

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 | Phone 415-352-3600

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

BCDC Enforcement File: ER2023.063.03

Date Mailed: December 29, 2025

35th Day After Mailing: February 2, 2026

60th Day After Mailing: February 27, 2026

Hearing Date: February 26, 2026

**Violation Report and Complaint for Administrative Civil Liability in Enforcement Case No.
ER2023.063.03 (Robert Chiang)**

Guidance to Respondents

FAILURE TO RESPOND TO THIS VIOLATION REPORT AND COMPLAINT FOR ADMINISTRATIVE CIVIL LIABILITY BY COMPLETING THE ENCLOSED STATEMENT OF DEFENSE FORM AND ENCLOSING ALL PERTINENT DECLARATIONS UNDER PENALTY OF PERJURY, PHOTOGRAPHS, LETTERS, AND OTHER WRITTEN DOCUMENTS COULD RESULT IN A CEASE AND DESIST ORDER, A PERMIT REVOCATION ORDER, AND/OR AN ORDER SETTING ADMINISTRATIVE CIVIL LIABILITY, INCLUDING SUBSTANTIAL CIVIL PENALTIES, ISSUED TO YOU WITHOUT AN OPPORTUNITY TO CONTEST THEM BY RAISING ANY DEFENSES OR MITIGATING FACTORS OR TO INTRODUCE ANY EVIDENCE.

The San Francisco Bay Conservation and Development Commission (“BCDC” or “Commission”) is issuing this Violation Report/Complaint for Administrative Civil Liability (“Violation Report and Complaint”) and the enclosed Statement of Defense form because the Commission's staff believes that you may be responsible for or involved with a possible violation of either the Commission's laws or a Commission permit. The Violation Report and Complaint contain a brief description of the alleged violation, a summary of all the pertinent information currently known to staff, and a list of all supporting evidence relied on by staff. All the listed supporting evidence is attached to or accompanies this Violation Report and Complaint or will be provided to you in electronic format upon request. You can arrange to review the Commission's enforcement file for this matter located at the Commission's office and/or have copies of these materials made at your expense by contacting Anne Usher of the Commission's staff at telephone number 415-352-3662. The Violation Report and Complaint informs you of the nature of the possible violation and lists the supporting evidence so that you can fill out the enclosed Statement of Defense form and otherwise be prepared for the Commission enforcement proceedings.

Receipt of the Violation Report and Complaint and the enclosed Statement of Defense form is the first step in Commission enforcement proceedings. Subsequently, either the Commission or its Enforcement Committee shall hold an enforcement hearing, and the Commission will determine what, if any, enforcement action to take.



Careful reading and a timely response to these materials are essential to allow you to present your side of the case to the Commission. A copy of the Commission's enforcement regulations is also included so that you can fully understand the Commission's enforcement procedures. If you have any questions concerning the Violation Report and Complaint, the enclosed Statement of Defense form, the procedures that the Commission and its Enforcement Committee follow, or anything else pertinent to this matter, contact Anne Usher of the Commission's staff as quickly as possible at telephone number 415-352-3662. Thank you for your cooperation.

**Violation Report and
Complaint for Administrative
Civil Liability**

1. Person or persons believed responsible for illegal activity:

Robert Chiang

2. Brief description of the nature of the violation or unauthorized activity:

Plastic containers, trash, clothing, and other forms of pollution have been present in and alongside two creeks that extend from the White Slough marsh on Robert Chiang's parcels (APN 0051-010-460 and APN 0051-010-470) in Vallejo. These items constitute unpermitted fill within BCDC's certain waterways jurisdiction in violation of Section 66632(a) of the McAteer-Petris Act ("MPA") (Cal. Gov. Code § 66632(a)) and within BCDC's White Slough jurisdiction in violation of Section 66681(b) of the White Slough Protection and Development Act (Cal. Gov't Code § 66681(b)), which require any person placing fill, broadly defined as "earth or any other substance or material," within BCDC's jurisdiction, including the White Slough, to obtain a permit from BCDC.

The violation first occurred on November 29, 2023. After sending Mr. Chiang a Notice of Violation on January 22, 2025, and giving him an opportunity to resolve the violation through the standardized fines process, a contractor working for him cleaned nearly all of the pollution from the creeks and their banks in mid-April 2025. Mr. Chiang, however, failed to provide a management plan for keeping the creeks and their banks free of debris, as required by the Notice, and staff found on an August 18, 2025, site visit that plastics and other trash were present again in the creek that runs across his southern parcel and along its banks.

Pursuant to Commission regulations at Cal. Code Regs. tit. 14, § 11390(d), BCDC staff informed Mr. Chiang on November 12, 2025, that the opportunity to resolve the violation through the standardized fines process had been rescinded, as Mr. Chiang failed to take the necessary corrective actions within 125 days of the mailing of the Notice of Violation and the Executive Director determined that he failed to make a good faith effort to correct the alleged violation. Therefore, BCDC is now commencing enforcement proceedings with this Violation Report and Complaint.

3. Description of and location of the property on which the violation or unauthorized activity occurred:

APN 0051-010-460 (“northern parcel”) and APN 0051-010-470 (“southern parcel”), Vallejo, Solano County. The parcels are on the eastern side of the White Slough. One creek separates the parcels and the second creek flows through the southern parcel. Both creeks are hydrologically connected to the White Slough.

4. Name of owner, lessee (if any), and other person(s) (if any) who controls property on which violation or unauthorized activity occurred:

Robert Chiang

5. Approximate date (and time if pertinent and known) that the violation or unauthorized activity occurred:

From November 29, 2023, to the present.

6. Summary of all pertinent information currently known to the staff in the form of proposed findings of fact with references to all pertinent supporting evidence listed in an attachment to the Violation Report and Complaint:

- i. On a site visit on November 29, 2023, BCDC staff found large amounts of trash inside a creek on Mr. Chiang’s northern parcel. Homeless encampments were the source of the pollution.

Supporting evidence: Staff site visit photos from November 29, 2023 (VR&C Exhibit 1).

- ii. On January 5, 2024, a staff search of RealQuest records and Solano County deeds showed that Mr. Chiang bought the parcels in 2006 and is the sole owner of both.

Supporting evidence: RealQuest records for APN 0051-010-460 and APN 0051-010-470 and Solano County deeds for both parcels, recorded on April 5, 2006. (VR&C Exhibit 2).

- iii. On a second site visit on August 23, 2024, staff found that the northern creek remained polluted with a grocery cart, wood pallets, plastics, and other trash. Staff also found that a second creek that cuts across his southern parcel contained trash, including people's clothing. The main source of this pollution was an encampment on the neighboring parcel to the south.

Supporting evidence: Staff site visit photos from August 23, 2024 (VR&C Exhibit 3).

- iv. On October 8, 2024, staff mailed Mr. Chiang an Initial Contact Letter alerting him to the pollution in both creeks along the water line at low tide on both of his parcels.
Supporting evidence: Initial Contact Letter dated October 8, 2024 (VR&C Exhibit 4).
- v. In a telephone conversation with BCDC staff on October 14, 2024, Mr. Chiang said that he was aware of the pollution and that he paid a man named Nick (Nick Braden) to clean his parcels every year. He claimed that his lawyer told him the city of Vallejo was responsible for the creeks.
Supporting evidence: Staff notes from October 14, 2024, interview with Mr. Chiang (VR&C Exhibit 5).
- vi. Staff obtained documents from Solano County showing that although Mr. Chiang's parcels are subject to easements, those easements do not make the city of Vallejo responsible for maintaining the creeks on his parcels. First, a Solano County map and its signature page show that the city of Vallejo has public utility, planting, and slope easements that extend beyond Sereno Drive, which give the city the right of "construction and maintenance [...] of slopes, trees, planting, and public utilities" and the right of egress and ingress across any adjoining lands to access those easements. In addition, Solano County provided staff with a deed record showing that in 1969, previous owners granted the Vallejo Sanitation and Flood Control District (now the Vallejo Flood and Wastewater District) an easement that gives the District a right of way over, in, and under the parcel to acquire, construct, complete, reconstruct, repair, maintain, and operate sanitary sewers and storm drains, and appurtenances. None of the documents show that the city is responsible for keeping the creeks on Mr. Chiang's parcels clear of unpermitted fill.
Supporting evidence: "Amended Parcel Map," (See "Amended Parcel Map_Parcels and easement language highlighted" for Parcels 2 and 3, owned by Mr. Chiang), "B031P001_Signature page_Updated Parcel Map," "1574 OR 642" (VR&C Exhibit 6).
- vii. In a telephone conversation with Mr. Braden on October 18, 2024, staff discussed the Initial Contact Letter and the need for Mr. Chiang to quickly clean up all trash along the White Slough's water line, in the White Slough, and in and alongside the creeks on his parcels. Mr. Braden said that he had told Mr. and Mrs. Chiang that they are responsible for keeping their parcels clean and claimed that they acknowledged this. Staff followed up with Mr. Braden with Mr. Chiang's approval because he had travelled to China.

Supporting evidence: Interview with Mr. Braden on October 18, 2024 (VR&C Exhibit 7).

- viii. On a site visit on December 20, 2024, Mr. Chiang, Mr. Braden, and staff used a measuring tape to mark the extent of Mr. Chiang's southern parcel beyond the southern creek. Staff explained and emailed the Solano County documents showing that Mr. Chiang owned both creeks and explained the easements held by the city of Vallejo and the Vallejo Flood and Wastewater District. Mr. Chiang and Mr. Braden agreed to clean up all trash on both parcels by January 3, 2025, but as of January 8, 2025, the work had not been performed.

