 2. Provide immediate written confirmation to BCDC staff upon learning whether Solano County received funding to remove the 68- x 33-foot barge at the bottom of the Montezuma Slough described in Section III.B.
 3. If by March 31, 2026, Solano County has secured funding to remove the 68- x 33-foot barge at the bottom of the Montezuma Slough described in Section III.B, use best efforts to cooperate with Solano County and its designated agents and/or contracted parties to remove the barge.
 4. If by March 31, 2026, Solano County has not secured funding to remove the 68- x 33-foot barge at the bottom of the Montezuma Slough described in Section III.B, then



- by June 30, 2026, use best efforts to apply for and obtain funding for the removal of the barge.
5. By September 30, 2026, remove the 68- x 33-foot barge at the bottom of the Montezuma Slough described in Section III.B to a legal disposal site or location outside of BCDC's jurisdiction, irrespective of the results of any funding applications or efforts.
- C. Respondents Thad Woodin and Allen Kanady must:
1. By November 30, 2025, remove the fill identified in Section III.D(2) to a legal disposal site or location outside of BCDC's jurisdiction.
- D. Respondents Thad Woodin and Bill Woodin must:
1. By November 30, 2025, remove the fill identified in Section III.D(3) to a legal disposal site or location outside of BCDC's jurisdiction.
- E. Fully comply with the requirements of Sections I, II, IV, and V of this Cease and Desist and Civil Penalty Order ("Order").

II. Civil Penalty Order

Pursuant to Cal. Gov. Code § 66641.6, Respondents are hereby ordered to:

- A. Pay administrative civil liability of one hundred thirty-five thousand dollars (\$135,000) to BCDC by cashier's check made payable to the San Francisco Bay Conservation and Development Commission, to be deposited into the Bay Fill Clean-up and Abatement Fund, within thirty (30) days of issuance of this Order. The administrative civil liability consists of, and liability shall be apportioned, as follows:
1. Twenty-eight thousand five hundred (\$28,500) for the unpermitted fill in the Montezuma Slough within BCDC's Bay jurisdiction and the Primary Management Area consisting of: (1) 68- x 33-foot barge at the bottom of the slough, about 50 feet south of Thad Woodin's home on Van Sickle Island and under about 19 feet of water; and (2) a mostly submerged 20- to 25-foot-long recreational vessel about 10 feet off the Kittrell Estate's parcel (Thad Woodin);
 2. Twenty-seven thousand (\$27,000) for the unpermitted fill within BCDC's 100-foot shoreline band jurisdiction and the Primary Management Area consisting of an abandoned car, silver trailer, and boat, in addition to plastic containers and other trash (Thad Woodin);
 3. Eighteen thousand (\$18,000) for unpermitted fill within BCDC's 100-foot shoreline band jurisdiction and the Primary Management Area consisting of: (1) a small, blue recreational vessel, close to the levee road and (2) a recreational vessel near Thad

- Woodin's house located on both the Belchers' and Thad Woodin's parcels (Thad Woodin and Steve and Lesley Belcher);
4. Twenty-five thousand five hundred (\$25,500) for unpermitted fill within BCDC's 100-foot shoreline band jurisdiction and the Primary Management Area consisting of an Argo (small amphibious craft), two boats, and a large lawn mower placed close to the levee road (Thad Woodin and Allen Kanady);
 5. Eighteen thousand (\$18,000) for unpermitted fill within BCDC's 100-foot shoreline band jurisdiction and the Primary Management Area consisting of a green truck, an automobile, four boats, and an ATV. All are close to the levee road (Thad Woodin and Bill Woodin); and
 6. Eighteen thousand (\$18,000) for unpermitted fill within BCDC's 100-foot shoreline band jurisdiction and the Primary Management Area consisting of a silver truck placed close to the levee road (Thad Woodin and Kittrell Estate).
- B. If administrative civil liability is not paid within 30 days of issuance of this Order the Executive Director is authorized to refer the matter to the Attorney General pursuant to Cal. Gov. Code § 66641.7(b), Cal. Gov. Code § 66641.5, and/or Cal. Gov. Code § 66641.