Supporting evidence: Staff notes from December 20, 2024, site visit (VR&C Exhibit 8).

- ix. Staff mailed Mr. Chiang a Notice of Violation on January 22, 2025, informing him that he was in violation of Section 66632(a) of the MPA because of the pollution associated with his parcels. The Notice gave him 35 days to clear all unpermitted fill on his parcels within BCDC's jurisdiction, including on tidelands exposed at low tide and in the areas where marsh vegetation is present, and provide a written management plan describing how he will keep the tidally influenced portions of his parcels clear of unpermitted fill.

Supporting evidence: Notice of Violation dated January 22, 2025 (VR&C Exhibit 9).

- x. Vallejo's Office of the City Attorney provided staff with a copy of a public nuisance lawsuit that it filed against Mr. Chiang and other defendants on August 4, 2023, over both of his parcels. It noted that the defendants had failed to abate the garbage and other debris that had accumulated on the parcels despite receiving notices and demands.

Supporting evidence: Complaint, *People of the State of California and City of Vallejo v. Robert C.M. Chiang and DOES 1-25*, No. CU23-03243 (Superior Court of the State of California, County of Solano, Aug. 4, 2023) (VR&C Exhibit 10).

- xi. Mr. Braden managed a clean-up operation in mid-April 2025 on both parcels, but when staff returned to the site on April 25, 2025, it found that some debris remained.

Supporting evidence: Staff photos from April 25, 2025, site visit (VR&C Exhibit 11).

- xii. On June 3, 2025, after repeated attempts to speak with Mr. and Mrs. Chiang, BCDC staff reached out to Mr. Braden regarding the required management plan that was needed to resolve the violation. On June 4, 2025, Mr. Braden told staff that he had proposed to Mr. Chiang that he construct a barricade to prevent unhoused people

from entering the southern parcel but had not received approval. BCDC still has not received the required management plan.

Supporting evidence: Email from Mr. Braden dated June 4, 2025 (VR&C Exhibit 12).

- xiii. On a site visit on August 18, 2025, BCDC staff observed that some trash remained in the creek that cuts through Mr. Chiang's southern parcel.

Supporting evidence: Photos from a site visit on August 18, 2025 (VR&C Exhibit 13).

- xiv. Ted Tarver, a Vallejo code enforcement officer, told staff on September 5, 2025, that one of Mr. Chiang's parcels was polluted with trash again.

Supporting evidence: Staff notes from interview with Mr. Tarver on September 5, 2025 (VR&C Exhibit 14).

- xv. On November 12, 2025, BCDC staff sent Mr. Chiang a Notification of Rescission, which served as notice that his opportunity to resolve the violation through the standardized fines process had been rescinded because he failed to take the necessary corrective actions within 125 days of the Notice of Violation and because the Executive Director determined that he did not make a good faith effort to resolve the alleged violation, leading to the issuance of this Violation Report and Complaint which initiates BCDC's enforcement proceedings.

Supporting evidence: Notification of Rescission dated November 12, 2025 (VR&C Exhibit 15).

- xvi. On a site visit on December 5, 2025, BCDC staff observed that trash and other forms of pollution had accumulated again in both creeks.

Supporting evidence: Photos from a site visit on December 5, 2025 (VR&C Exhibit 16).

7. Provisions of law or Commission permit that the staff alleges have been violated:

Section 66632(a) of the McAtter-Petris Act (Cal. Gov. Code § 66632(a)), which provides:

Any person or governmental agency wishing to place fill, to extract materials, or to make any substantial change in use of any water, land or structure, within the area of the commission's jurisdiction shall secure a permit from the commission and, if required by law or by ordinance, from any city or county within which any part of the work is to be performed. For purposes of this title, "fill" means earth or any other substance or material, including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods, such as

houseboats and floating docks. For the purposes of this section “materials” means items exceeding twenty dollars (\$20) in value.

Section 66681(b) of the White Slough Protection and Development Act (Cal. Gov. Code § 66681(b)), which provides:

In addition to obtaining any other permit required by law from the city or county or any state, regional, or local agency, any person placing fill, extracting materials, or making any substantial change in use of any area within White Slough shall obtain a permit from the commission. The commission shall issue a permit for these activities only if it finds the project consistent with the plan, this chapter, and, where not inconsistent with the plan and this chapter, this title, the San Francisco Bay Plan, and other relevant state and local law.

8. If the staff is proposing that the Commission impose an administrative civil penalty as part of this enforcement proceeding:

(FOR INTERNAL USE ONLY: Check this box if no penalty is being proposed at this time.)

(a) A list or table of all alleged violations for which staff is proposing a penalty:

Violation 1: Unpermitted fill in the White Slough, within BCDC’s Napa River certain waterway jurisdiction.

(b) The total amount of proposed administrative civil penalties:

\$25,500

(c) A statement of the applicable factors set forth in Government Code Section 66641.9 that the Executive Director considered, consistent with the Administrative Civil Penalty Policy in Appendix J of the Commission's regulations, in determining the total amount of the proposed administrative civil penalties:

A summary of the penalty calculation methodology used herein is as follows:

- 1) Determined the total initial base penalty amount for each violation by evaluating: (a) the gravity of harm of the violation; and (b) the extent of deviation from the requirement at issue. Based on those evaluations, use Table 1 to determine the initial base penalty amount for the violation. Multiply the initial base penalty amount by the number of days that the violation has persisted to determine the total initial base penalty for the violation.
- 2) Adjustments specific to the violator were made to the base penalty amount for each violation. The following additional factors were considered for potential adjustment of the total initial base penalty for each violation:
 - a. the violator's degree of culpability for the violation;

- b. any history of violations by the violator;
 - c. any voluntary removal or resolution efforts and cooperation by the violator.
- 3) The total base penalty amount was determined by calculating the sum for all violations of the total initial base penalty amount for each violation (i.e., the initial base penalty amount for the violation multiplied by the number of days of violation) multiplied for each violation by the percentages of any adjustments for the violator's culpability, history of violations, and voluntary efforts to resolve the violation.
- 4) Considered adjustments to the total base penalty amount based on additional factors and determine the final penalty amount. (Depending on the available information, the Executive Director may recommend adjusting or the Commission may adjust the total base penalty amount based on consideration of the following factors: (a) any economic benefit to the violator; (b) the violator's ability to pay or continue in business; (c) costs to the State in pursuing the enforcement action; (d) other factors as justice may require.) The final penalty amount was determined by making any appropriate adjustments to the total base penalty amount based on consideration of these additional factors.

9. Any other statement or information that the staff believes is either pertinent to the alleged violation or unauthorized activity or important to a full understanding of the alleged violation or unauthorized activity:

List of all supporting evidence relied on by staff, including any declarations under penalty of perjury (these records will be provided to you in electronic format upon request):

Violation Report and Complaint ("VR&C") Exhibit	Description	Record Date
1	Staff site visit photos	November 29, 2023
2	<ul style="list-style-type: none">• RealQuest records• Solano County deeds	RealQuest search: January 5, 2024 Deeds: Recorded on April 5, 2006.
3	Staff site visit photos	August 23, 2024
4	Initial Contact Letter	October 8, 2024
5	Staff notes from interview with Mr. Chiang	October 14, 2024

6	<ul style="list-style-type: none">• Amended Parcel Map• B031P001_Signature page_Updated Parcel Map• 1574 OR 642	<ul style="list-style-type: none">• February, 1987• Various dates, 1987• Recorded July 22, 1969
7	Email from Mr. Braden	June 4, 2025
8	Staff site visit notes	December 20, 2024
9	Notification of Violation	January 22, 2025
10	<i>People of the State of California and City of Vallejo v. Robert C.M. Chiang and DOES 1-25</i> , No. CU23-03243 (Superior Court of the State of California, County of Solano, Aug. 4, 2023)	Court filing: August 4, 2023
11	Staff site visit photos	April 25, 2025
12	Email from Mr. Braden	June 4, 2025
13	Staff site visit photos	August 18, 2025
14	Staff notes from interview with Mr. Tarver	September 5, 2025
15	Notification of Rescission	November 12, 2025
16	Staff site visit photos	December 5, 2025

Exhibit 1

On November 29, 2023, BCDC staff took these photos on Robert Chiang's northern parcel, APN 0051-010-460.



Exhibit 1



Exhibit 1



Exhibit 1



Exhibit 1



Exhibit 1



RECORDING REQUESTED BY:
Fidelity National Title Company
Escrow No.: 06-9001867-JCL
Locate No.: CAFNT0948-0938-0007-0000736034
Title No.: 06-736034-KZ

Recorded in Official Records, Solano County

4/05/2006
8:00 AM
AR59
06

Marc C Tonnesen
Acting Assessor/Recorder

02 Fidelity Title Co

Doc#: 200600041900

Titles: 1 Pages: 3



Fees 13.00
Taxes 5,280.00
Other 0.00
PAID \$5,293.00

When Recorded Mail Document and Tax Statement To:
Mr. Robert C. M. Chiang
627 - 29th AVE.
San Francisco, CA 94121

APN: 0051-010-460, 0051-010-470

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)
Documentary transfer tax is \$1,320.00 City Tax \$3,960.00

- [] computed on full value of property conveyed, or
- [] computed on full value less value of liens or encumbrances remaining at time of sale,
- [] Unincorporated Area City of **Vallejo**,

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Mona Ho, a married woman as her sole and separate property as to an undivided 50 interest

hereby GRANT(S) to Robert C.M. Chiang, a married man, as his sole and separate property

the following described real property in the City of Vallejo, County of Solano, State of California:
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF VALLEJO, COUNTY OF SOLANO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcels 2 and 3, as shown on that certain map filed March 6, 1987 in Book 31 of Parcel Maps, at Page 1, Solano County Records.