III. Findings

Factual Findings

This Commission Cease and Desist and Civil Penalty Order is based on the findings set forth below. The enforcement record in support of these findings includes all documents cited herein and all documents identified at Cal. Code Regs. tit. 14, § 11370.

- A. Each respondent owns a parcel located on Van Sickle Island, Solano County, as identified by the following Assessor Parcel Numbers (APN):
1. APN 0090-120-130 (Thad Woodin);
 2. APN 0090-120-030 (Steve and Lesley Belcher);
 3. APN 0090-120-190 (Allen Kanady);
 4. APN 0090-120-170 (Bill Woodin); and
 5. APN 0090-120-160 (Kittrell Estate).
- B. On or shortly before August 26, 2017, Respondent Thad Woodin caused his 68- x 33-foot barge to sink to the bottom of the Montezuma Slough within BCDC jurisdiction in the Bay and Primary Management Area, at approximately 38°04'28.85"N 121°52'53.04"W. Additionally, prior to September 24, 2024, Respondent Thad Woodin placed a 20- to 25-foot-long recreational vessel also in the Montezuma Slough within BCDC's jurisdiction in the Bay and Primary Management Area, approximately 10 feet away from the Kittrell Estate property.
- C. Prior to November 23, 2022, Respondent Thad Woodin placed fill consisting of an abandoned car, silver trailer, boat, and plastic containers and other trash on his

property within BCDC's 100-foot shoreline band jurisdiction and the Primary Management Area.

- D. Prior to November 23, 2022, Respondent Thad Woodin placed fill on neighboring parcels in BCDC's 100-foot shoreline band jurisdiction and the Primary Management Area, consisting of the following:
 - 1. Two recreational vessels located on Respondents Steve and Lesley Belcher's property;
 - 2. An Argo (small amphibious craft), two boats, and a large lawn mower on Respondent Allen Kanady's property;
 - 3. A green truck, an automobile, four boats, and an ATV on Respondent Bill Woodin's property; and
 - 4. A silver truck on Respondent Kittrell Estate's property.
- E. The activities described in Section III.B ("Violation One"), Section III.C ("Violation Two"), Section III.D(1) ("Violation Three"), Section III.D(2) ("Violation Four"), Section III.D(3) ("Violation Five"), and Section III.D(4) ("Violation Six") constitute the placement of fill in BCDC's jurisdiction under the MPA Section 66632(a) and no Commission permit under that section was obtained for the activities described above meaning that this requirement has not been met.
- F. The activities described in Violations One through Six constitute development in the Primary Management Area under the SMPA Section 29500 and no marsh development permit under that section was obtained for the activities described above meaning that this requirement has not been met.
- G. Therefore, Respondent Thad Woodin is responsible for all six violations of the MPA and SMPA, Respondents Steve and Lesley Belcher are responsible for one violation of the MPA and SMPA, Respondent Allen Kanady is responsible for one violation of the MPA and SMPA, Respondent Bill Woodin is responsible for one violation of the MPA and SMPA, and Respondent Kittrell Estate is responsible for one violation of the MPA and SMPA.
- H. On November 23, 2022, September 24, 2024, and December 11, 2024, BCDC staff inspected the properties identified in Section III.A and collected photographic evidence depicting the fill.
- I. The ownership and boundaries of the properties identified in Section III.A were confirmed using RealQuest, the Solano County tax assessment map viewer, a March 18, 2025 email with Chris Rodgers (a Mapping Tech with Solano County), and by walking the levee road during the December 11, 2024 site visit with Chris Lanzafame, the secretary of Reclamation District 1607 (the "District").

- J. Letter correspondence dated September 13, 2012 to Respondent Thad Woodin from the District, an April 29, 2025 email exchange between staff and Mr. Lanzafame, and two interviews on September 27, 2024 and November 27, 2024 with Mr. Lanzafame revealed that the District is aware that Respondent Thad Woodin had placed large items on the levee since 2012. The District asked Respondent Thad Woodin to remove the items from the levee road and Mr. Lanzafame has tried to persuade Respondent Thad Woodin to remove them. Mr. Lanzafame asserted that all unauthorized fill belongs to Respondent Thad Woodin and advised staff on who owned the properties identified in Section III.A.
- K. On October 15, 2024, Andrew Kershen from the State Lands Commission confirmed via email that the State Lands Commission has jurisdiction within the Montezuma Slough adjacent to Respondent Thad Woodin's property, up to the mean high tide line. However, Mr. Kershen asserted that the State Lands Commission does not have jurisdiction within Van Sickle Island.
- L. On August 26, 2017, the Solano County Sheriff's Office responded to a report of Respondent Thad Woodin's barge sinking in the Montezuma Slough. The Sheriff's Office found in its report of the incident that Respondent Thad Woodin was solely and completely responsible for the sinking of his barge and that the barge was moored via insufficient means to prevent the barge from breaking loose from its mooring location.
- M. On November 12, 2024, Solano County Marine Patrol took underwater images of Respondent Thad Woodin's sunken barge and subsequently provided these images to BCDC staff on November 13, 2024.
- N. Respondent Thad Woodin alleged to staff that one of The Dutra Group's (Dutra) vessels struck his barge and caused the barge to sink. On May 22, 2025, John Wyma-Hughes, a Risk Manager for Dutra, via email denied any involvement in or liability arising from the sinking of Respondent Thad Woodin's barge. Staff reviewed daily logbook entries provided by Dutra for the tug Sarah Reed, the only Dutra vessel which traversed the Montezuma Slough at the time Respondent Thad Woodin's barge sank, and found no evidence that Dutra was responsible for causing the barge to sink.
- O. On November 15, 2024, staff discussed the unauthorized fill with Respondent Thad Woodin and advised him that he needed to remove all items from BCDC's jurisdiction. Respondent Thad Woodin acknowledged owning the sunken barge, the car and trailer on his parcel, and the two largest boats parked on the levee. He also acknowledged placing the partially submerged recreational vessel in its present location but accused the Solano County Sheriff's Office of sinking it without providing any evidence. Respondent Thad Woodin said that he has equipment to remove the fill and would do so. In an email on November 26, 2024, he denied owning a small white recreational vessel with a blue hull that is on his property.

- P. On February 5, 2025, staff mailed initial contact letters to Respondents Steve and Lesley Belcher, Allen Kanady, and Bill Woodin describing the unauthorized fill and advising that each respondent “must clear all illicit items of fill from your parcel.” On February 21, 2025, BCDC staff issued an initial contact letter to Respondent Kittrell Estate describing the unauthorized fill and also advising that the respondent “must clear all illicit items of fill from your parcel.”
- Q. On April 8, 2025, Solano County Marine Patrol Sgt. Brady Graham advised staff that Solano County had applied for a grant to remove Respondent Thad Woodin’s barge from the Montezuma Slough.
- R. BCDC staff conducted a site visit on April 11, 2025, with Respondent Thad Woodin to walk the levee and identify his items. Respondent Thad Woodin reconfirmed ownership of all items except for a small recreational vessel on his parcel. Respondent Thad Woodin said that he would remove all items except for the sunken barge, including the vessel next to his home that he claims not to own.
- S. Prior to July 8, 2025, Respondents failed to demonstrate that the unauthorized fill identified in Violations One through Six was removed from BCDC’s Bay and shoreline band jurisdiction and from the Primary Management Area.
- T. On July 8, 2025, BCDC staff issued a Violation Report and Complaint for Administrative Civil Liability for the ongoing violations via electronic and certified mail.
- U. On July 14, 2025, Respondent Allen Kanady submitted his Statement of Defense (“SOD”) form. On August 5, 2025, Respondent Bill Woodin submitted his SOD form. On August 8, 2025, Respondent Kittrell Estate submitted its SOD form. On August 12, 2025, Steve and Lesley Belcher submitted their SOD form. Respondent Thad Woodin untimely submitted a SOD on August 18, 2025.
- V. On July 9, 2025, Respondents Steve and Lesley Belcher emailed photographs to BCDC staff demonstrating that the unauthorized fill identified in Violation Three had been removed from their property and placed onto Respondent Thad Woodin’s parcel.
- W. On August 1, 2025, BCDC staff conducted a site visit to the properties identified in Section III.A and confirmed that the unauthorized fill identified in Violation Three was still in BCDC’s shoreline band jurisdiction and the Primary Management Area. BCDC staff also discovered that the two boats identified in Violation Four were removed from BCDC’s jurisdiction, while the Argo and large lawnmower identified in Violation Four remained on Respondent Allen Kanady’s property. Finally, BCDC staff discovered that the unauthorized fill identified in Violation Six was removed from Respondent Kittrell Estate’s property and placed onto Respondent Thad Woodin’s parcel.