DATED: March 31, 2006

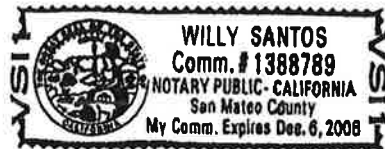
Mona Ho

Mona Ho

STATE OF CALIFORNIA)
COUNTY OF SAN MATEO)
ON 3-31-06 before me,
WILLY SANTOS, NOTARY PUBLIC
(here insert name and title of the officer), personally
appeared MONA HO

personally known to me, or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.
Signature *W Santos*



MAIL TAX STATEMENTS AS DIRECTED ABOVE

Title No. 06-736034-KZ
Locate No. CAFNT0948-0938-0007-0000736034

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF VALLEJO, COUNTY OF SOLANO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcels 2 and 3, as shown on that certain map filed March 6, 1987 in Book 31 of Parcel Maps, at Page 1, Solano County Records.

APN: 0051-010-460, 0051-010-470

Government Code 27361.7

I certify under penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary Willy Santos

Commission Number 1388789

Commissioned in San Mateo County CA

Date Commission Expires Dec. 6, 2006

Date: 4-4-06

X [Signature]

By:

FIDELITY NATIONAL TITLE
Firm Name (if any)

END OF DOCUMENT

Property Detail Report

For Property Located At :

,, CA



Owner Information

Owner Name: **CHIANG ROBERT C M**
 Mailing Address: **627 29TH AVE, SAN FRANCISCO CA 94121-2820 C003**
 Vesting Codes: **MM // SE**

Location Information

Legal Description:	SUB BK-PG 31-1 LOT 2	APN:	0051-010-460
County:	SOLANO, CA	Alternate APN:	
Census Tract / Block:	2518.02 / 2	Subdivision:	
Township-Range-Sect:		Map Reference:	126-D6 /
Legal Book/Page:		Tract #:	
Legal Lot:	2	School District:	VALLEJO BASIC
Legal Block:		School District Name:	VALLEJO BASIC
Market Area:		Munic/Township:	VALLEJO
Neighbor Code:			

Owner Transfer Information

Recording/Sale Date:	04/05/2006 / 03/30/2006	Deed Type:	INTERSPOUSAL DEED TRANSFER
Sale Price:		1st Mtg Document #:	
Document #:	41902		

Last Market Sale Information

Recording/Sale Date:	04/05/2006 / 03/31/2006	1st Mtg Amount/Type:	/
Sale Price:	\$1,200,000	1st Mtg Int. Rate/Type:	/
Sale Type:	UNKNOWN	1st Mtg Document #:	
Document #:	41900	2nd Mtg Amount/Type:	/
Deed Type:	GRANT DEED	2nd Mtg Int. Rate/Type:	/
Transfer Document #:		Price Per SqFt:	
New Construction:		Multi/Split Sale:	MULTIPLE
Title Company:	FIDELITY TITLE		
Lender:			
Seller Name:	HO MONA		

Prior Sale Information

Prior Rec/Sale Date:	/	Prior Lender:	
Prior Sale Price:		Prior 1st Mtg Amt/Type:	/
Prior Doc Number:		Prior 1st Mtg Rate/Type:	/
Prior Deed Type:			

Property Characteristics

Year Built / Eff:	/	Total Rooms/Offices		Garage Area:	
Gross Area:		Total Restrooms:		Garage Capacity:	
Building Area:		Roof Type:		Parking Spaces:	
Tot Adj Area:		Roof Material:		Heat Type:	
Above Grade:		Construction:		Air Cond:	
# of Stories:		Foundation:		Pool:	
Other Improvements:		Exterior wall:		Quality:	
		Basement Area:		Condition:	

Site Information

Zoning:	COMMERCIAL	Acres:	3.05	County Use:	VACANT COMM-LAND (3000)
Lot Area:	132,858	Lot Width/Depth:	x	State Use:	
Land Use:	COMMERCIAL ACREAGE	Res/Comm Units:	/	Water Type:	
Site Influence:				Sewer Type:	

Tax Information

Total Value:	\$815,955	Assessed Year:	2023	Property Tax:	\$9,527.76
Land Value:	\$815,955	Improved %:		Tax Area:	007000
Improvement Value:		Tax Year:	2022	Tax Exemption:	
Total Taxable Value:	\$815,955				

Property Detail Report

For Property Located At :
,, CA



Owner Information

Owner Name: **CHIANG ROBERT C M**
 Mailing Address: **627 29TH AVE, SAN FRANCISCO CA 94121-2820 C003**
 Vesting Codes: **MM // SE**

Location Information

Legal Description:	SUB BK-PG 31-1 LOT 3	APN:	0051-010-470
County:	SOLANO, CA	Alternate APN:	
Census Tract / Block:	2518.02 / 2	Subdivision:	
Township-Range-Sect:		Map Reference:	126-D6 /
Legal Book/Page:		Tract #:	
Legal Lot:	3	School District:	VALLEJO BASIC
Legal Block:		School District Name:	VALLEJO BASIC
Market Area:		Munic/Township:	VALLEJO
Neighbor Code:			

Owner Transfer Information

Recording/Sale Date:	04/05/2006 / 03/30/2006	Deed Type:	INTERSPOUSAL DEED TRANSFER
Sale Price:		1st Mtg Document #:	
Document #:	41902		

Last Market Sale Information

Recording/Sale Date:	04/05/2006 / 03/31/2006	1st Mtg Amount/Type:	/
Sale Price:	\$1,200,000	1st Mtg Int. Rate/Type:	/
Sale Type:	UNKNOWN	1st Mtg Document #:	
Document #:	41900	2nd Mtg Amount/Type:	/
Deed Type:	GRANT DEED	2nd Mtg Int. Rate/Type:	/
Transfer Document #:		Price Per SqFt:	
New Construction:		Multi/Split Sale:	MULTI
Title Company:	FIDELITY TITLE		
Lender:			
Seller Name:	HO MONA		

Prior Sale Information

Prior Rec/Sale Date:	05/31/1990 / 00/1990	Prior Lender:	
Prior Sale Price:	\$875,000	Prior 1st Mtg Amt/Type:	\$650,000 / CONV
Prior Doc Number:	42455	Prior 1st Mtg Rate/Type:	/
Prior Deed Type:	CORPORATION GRANT DEED		

Property Characteristics

Year Built / Eff:	/	Total Rooms/Offices		Garage Area:	
Gross Area:		Total Restrooms:		Garage Capacity:	
Building Area:		Roof Type:		Parking Spaces:	
Tot Adj Area:		Roof Material:		Heat Type:	
Above Grade:		Construction:		Air Cond:	
# of Stories:		Foundation:		Pool:	
Other Improvements:		Exterior wall:		Quality:	
		Basement Area:		Condition:	

Site Information

Zoning:	COMMERCIAL	Acres:	6.09	County Use:	VACANT COMM-LAND (3000)
Lot Area:	265,280	Lot Width/Depth:	x	State Use:	
Land Use:	COMMERCIAL ACREAGE	Res/Comm Units:	/	Water Type:	
Site Influence:				Sewer Type:	

Tax Information

Total Value:	\$1,629,049	Assessed Year:	2023	Property Tax:	\$19,011.14
Land Value:	\$1,629,049	Improved %:		Tax Area:	007000
Improvement Value:		Tax Year:	2022	Tax Exemption:	
Total Taxable Value:	\$1,629,049				

Exhibit 3

Site visit on Aug. 23, 2024

North parcel, APN 0051010460

Pollution source: Homeless encampments (previous but several individuals remained on the parcel at the time of this and a previous visit)



Exhibit 3



South parcel, APN 0051010470

Exhibit 3



Pollution source: other encampments.