- X. On August 6, 2025, Deputy Sheriff Michael Urlaub from the Solano County Sheriff's Office via email provided BCDC staff with additional information regarding when Solano County may expect to hear back regarding the results of the funding application to remove Respondent Thad Woodin's sunken barge identified in Violation One. According to Deputy Sheriff Urlaub, Solano County expects to hear if it received funding to remove the sunken barge within four to six months from September 2025. If Solano County receives the funding, removal of the sunken barge is likely to occur in late summer of 2026.
- Y. On August 12, 2025, BCDC staff discovered that one item of unauthorized fill identified in Violation 5 (a silver car) had been removed from Respondent Bill Woodin's parcel and BCDC's jurisdiction, but the other items remained. Staff also discovered that one of the boats identified in Violation 4 that appeared to have been removed was placed back on Respondent Allen Kanady's parcel and the Argo and some trash remained. Staff confirmed that the unauthorized fill identified on Respondent Thad Woodin's parcel in Violation 2, in addition to the two boats that Respondents Steve and Lesley Belcher moved onto his parcel (Violation 3), remained.
- Z. On August 15, 2025, a Recommended Enforcement Decision was prepared and mailed to all Respondents and representatives in accordance with Cal. Code Regs. tit. 14, § 11324.
- AA. On August 26, 2025, all respondents agreed to postponement of the enforcement hearing due to one respondent's medical emergency and waived the 60-day time limitation pursuant to Cal. Gov. Code § 66641.6(b).
- BB. On August 29, 2025, Respondent Allen Kanady via email provided BCDC staff with photographs demonstrating that all of the unauthorized fill identified in Violation Four had been removed. On September 22, 2025, BCDC staff via a site visit verified a claim by Bill Woodin that the unauthorized fill had simply been moved from Mr. Kanady's property to Bill Woodin's property.
- CC. To date, all violations persist, although Respondents Steve and Lesley Belcher and Kittrell Estate have removed the unauthorized fill identified in Violation Three and Violation Six from their respective properties to Respondent Thad Woodin's property, which is still within BCDC's shoreline band jurisdiction and the Primary Management Area.
- DD. These findings are based upon Exhibits 1-9 of the Violation Report & Complaint that was mailed to Respondents on July 8, 2025, and Exhibits A-N of the Recommended Enforcement Decision that was mailed to the Enforcement Committee on October 10, 2025.

Legal Findings

- EE. The Commission finds that the Respondents are violating Section 66632(a) of the McAteer-Petris Act (MPA) and Section 29500 of the Suisun Marsh Preservation Act (SMPA) by placing or failing to abate the activities described in Section III.B through III.D at the locations described in Section III.A within BCDC jurisdiction without obtaining a permit from BCDC.
- FF. The Commission finds that BCDC staff correctly identified six distinct violations of the MPA and SMPA in this matter at the time of issuance of the Violation Report and Complaint on July 8, 2025.
- GG. The Commission also finds that based on the factors provided by the MPA Section 66641.9, a penalty of \$28,500 for Violation One, a penalty of \$27,000 for Violation Two, a penalty of \$18,000 for Violation Three, a penalty of \$25,500 for Violation Four, a penalty of \$18,000 for Violation Five, and a penalty of \$18,000 for Violation Six, for a total penalty of \$135,000, is appropriate.
- HH. Specifically, pursuant to Appendix J of the Commission's regulations (14 CCR), the Commission finds that for Violation One, the gravity of harm is major and the extent of deviation from the statutory requirement to remove the unauthorized fill is major. For Violation Two, the gravity of harm is moderate and the extent of deviation from the statutory requirement to remove the unauthorized fill is major. For Violations Three, Four, and Five, the gravity of harm is moderate and the extent of deviation from the statutory requirement to remove the unauthorized fill is moderate. Finally, for Violation Six, the gravity of harm is moderate and the extent of deviation from the statutory requirement to remove the unauthorized fill is minor.
- II. The Commission finds that Violation One can be resolved but that the barge has remained submerged in the Montezuma Slough since August 26, 2017, when the Solano County Sheriff's Office verified the existence of the sunken barge, and the recreational vessel has remained partially submerged in the Montezuma Slough since September 24, 2024, when staff conducted a site visit to the properties identified in Section III.A and verified the existence of the recreational vessel.
- JJ. The Commission finds that Violations Two, Three, Four, Five, and Six can be resolved but have remained unresolved since at least November 23, 2022, when BCDC staff conducted a site visit to the properties identified in Section III.A and verified the existence of these violations.
- KK. The Commission finds the cost to the state in pursuing this case has been high. Between November 23, 2022, and July 8, 2025, BCDC staff have conducted four site visits and worked with Respondents to support them in addressing the violations. Prior to July 8,

2025, BCDC staff researched the ownership of each parcel and issued a Violation Report and Complaint; and, if the Commission issues an Order, BCDC staff will invest additional time to monitor Respondents' actions for compliance with its terms.

- LL. The Commission finds that Respondent Thad Woodin is culpable for all six violations because he is directly responsible for the placement of all unauthorized fill.
- MM. The Commission finds that Respondents Steve and Lesley Belcher are also culpable for Violation Three as the property owners of the parcel containing the unauthorized fill.
- NN. The Commission finds that Respondent Allen Kanady is also culpable for Violation Four as the property owner of the parcel containing the unauthorized fill.
- OO. The Commission finds that Respondent Bill Woodin is also culpable for Violation Five as the property owner of the parcel containing the unauthorized fill.
- PP. The Commission finds that Respondent Kittrell Estate is also culpable for Violation Six as the property owner of the parcel containing the unauthorized fill.
- QQ. The Commission finds that Respondents provided no information regarding the ability to pay. In the absence of any evidence to indicate that there is an inability to pay, it does not find that this factor supports a penalty reduction.
- RR. Based on these penalty factors, the Commission finds that it is appropriate to impose a \$1,900 penalty per day for Violation One, calculated from August 26, 2017, to the date that the Commission votes to adopt the Order.
- SS. The Commission finds that Respondent Thad Woodin has been responsible for Violation One since August 26, 2017, to the date of the Commission vote to adopt the Order.
- TT. Based on these penalty factors, the Commission finds that it is appropriate to impose a \$1,400 penalty per day for Violation Two, a \$800 penalty per day for Violation Three, a \$900 penalty per day for Violation Four, a \$800 penalty per day for Violation Five, and a \$250 penalty per day for Violation Six, calculated from November 23, 2022, (the date BCDC staff confirmed the existence of these violations) to the date that the Commission votes to adopt the Order.
- UU. The Commission finds that Respondent Thad Woodin has been responsible for Violation Two since November 23, 2022, to the date of the Commission vote to adopt the Order.

VV. The Commission finds that Respondents Thad Woodin has been responsible for Violation Three since November 23, 2022, to the date of the Commission vote to adopt the Order.