Exhibit 3



7022 0470 0000 5441 9609

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and Fees

\$

Sent To

ROBERT CHIANG

ANNE - ICL

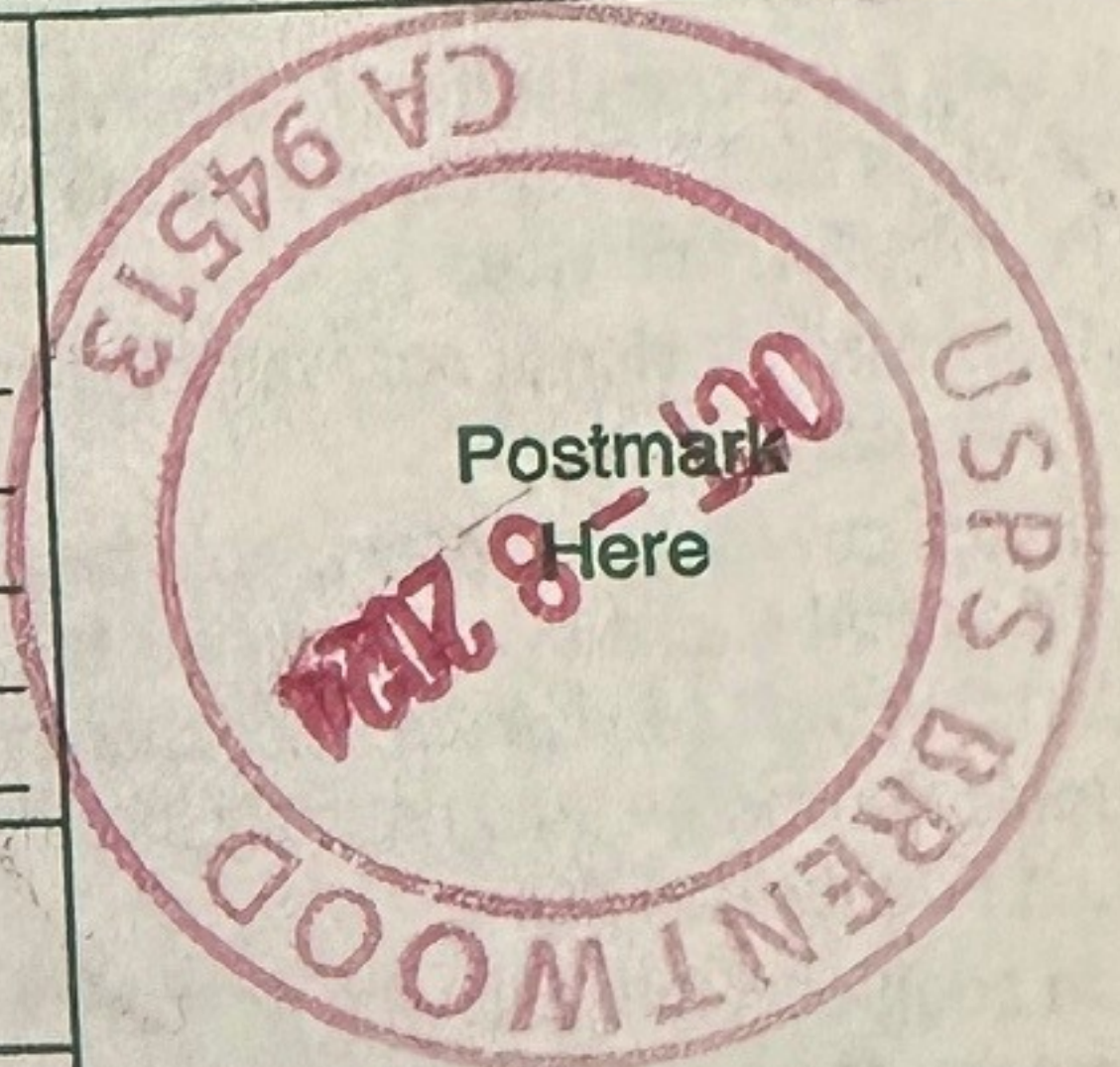
Street and Apt. No., or PO Box No.

627 29TH ST

ER 2023.063.03

City, State, ZIP+4®

SF 94121



San Francisco Bay Conservation
and Development Commission
375 Beale Street, Suite 510
San Francisco, CA 94105



NEOPOST PRIORITY MAIL
US POSTAGE \$008.95⁰
 ZIP 94105
 041M11459133

NEOPOST FIRST-CLASS MAIL
US POSTAGE \$002.22⁰
 ZIP 94105
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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent X <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
<p>1. Article Addressed to:</p> <p>ROBERT CHIANG 627 29TH AVE. SAN FRANCISCO, CA 94121</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
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<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)																	
<p>2. Article Number (Transfer from service label)</p> <p>7022 0410 0000 5441 9609</p>																	

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

"Dedicated to making Sa

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$	
Total Postage and Fees	\$	
Sent To	ROBERT CHIANG / ANNE - ICL	
Street and Apt. No., or PO Box No.	627 29TH AVE / ER 2023.063.03	
City, State, ZIP+4®	SF 94121	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600 fax 888 348 5190

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

Via Certified Mail

October 8, 2024

ATTN: Mr. Robert Chiang
627 29th Ave.
San Francisco, CA 94121

SUBJECT: Initial Contact Letter (BCDC Enforcement Case ER2023.063.03)

Dear Mr. Chiang:

On Aug. 23, BCDC staff observed unauthorized activities at your parcels bordering the White Slough in Vallejo (APN 0051010460 and APN 0051010470), as described below.

Alleged Activity:	This action represents a violation of the following statute and/or permit condition:
APN 0051010460: Significant amounts of trash, other pollution along the water line at low tide	Section 66632(a) of the McAteer-Petris Act (MPA)
APN 0051010470: Significant amounts of trash, other pollution along the water line at low tide	Section 66632(a) of the McAteer-Petris Act (MPA)

Section 66632 (a) of the MPA states, “Any person or governmental agency wishing to place fill, to extract materials, or to make any substantial change in use of any water, land or structure, within the area of the commission's jurisdiction shall secure a permit from the commission and, if required by law or by ordinance, from any city or county within which any part of the work is to be performed. For purposes of this title, "fill" means earth or any other substance or material, including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods, such as houseboats and floating docks. For the purposes of this section "materials" means items exceeding twenty dollars (\$20) in value.”

After an initial review of the available information related to this matter, we have opened BCDC Enforcement Case ER2023.063.03.

This letter serves as notice that BCDC believes that a violation has occurred. You must immediately clear all trash and other forms of pollution on your parcel that is along the marsh’s water line at low tide or is in the marsh.



San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600 fax 888 348 5190

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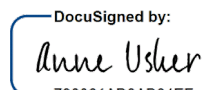
Robert Chiang
Enf. Case ER2023.063.03

We request that you respond within 15 days of the date of this letter and provide any additional information that you believe that we should consider, including, as appropriate, evidence that the violation has been resolved. Please submit this information to me.

Pursuant to the McAteer-Petris Act and its regulations, BCDC is authorized to conduct enforcement investigations and commence administrative enforcement actions. While this letter does not commence a formal enforcement proceeding, we reserve the right to take formal action, including imposing fines or penalties. A prompt response will be considered in determining the next steps that BCDC pursues.

Thank you for your attention to this matter.

Sincerely,

DocuSigned by:

798061AD3AB64EF...
ANNE USHER

Enforcement Analyst

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510

San Francisco, California 94105

Tel: 415-352-3662

Fax: 415-352-3606

Email: anne.usher@bcdc.ca.gov

Website: www.bcdc.ca.gov/enforcement

cc: Bella Castrodale, BCDC lead enforcement attorney (via e-mail)

Andrew Murray, Vallejo city manager (via e-mail)

Ali Kalyan, Water Resource Control Engineer, San Francisco Bay Regional Water Quality Control Board (via e-mail)

Encl.

AU/mm



Site visit on Aug. 23, 2024

North parcel, APN 0051010460

Pollution source: Homeless encampments (previous but several individuals remained on the parcel at the time of this and a previous visit)



South parcel, APN 0051010470

Pollution source: A homeless encampment





Exhibit 5

Robert Chiang: Phone conversation regarding his parcels bordering the White Slough

10/14/2024

(415) 822-6088 – Work

(415) 760-6678 – Cell

A guy named Nick takes care of his property. He's aware of the homeless and said he's been trying to keep his parcels clean. He said they've been cleaned up every year, including the grass. We try to do our best.

"We've spent a lot of money to clean it. Tried to do our best."

He just called Nick. He told him that he's out there yesterday or today. I noted that I'll be there on Thursday.

His lawyers told the city that they own the creek that separates his parcels. Easement. They, too, noted that it extends from Sereno drive. He doesn't know final result of those conversations.

"We thought the city would take care of it."

He's leaving for China tomorrow. (Wants to cooperate). He's open to meeting downtown when he returns.

GRANT OF EASEMENT

HENRY H. KILPATRICK, FRANCES KILPATRICK, G. WILFRED HEWITT,
LILLIAN M. HEWITT, GREG VISTICA, MARGARET VISTICA, BERT HUSSEY,
LENORE HUSSEY, A. L. CHIPMAN, DODOTHY G. CHIPMAN

as GRANTOR^s, hereby grant _____ to VALLEJO SANITATION AND FLOOD CONTROL DISTRICT, a public corporation, Solano County, California, as GRANTEE, an easement for right of way over, across, in and under that certain parcel of land situate in or near the City of Vallejo, County of Solano, State of California, and particularly described as follows:

Being a 40.00 foot easement for storm drain purposes lying within a parcel of land conveyed to Henry H. Kilpatrick, et al by Deed recorded June 24, 1968 in Book 1513 Official Records of Solano County, page 554, Instrument No. 11428, situated in Section 12 T3N R4W, M.D.B. & M., Vallejo, Solano County, California, more particularly described as follows:

Commencing at the Northeasterly corner of a certain parcel of land conveyed to Jack Coogan and Roland Walters, et al, recorded June 24, 1968 in Book 1513 Official Records of Solano County, page 556, Instrument No. 11429, which point also lies 43.14 feet Northerly of the Northwest corner of that certain parcel of land conveyed to Lora M. Glenn July 7, 1965 in Book 1346 Official Records of Solano County, page 252, Instrument No. 8452, which point also lies on the Westerly line of O'Brien-Kiernan Investment Company parcel of land recorded November 19, 1963 in Book 1234 Official Records of Solano County, page 728, Instrument No. 30765, thence North 3° 38' West, 30.00 feet to the TRUE POINT OF BEGINNING; thence South 86° 22' West, 690.80 feet, 30.00 feet from and parallel to the Northerly line of said Coogan & Walters parcel herein referred to, to a point of intersection with White Slough; thence North 3° 38' West, 40.00 feet; thence North 86° 22' East, 690.80 feet to a point on the Westerly line of said O'Brien-Kiernan Investment Company parcel herein referred to; thence South 3° 38' East, 40.00 feet along said Westerly line of said O'Brien-Kiernan Investment Company parcel to the true point of beginning.

12624
RECORDED AT REQUEST OF
[Signature]
at Sol. Min. pt. 64
JUL 22 1969
OFFICIAL RECORDS
SOLANO COUNTY, CALIF.
[Signature]
REG. CLERK

TO HAVE AND TO HOLD said easement together with the right of ingress and egress over adjoining lands for access thereto, for the purpose of acquiring, construction, completing, reconstruction, repairing, maintaining and operating sanitary sewers and storm drains, and appurtenances, in and for said Vallejo Sanitation and Flood Control District.

BOOK 1574 PAGE 642

	By	Date
Proofed		
Verified		
Legal		
Mapped		

Exhibit 6

The grantee shall, at all times, at it's own cost and expense, and without delay, restore any property or improvements damaged or destroyed by it during the construction of said sanitary sewers and storm drains, or thereafter.

Dated this 6th day of June, 19 69.

Henry H. Kilpatrick
Frances Kilpatrick
~~Witness~~

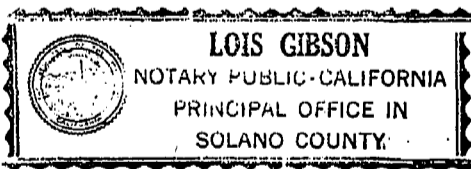
G. Wilfred Hewitt
Lillian M. Hewitt
Margaret Vistica
Bert Hussey
Lenore Hussey
A. L. Chipman
Dorothy G. Chipman

NOTE: All signatures must be acknowledged by a Notary Public.

STATE OF CALIFORNIA)
) SS.
COUNTY OF SOLANO)

On this 6th day of June 1969, before me, Lois Gibson, a Notary Public in and for the County of Solano, State of California, residing therein, duly commissioned and sworn, personally appeared G. Wilfred Hewitt, Lillian M. Hewitt, Greg Vistica, Margaret Vistica, Bert Hussey, Lenore Hussey, A. L. Chipman, Dorothy G. Chipman, Henry H. Kilpatrick and Frances Kilpatrick, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County of Solano, the day and year in this certificate first above written.



Lois Gibson
LOIS GIBSON, Notary Public in and for said County and State. My Commission expires October 7, 1969.

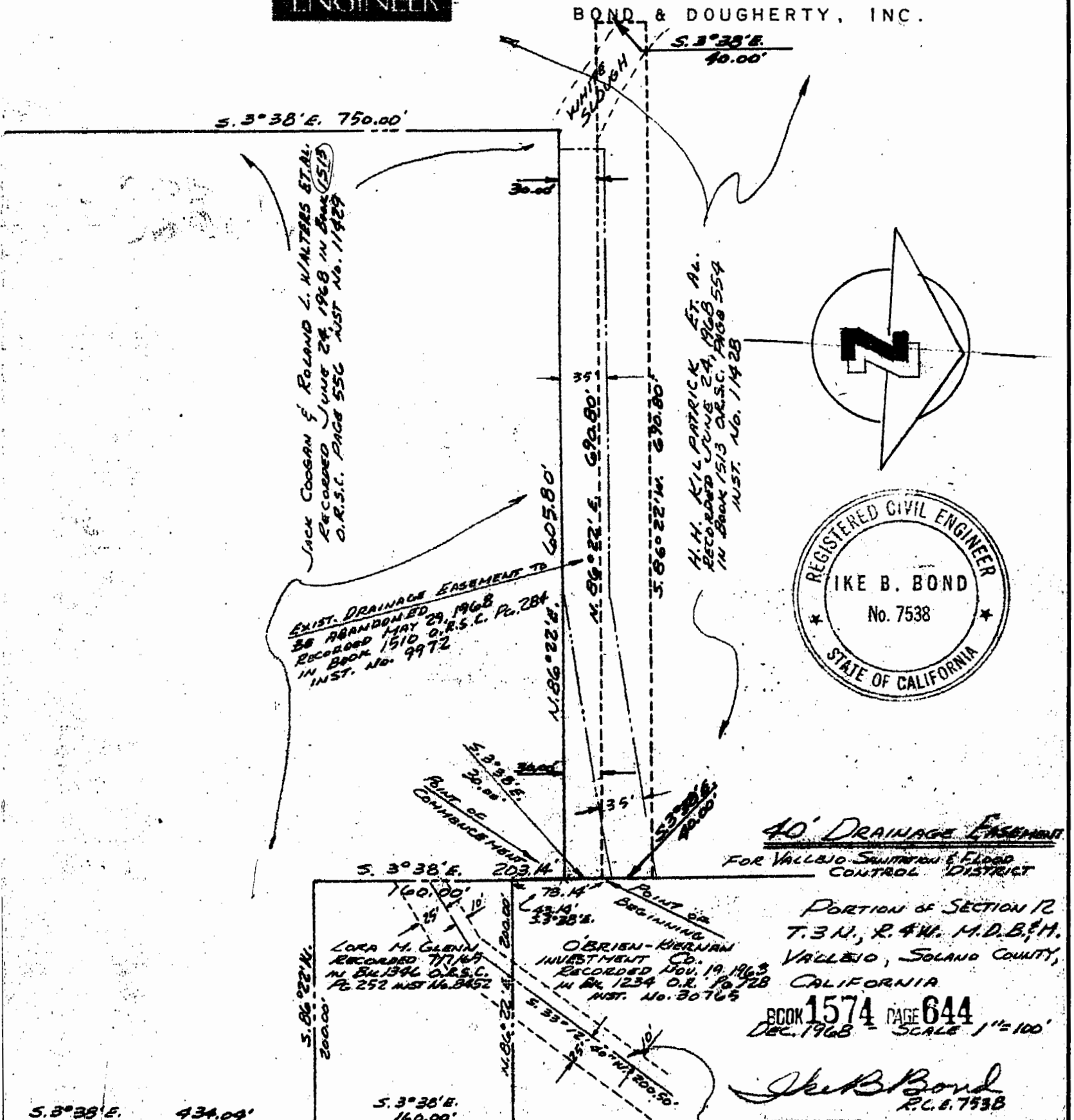
Exhibit 6

ARCHITECT

ENGINEER

Architecture Engineering Surveying Planning Consultants

BOND & DOUGHERTY, INC.



JACK COOGAN & ROLAND L. WALTERS ET AL.
RECORDED JUNE 24, 1968 IN BOOK 1513
O.R.S.C. PAGE 556 INST. No. 11429

H. H. KILPATRICK ET AL.
RECORDED JUNE 24, 1968 IN BOOK 1513
O.R.S.C. PAGE 554 INST. No. 11428

EXIST. DRAINAGE EASEMENT TO BE ABANDONED
MAY 29, 1968
RECORDED IN BOOK 1510 O.R.S.C. Pg. 284
INST. No. 9972



40' DRAINAGE EASEMENT
FOR VALLEJO SEWERS & FLOOD CONTROL DISTRICT

PORTION OF SECTION 12
T. 3 N., R. 4 W. M. D. B. & M.
VALLEJO, SOLANO COUNTY,
CALIFORNIA
BOOK 1574 PAGE 644
DEC. 1968 - SCALE 1" = 100'

Ike B. Bond
P.C. 7538

SONOMA BLVD (STATE HWY No. 29)

2118 SACRAMENTO STREET VALLEJO, CALIFORNIA 94590

EXISTING 35' DRAINAGE EASEMENT TO HOUSING AUTHORITY, CITY OF VALLEJO, INST. No. 10876 RECORDED JUNE 24, 1968 AND ABANDONED TO HOUSING AUTHORITY, CITY OF VALLEJO, INST. No. 10877 RECORDED MAY 29, 1968
AREA CODE 707 644-8919 BK 1510 Pg. 280

RESOLUTION NUMBER 1062

VALLEJO SANITATION & FLOOD CONTROL DISTRICT

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF VALLEJO SANITATION AND FLOOD CONTROL DISTRICT AS FOLLOWS:

That a certain Grant of Easement from G. Wilfred Hewitt, Lillian M. Hewitt, Greg Vistica, Margaret Vistica, Bert Hussey, Lenore Hussey, A. L. Chipman, Dorothy G. Chipman, Henry H. Kilpatrick and Frances Kilpatrick, Grantors to Vallejo Sanitation and Flood Control District, Grantee, dated the 6th day of June, 1969, be, and the same is hereby, accepted.

BE IT FURTHER RESOLVED that Manager of said District is hereby authorized and directed to record said easement following execution by all the parties having interest therein.

I, DANIEL A. MAZZONI, SECRETARY OF THE BOARD OF TRUSTEES OF THE VALLEJO SANITATION AND FLOOD CONTROL DISTRICT, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS REGULARLY INTRODUCED, PASSED AND ADOPTED BY SAID BOARD AT A REGULAR MEETING THEREOF HELD ON THE 18th DAY OF June 19 69, BY THE FOLLOWING VOTE:

AYES: TRUSTEES Cunningham, Mazzoni, Roche, Scofield and Teicheira

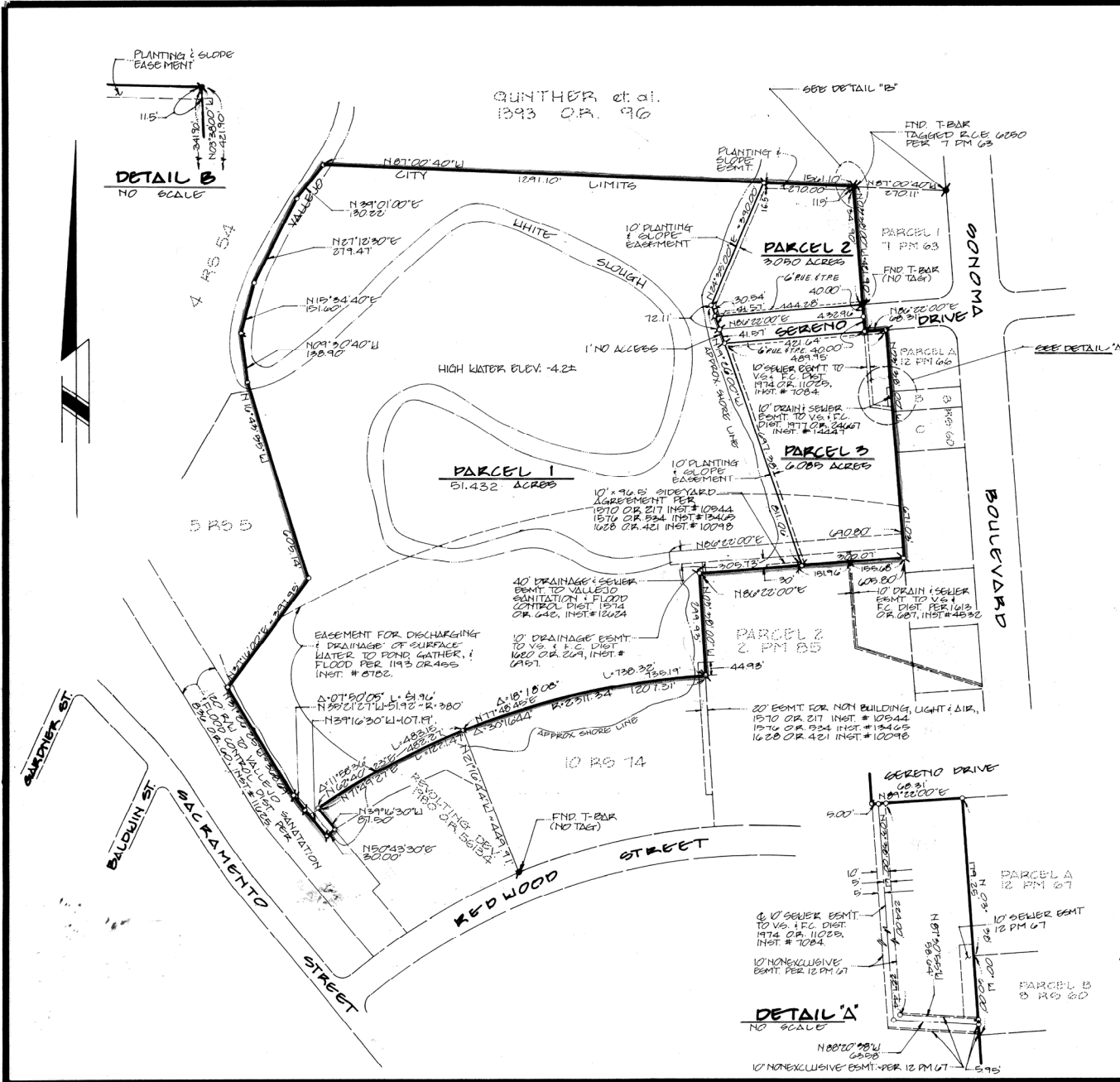
NOES: TRUSTEES None BOOK 1574 PAGE 645

ABSENT: TRUSTEES None

WITNESS MY HAND AND THE SEAL OF SAID DISTRICT THIS 18th DAY OF June 19 69.

SEAL

Daniel A. Mazzoni
DANIEL A. MAZZONI, Secretary



BASIS OF BEARINGS

THE BASIS OF BEARINGS OF THIS SURVEY IS IDENTICAL TO THE NORTHERLY LINE OF PARCEL 1 OF PARCEL MAP FILED IN BOOK 7 OF PARCEL MAPS, PAGE 63 AS ESTABLISHED FROM MONUMENTS FOUND AND SHOWN ALONG SAID LINE THE BEARING OF WHICH IS N.87°00'40"W.

LEGEND

- NOTHING FOUND OR SET
- ✱ MONUMENT FOUND & DESCRIBED HEREON
- RS RECORD OF SURVEY
- OR OFFICIAL RECORDS
- PM PARCEL MAP
- SET "1" REBAR 24" LONG TAGGED L.S. 3423
- PLU PUBLIC UTILITY EASEMENT
- T.P.E. TREE PLANTING EASEMENT
- DISTINCTIVE BORDER

NOTE:

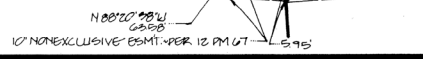
THE PURPOSE FOR THIS AMENDED PARCEL MAP IS TO CONFORM TO THE APPROVED TENTATIVE PARCEL MAP

AMENDED PARCEL MAP

AMENDING PARCEL MAP FILED IN BOOK 30 OF PARCEL MAP PAGE 57 AND BEING A PORTION OF THAT PARCEL OF LAND SHOWN OF RECORD OF SURVEY FILED IN BOOK 4, SURVEYS PG. 50 BEING A PORTION OF SECTION 12 12, T. 3 N., R. 4 W., M.D.M.

CITY OF VALLEJO, COUNTY OF SOLANO, CALIFORNIA
 FEBRUARY, 1987
 MORTON & PITALO, INC.
 SHEET 2 OF 2 SHEETS

DETAIL 'A'



OWNER'S CERTIFICATE

THE UNDERSIGNED REVOLTING DEVELOPMENTS, INC., A NEVADA CORPORATION, CERTIFIES THAT SAID CORPORATION IS THE OWNER OF ALL THE LAND DELINEATED WITHIN THE DISTINCTIVE BORDER UPON SHEET TWO (2) OF THIS AMENDED PARCEL MAP AND HEREBY CONSENTS TO THE PREPARATION AND RECORDATION OF SAID MAP.

THE SAME UNDERSIGNED HEREBY DEDICATED TO THE CITY OF VALLEJO FOR PUBLIC PURPOSES DESIGNATED HEREIN OR IN THE BODY OF SAID PARCEL MAP. THE PARCEL OF LAND DESIGNATED THEREON AS STREETS, PLANTING AND PUBLIC UTILITY EASEMENTS (P.U.E.) PLANTING EASEMENTS, AND SLOPE EASEMENTS TOGETHER WITH THE RIGHT OF INGRESS THERETO AND EGRESS THEREFROM OVER AND ACROSS ANY ADJOINING LANDS TO REACH SAID EASEMENTS BEING FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE THEREIN OF SLOPES, TREES, PLANTING, AND PUBLIC UTILITIES AND THE WORD "SERENO DRIVE" DESIGNATE THE STREET. THE ABOVE MENTIONED PUBLIC SERVICE EASEMENTS TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT PUBLIC SERVICE STRUCTURES, IRRIGATION SYSTEMS AND APPURTENANCES THERETO LAWFUL FENCES, AND ALL LAWFUL UNSUPPORTED ROOF OVERHANGS.

IN WITNESS WHEREOF THE UNDERSIGNED HAVE CAUSED THEIR NAMES TO BE HEREUNTO SUBSCRIBED ON THIS 20 DAY OF FEB. 1987.

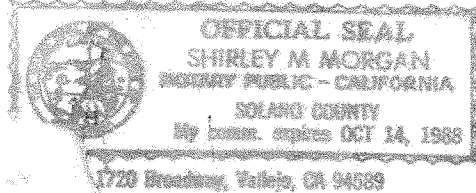
REVOLTING DEVELOPMENTS, INC., A NEVADA CORPORATION

BY George Gianulis

STATE OF CALIFORNIA COUNTY OF SOLANO

ON THIS 20th DAY OF February IN THE YEAR 1987, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED GEORGE GIANULIAS IS PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PRESIDENT AND SECRETARY OF THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE WITHIN INSTRUMENT PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

Shirley M Morgan NOTARY PUBLIC, STATE OF CALIFORNIA



TRUSTEE'S CERTIFICATE

BERT HUSSEY, AS TRUSTEE UNDER DEED OF TRUST RECORDED AUGUST 15, 1980 IN BOOK 1980 OF OFFICIAL RECORDS AT PAGE 56139, INSTRUMENT NO. 34594, SOLANO COUNTY RECORDS, HEREBY CONSENTS TO THE FILING OF THE WITHIN PARCEL MAP AND DOES JOIN IN AND CONSENT TO THE EXECUTION OF THE FOREGOING OWNER'S CERTIFICATE AND TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP AND DEEDING AND DEDICATION HEREON.

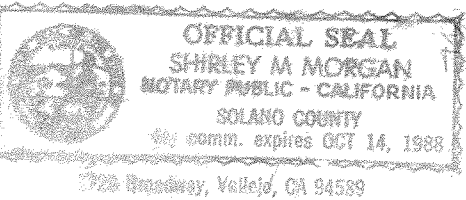
IN WITNESS WHEREOF, WE HAVE CAUSED OUR NAMES TO BE HEREON SUBSCRIBED THIS 20 DAY OF FEB. 1987.

BY Bert Hussey BERT HUSSEY

STATE OF CALIFORNIA COUNTY OF SOLANO

ON THIS 20th DAY OF February IN THE YEAR 1987, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED BERT HUSSEY IS PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON WHOSE NAME SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

Shirley M Morgan NOTARY PUBLIC, STATE OF CALIFORNIA



TRUSTEE'S CERTIFICATE

SAFECO TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION AS TRUSTEE UNDER DEED OF TRUST RECORDED MAY 17, 1982 IN BOOK 1982 OF OFFICIAL RECORDS AT PAGE 29968 INSTRUMENT NO. 17336, SOLANO COUNTY RECORDS, HEREBY CONSENTS TO THE FILING OF THE WITHIN PARCEL MAP AND DOES JOIN IN AND CONSENT TO THE EXECUTION OF THE FOREGOING OWNER'S CERTIFICATE AND TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP AND DEEDING AND DEDICATION THEREON.

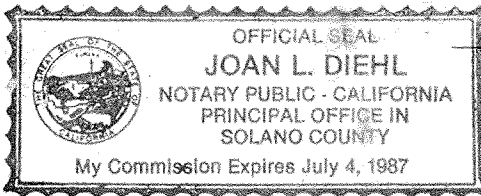
IN WITNESS WHEREOF, WE HAVE CAUSED OUR NAMES TO BE HEREON SUBSCRIBED THIS 20 DAY OF FEBRUARY 1987.

SAFECO TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION

BY: Ronald Miller VICE-PRESIDENT

STATE OF CALIFORNIA COUNTY OF SOLANO

ON THIS 20 DAY OF FEBRUARY IN THE YEAR 1987, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED RONALD G. MILLER PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE VICE-PRESIDENT, AND SECRETARY OF THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE WITHIN INSTRUMENT PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.



Joan S. Diene NOTARY PUBLIC, STATE OF CALIFORNIA

COUNTY TAX COLLECTOR'S CERTIFICATE

I, VIRGINIA RYAN, COUNTY TAX COLLECTOR OF SOLANO COUNTY, CALIFORNIA DO HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE THERE ARE NO LIENS AGAINST THIS SUBDIVISION OR ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL, OR LOCAL TAXES EXCEPT TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE.

I, ALSO CERTIFY THAT A GOOD AND SUFFICIENT BOND TO THE BENEFIT OF SOLANO COUNTY HAS BEEN FILED WITH THIS OFFICE IN THE SUM OF \$205.00 WHICH IS THE AMOUNT ESTIMATED BY THE ASSESSOR OF SOLANO COUNTY AS BEING A LIEN BUT NOT YET PAYABLE FOR TAXES AND SPECIAL ASSESSMENTS AGAINST THE LAND CONSTITUTING THIS SUBDIVISION AND THAT ALL CERTIFICATES REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE GOVERNMENT CODE HAVE BEEN FILED

DATED March 16, 1987 Virginia Ryan COUNTY TAX COLLECTOR OF SOLANO COUNTY, CALIFORNIA

BY: Kathryn L. Scheve DEPUTY

CITY ENGINEER'S CERTIFICATE

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

DATED 2/26/87 Jim K. CITY ENGINEER

BY: DEPUTY

PLANNING COMMISSION CERTIFICATE

THIS MAP HAS BEEN EXAMINED THIS 20th DAY OF FEBRUARY 1987 AND CONFORMS TO THE TENTATIVE MAP REVIEWED AND APPROVED OR CONDITIONALLY APPROVED ON JUNE 17, 1986.

Planning Director

SURVEYOR'S CERTIFICATE

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF REVOLTING DEVELOPMENTS INC., IN FEBRUARY 1987. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP. IF ANY, ALL MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON OR BEFORE FEBRUARY 1988. THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED 2/23/87 Marland P. Johnson, L.S.



CITY CLERK'S CERTIFICATE

I, MILDRED R. WATSON, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF VALLEJO, SOLANO COUNTY, CALIFORNIA, DO HEREBY CERTIFY THAT THIS PARCEL MAP WAS PRESENTED TO THE CITY COUNCIL OF THE CITY OF VALLEJO THAT SAID COUNCIL DID BY ITS RESOLUTION NO. 87-101 N.C. ADOPTED ON THE 3rd DAY OF March 1987, APPROVED SAID PARCEL MAP AND ACCEPT SUBJECT TO STANDARD CITY STREET IMPROVEMENTS ON BEHALF OF THE PUBLIC, THE STREET DESIGNATED THEREON AS "SERENO DRIVE" OFFERED THEREBY FOR PUBLIC USE AND ALL OFFERS OF DEDICATION FOR PUBLIC USES OF THE PUBLIC UTILITIES EASEMENTS (PUE), SLOPE EASEMENTS, TREE PLANTING EASEMENTS DESIGNATED THEREON, WITH ALL RIGHT OF INGRESS THERETO AND EGRESS THEREFROM OVER AND ACROSS ANY ADJOINING LANDS TO REACH SAID PUE, TREE PLANTING EASEMENTS, AND SLOPE EASEMENTS WITHIN THE DISTINCTIVE BORDER OF SAID AMENDED PARCEL MAP

IN WITNESS WHEREOF, I HAVE HEREWITH SET MY HAND THIS 4th DAY OF March 1987.

Mildred R. Watson CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF VALLEJO SOLANO COUNTY CALIFORNIA

RECORDER'S CERTIFICATE

FILED THIS 6th DAY OF MARCH 1987 AT 8:34 AM IN BOOK 31 OF PARCEL MAPS, PAGE 7 AT THE REQUEST OF MORTON & PITALO INC.

DATED Ronald J. Alvarez COUNTY RECORDER

BY: DEPUTY

AMENDED PARCEL MAP

AMENDING PARCEL MAP FILED IN BOOK 30 OF PARCEL MAP PAGE 57 AND BEING A PORTION OF THAT PARCEL OF LAND SHOWN OF RECORD OF SURVEY FILED IN BOOK 4, SURVEYS PG 50 BEING A PORTION OF SECTION 1 & 12, T. 3 N., R. 4 W., M.D.M.

CITY OF VALLEJO, COUNTY OF SOLANO, CALIFORNIA FEBRUARY, 1987 MORTON & PITALO, INC. SHEET 1 OF 2 SHEETS

Exhibit 7



Re: Chiang case

From Nicholas Braden <NBraden@bgslc.us>

Date Wed 6/4/2025 8:27 AM

To Usher, Anne@BCDC <anne.usher@bcdc.ca.gov>; rnweaver@pacbell.net and <robertnewlweaver@gmail.com>

Cc rnweaver@pacbell.net <rnweaver@pacbell.net>; Lori <lorichiang52@gmail.com>

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

I have sent a proposal for building a barricade similar to the other ones that we use that were effective in keeping people off the property. I am waiting for approval. I believe their lawyer has some questions in regards to it. But we should be close to a resolution.

Get [Outlook for iOS](#)

From: Usher, Anne@BCDC <anne.usher@bcdc.ca.gov>

Sent: Tuesday, June 3, 2025 3:57:18 PM

To: rnweaver@pacbell.net and <robertnewlweaver@gmail.com>

Cc: rnweaver@pacbell.net <rnweaver@pacbell.net>; Nicholas Braden <NBraden@bgslc.us>; Lori <lorichiang52@gmail.com>

Subject: Chiang case

Hi Robert,

I wanted to reach out because I haven't heard back from Robert or Lori Chiang after reaching out twice to them in an attempt to close their case with BCDC. I called Robert a few weeks ago and he asked me to email them again, using Lori's email address. I did so.

I told them that fines are still accumulating because they haven't given me a simple statement on how they plan to keep the creeks (and the banks up to five feet MHW) clean. It's been 132 days since I sent them the violation notice, which means that their case is eligible for formal enforcement with the commission. If I can't close it soon, I'll need to do that.

Regards,
Anne

Anne Usher

Enforcement Policy Analyst

(415) 352-3662

Anne.Usher@bcdc.ca.gov

Exhibit 7



San Francisco Bay Conservation and Development Commission

<http://bcfdc.ca.gov/enforcement>

375 Beale St., Suite 510

San Francisco, CA 94105

FAX: (415) 352-3606

Main Number: (415) 352-3600

Business Days & Hours: M-F 8:30a – 5:00p

Exhibit 8

12/20/2024: Site visit to review Robert Chiang's parcel lines in Vallejo

I met with Robert and Nick Braden, his maintenance contractor, to review the lines of his parcel.

I had emailed him Solano County's official parcel map and showed him the lines in person. It turns out that the eastern edge of the slough has filled in a bit since the map was created, so the line north-south line for the southern parcel doesn't hit the land now where it would appear to be on the map.

We used a measuring tape to walk out the distance from the northeastern corner of that parcel to its western edge and marked it with spray paint.

They agreed to clean up all trash in his parcels by Jan. 3.

***Update on Jan. 8: trash remains on both.**

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600 fax 888 348 5190

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

Via Certified Mail

Date of Mailing: January 22, 2025

Mr. Robert Chiang
627 29th Ave.
San Francisco, CA 94121

SUBJECT: Notice of Violations of the McAteer-Petris Act (BCDC Enforcement Case ER2023.063.03)

Dear Mr. Chiang:

On Oct. 8, 2024, you were informed that you are in violation of Section 66632(a) of the McAteer-Petris Act (MPA) because of pollution associated with your parcels in Vallejo (APN 005-101-046-0 and APN 005-101-047-0).

Section 66632(a) states, “Any person or governmental agency wishing to place fill, to extract materials, or to make any substantial change in use of any water, land or structure, within the area of the commission's jurisdiction shall secure a permit from the commission and, if required by law or by ordinance, from any city or county within which any part of the work is to be performed. For purposes of this title, "fill" means earth or any other substance or material, including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods, such as houseboats and floating docks. For the purposes of this section "materials" means items exceeding twenty dollars (\$20) in value.”

This requirement has not been met. Therefore, you have one MPA violation.

You have thirty-five (35) days from the mailing date of this letter to resolve the violation before fines begin to accrue. A detailed description of how fines accrue is attached to this letter in Appendix 1. If you resolve the violation within 35 days, fines will not be assessed. For any violations that remain unresolved after 35 days, fines will begin to accrue pursuant to BCDC Regulations § 11390(a), sub-part 6.

You must complete every action specified below to resolve your violation and halt the accrual of standardized fines.

Violation One. Trash and other forms of pollution, including but not limited to plastics and clothing in the San Francisco Bay. These items constitute unpermitted fill in the Napa River certain waterway.

Suggested Corrective Actions. You must immediately clear all illicit fill on your parcels that is in the bay, including on tidelands lands exposed at low tide and in the areas where marsh



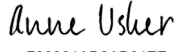
Robert Chiang
Enforcement Case ER2023.063.03

Date of Mailing: January 22, 2025
Page 2

vegetation is present, and provide a written management plan describing how you will keep the tidally influenced portions of your parcels clear of rubbish and pollutants.

Thank you for your immediate attention to this matter. I am available to answer your questions and discuss your concerns during this time. Feel free to reach out to me using the contact information provided below.

Sincerely,

DocuSigned by:

798061AD3AB64EF...
ANNE USHER

Enforcement Analyst
San Francisco Bay Conservation and Development Commission
375 Beale Street, Suite 510
San Francisco, California 94105
Tel: 415-352-3662
Fax: 415-352-3606
Email: anne.usher@bcdc.ca.gov
Website: <https://bcdc.ca.gov>

AU/mm

Encl.

Cc: Andrew Murray, Vallejo City Manager (via e-mail). Andrew.Murray@cityofvallejo.net
Ali Kalyan, Water Resource Control Engineer, San Francisco Bay Regional Water Quality Control Board (via e-mail), Imtiaz-Ali.Kalyan@Waterboards.ca.gov



Robert Chiang
Enforcement Case ER2023.063.03

Date of Mailing: January 22, 2025
Page 3

Appendix 1. Explanation of Standardized Fines Pursuant to the BCDC's Regulations (14 CCR)

Enforcement Options.

Pursuant to [Chapter 13, Subchapter 2, Article 3](#) of the BCDC's administrative regulations, you may resolve each alleged violation by taking each and every corrective action required by this letter and by paying the standardized fines specified in the BCDC's regulations §11390(a) or (b) or (c), as described below. Pursuant to [§11390\(d\)](#), if you do not make a good-faith effort to correct the alleged violations; have not corrected all the alleged violations within 125 days of the mailing date of this letter (or by the date(s) specified above, if different), or if you do not pay the amount of standardized fines assessed by the date payment is due, you may no longer have the option to settle this matter with standardized fines and we may, pursuant to BCDC's regulations §11321-11334, commence a formal enforcement proceeding that would include public hearings before the Commission, and could lead to the issuance of a cease and desist and civil penalty order with an administratively imposed civil penalty of between \$10 and \$2,000 per day, per alleged violation, up to a maximum of \$30,000 per alleged violation.

Opportunity to Complete Corrective Action without Imposition of a Standardized Fine.

Pursuant to [§11388](#), except as provided in [§11390\(c\)](#), if the person responsible for the alleged violation submits information demonstrating that the alleged violation(s) have not occurred or that the responsible person has completed each and every corrective action required by this notice within thirty-five (35) days after the date of mailing printed above, the Commission shall not impose any standardized fine.

Opportunity to Complete Correction Action with Imposition of a Standardized Fine.

Except as provided in § 11390 (c) and (d), if the person responsible for the alleged violations noted above fails to resolve each violation within thirty-five (35) days of the mailing date of this letter, that person may resolve their enforcement case by completing each and every corrective action required by this letter and by paying a fine in the amount provided in § 11390(a) and, where applicable, (b), as follows:

[§ 11390\(a\)\(1\)](#). *For the failure to submit an executed Commission permit before commencing the work authorized by the permit, or, for any permit issued to authorize previously commenced or completed work, for failure to return an acknowledged, executed permit within the time period stated in the permit:*

Standardized Fines.

If the executed permit is received between 36 and 65 days after the date of the mailing of this letter, you may resolve the penalty portion of the alleged violation by paying a standardized fine of \$2,000. If the executed permit is received more than 65 days after the date of the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$5,000, plus \$500 per day, from the 65th day to the date the executed permit is received, up to a maximum fine of \$30,000 per violation.



Robert Chiang
Enforcement Case ER2023.063.03

Date of Mailing: January 22, 2025
Page 4

§ 11390(a)(2). For the failure to submit any document other than an executed Commission permit in the form, manner or time required by a Commission permit:

Standardized Fines.

For each document submitted between 36 and 65 days after the date of the mailing of this letter, you may resolve alleged violation by paying a standardized fine of \$2,000 per document. For each document submitted between 66 and 95 days after the date of the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$5,000 per document. For each document submitted more than 95 days after the date of the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$5,000 per document, plus \$500 per day, from the 96th day to the date the document is received, up to a maximum fine of \$30,000 per document.

§ 11390 (a)(3). For the failure to comply with any condition required by a Commission permit not covered by (a)(1) or (a)(2):

Standardized Fines.

If corrected between 36 and 65 days after the date of the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$2,000 for each violation of each separate permit requirement. If corrected between 66 and 95 days after the date of the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$5,000 for each violation of each separate permit requirement. If corrected more than 95 days after the date of the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$5,000 for each violation noted above, plus \$500 per day per violation, from the 96th day to the date the required improvements are provided, up to a maximum fine of \$30,000 per permit requirement.

§ 11390 (a)(4). For the failure to obtain a Commission permit or an amendment to a previously issued Commission permit prior to undertaking any activity that can be authorized by an administrative permit or an amendment to a previously issued Commission permit:

Standardized Fines.

If either a complete and properly executed application accompanied by a check or money order for the application fee is submitted between 36 and 65 days and a permit or permit amendment is obtained within 155 days after the date of the mailing of this letter, or the unauthorized activity is completely corrected between 36 and 65 days after the mailing date of this letter, then you may resolve the alleged violation by paying a standardized fine of \$2,000.

If a complete, executed application and fee is submitted between 66 and 95 days and a permit or permit amendment is obtained within 185 days after the date of the mailing of this letter, or the unauthorized activity is completely corrected between 66 and 95 days after the mailing date of this letter, then you may resolve the alleged violation by paying a standardized fine of \$5,000.



Robert Chiang
Enforcement Case ER2023.063.03

Date of Mailing: January 22, 2025
Page 5

If a complete, executed application and fee is submitted, or the unauthorized activity is completely corrected, more than 95 days after the date of the mailing of this letter then you may resolve the violation by paying a standardized fine of \$5,000 plus \$500 per day from the 96th day to the date that either the complete, executed application and fee are submitted or the unauthorized activity is completely corrected, up to a maximum fine of \$30,000 per violation.

§ 11390 (a)(5). For the failure to obtain a Commission permit prior to undertaking any activity that can be authorized by either a statewide or abbreviated statewide permit:

Standardized Fines.

If either a complete notice of intent to proceed (NOI) under a statewide or abbreviated statewide permit is submitted between 36 and 65 days and said NOI is approved within 155 days after the date of the mailing of this letter, or the unauthorized activity is completely corrected between 36 and 65 days, you may resolve the alleged violation by paying a standardized fine of \$2,000.

If either a complete NOI under a statewide or abbreviated statewide permit is submitted between 66 and 95 days and said NOI is approved within 185 days after the date of the mailing of this letter, or the unauthorized activity is completely corrected between 66 and 95 days, you may resolve the alleged violation by paying a standardized fine of \$4,000.

If either a complete NOI under a statewide or abbreviated statewide permit is submitted, or the unauthorized activity is completely corrected, more than 95 days after the date of the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$4,000, plus \$500 per day, from the 96th day to the date the NOI is submitted or the unauthorized activity is completely corrected, up to a maximum fine of \$30,000 per violation.

§ 11390 (a)(6). For the placement of fill, the extraction of materials or a change in use that could not be authorized under the Commission's laws and policies:

Standardized Fines.

If the violation is corrected and the area returned to its prior status between 36 and 65 days after the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$3,000.

If the violation is corrected and the area returned to its prior status between 66 and 95 days after the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of \$8,000.

If the violation is corrected and the area returned to its prior status more than 95 days after the mailing of this letter, you may resolve the alleged violation by paying a standardized fine of



Robert Chiang
Enforcement Case ER2023.063.03

Date of