WW. The Commission finds that Respondents Steve and Lesley Belcher have been responsible for Violation Three since November 23, 2022, to July 9, 2025, the date Respondent Steve Belcher moved the unauthorized fill off of the Belchers' property onto Thad Woodin's parcel.

XX. The Commission finds that Respondents Thad Woodin and Allen Kanady have been responsible for Violation Four since November 23, 2022, to the date of the Commission vote to adopt the Order.

YY. The Commission finds that Respondents Thad Woodin and Bill Woodin have been responsible for Violation Five since November 23, 2022, to the date of the Commission vote to adopt the Order.

ZZ. The Commission finds that Respondents Thad Woodin and Kittrell Estate have been responsible for Violation Six since November 23, 2022, to August 1, 2025, the date Respondent Kittrell Estate moved the unauthorized fill off of the Kittrell Estate's property onto Thad Woodin's parcel.

AAA. The Commission finds that a five percent downward adjustment for Violation One is appropriate as the violation appears to be the result of an accident or inadvertent omission.

BBB. The Commission finds that a 10 percent downward adjustment for Violation Two is appropriate as staff previously communicated to Respondent Thad Woodin in or around October of 2024 that he should not remove the unauthorized fill until it was safe and environmentally responsible to do so and as a result Respondent Thad Woodin refrained from resolving the violation for a period of time.

CCC. The Commission finds that a 20 percent downward adjustment on the basis of degree of culpability and an additional 20 percent downward adjustment on the basis of efforts to cooperate for Violation Three is appropriate because on February 5 and February 13, 2025, staff communicated to Respondents Steve and Lesley Belcher that they should not remove the unauthorized fill until it was safe and environmentally responsible to do so (*i.e.*, late spring or summer) and as a result Respondents Steve and Lesley Belcher refrained from resolving the violation. The violation was the result of inadvertent omissions on the part of Respondents Steve and Lesley Belcher to survey their property to identify and remove fill placed by Respondent Thad Woodin. Respondents Steve and Lesley Belcher cooperated with staff's investigation, responding in a timely manner, pledging to remove the unauthorized fill and inquiring about how

best to do so. On July 9, 2025, Respondent Steve Belcher moved the unauthorized fill off of the Belchers' property onto Thad Woodin's parcel.

DDD. The Commission finds that a 15 percent downward adjustment for Violation Four is appropriate because on February 5 and April 1, 2025, staff communicated to Respondent Allen Kanady that he should not remove the unauthorized fill until it was safe and environmentally responsible to do so (*i.e.*, late spring or summer) and as a result, Respondent Allen Kanady refrained from resolving the violation. Further, the violation was the result of inadvertent omissions on the part of Respondent Allen Kanady to survey his property to identify and remove fill placed by Respondent Thad Woodin. Prior to August 29, 2025, Respondent Kanady moved the unauthorized fill off of his property onto Respondent Bill Woodin's property.

EEE. The Commission finds that a 20 percent downward adjustment on the basis of degree of culpability and an additional 20 percent downward adjustment on the basis of efforts to cooperate for Violation Five is appropriate because on February 5 and February 26, 2025, staff communicated to Respondent Bill Woodin that he should not remove the unauthorized fill until it was safe and environmentally responsible to do so (*i.e.*, late spring or summer) and as a result Respondent Bill Woodin refrained from resolving the violation. The violation was the result of inadvertent omissions on the part of Respondent Bill Woodin to survey his property to identify and remove fill placed by Respondent Thad Woodin, and Respondent Bill Woodin has cooperated with staff's investigation, responding in a timely manner and pledging to remove the unauthorized fill soon.

FFF. The Commission finds that a 20 percent downward adjustment on the basis of degree of culpability and an additional 20 percent downward adjustment on the basis of efforts to cooperate for Violation Six is appropriate because on February 5 and February 28, 2025, staff communicated to Todd Trost, a representative of Respondent Kittrell Estate, that he should not remove the unauthorized fill until it was safe and environmentally responsible to do so (*i.e.*, late spring or summer) and as a result Respondent Kittrell Estate refrained from resolving the violation. The violation was the result of inadvertent omissions on the part of Respondent Kittrell Estate to survey its property to identify and remove fill placed by Respondent Thad Woodin. Representatives of Respondent Kittrell Estate have fully cooperated with staff's investigation, reiterating their desire to work with staff to remove the fill as soon as possible. Prior to August 1, 2025, Respondent Kittrell Estate moved the unauthorized fill off of the Kittrell Estate's property onto Thad Woodin's parcel.

GGG. The Commission thus finds that it is appropriate that the six violations are subject to the following penalties under the MPA: \$28,500 for Violation One; \$27,000 for Violation Two; \$18,000 for Violation Three; \$25,500 for Violation Four; \$18,000 for Violation Five; and \$18,000 for Violation Six, for a total administrative civil liability of \$135,000.

HHH. The Commission finds that Respondents have received due process throughout this enforcement action.

III. These findings are based upon Exhibits 1-9 of the Violation Report & Complaint that was mailed to Respondents on July 8, 2025, and Exhibits A-N of the Recommended Enforcement Decision that was mailed to the Enforcement Committee on October 10, 2025.

IV. Terms

- A. The Executive Director may, at his discretion, grant an extension of time for demonstrated good cause to comply with any provision of this Order.
- B. Respondents must strictly conform to the express terms of this Order. Under Cal. Gov. Code § 66641, any person who intentionally or negligently violates any part of any cease-and-desist order issued by the Commission may be liable civilly in the sum of up to \$6,000 for each day in which such violations persist. In addition, upon the failure of any person to comply with any cease-and-desist order issued by the Commission and upon the request of the Commission, the Attorney General of the State of California may petition the superior court for the issuance of a preliminary or permanent injunction, or both, restraining the person or persons from continuing any activity in violation of the cease-and-desist order.
- C. This Order does not affect any duties, rights, or obligations established under private agreements or by the laws and regulations of other public bodies.
- D. This Order does not constitute a recognition of property rights.
- E. This Order immediately and fully resolves Enforcement Cases ER2019.038.00, ER2025.001.00, ER2025.002.00, ER2025.003.00, and ER2025.004.00.
- F. This Order is effective upon issuance thereof.

V. Judicial Review

- A. Under Cal. Gov. Code §§ 66639(a) & 66641.7(a), within thirty (30) days after service of a copy of a cease-and-desist order and civil penalty order issued by the Commission, an aggrieved party may file with the superior court a petition of writ of mandate for review of the order pursuant to Section 1094.5 of the Code of Civil Procedure.

Executed at San Francisco, California, on behalf of the San Francisco Bay Conservation and
Development Commission on the date first above written.

LAWRENCE J. GOLDZBAND, BCDC Executive Director

Date

Full Commission Motion and Action:

Please check one of the four boxes indicating your decision, then sign and return the memorandum to BCDC Staff:

☐ By a vote of ___ yeses, ___ noes, and ___ abstentions, the Commission concurs with the Executive Director's Recommended Enforcement Decision and issues the proposed Cease and Desist and Civil Penalty Order.

☐ By a vote of ___ yeses, ___ noes, and ___ abstentions, the Commission votes to dismiss this matter and declines to issue the proposed Cease and Desist and Civil Penalty Order for the reasons specified in the attached memorandum.

☐ By a vote of ___ yeses, ___ noes, and ___ abstentions, the Commission votes to remand the matter back to the Enforcement Committee for further action for the reasons specified in the attached memorandum.

☐ By a vote of ___ yeses, ___ noes, and ___ abstentions, the Commission rejects the Executive Director's Recommended Enforcement Decision and decides to consider the entire matter de novo at the Commission meeting on _____.

Zachary Wasserman, Commission Chair
San Francisco Bay Conservation and Development Commission

Date: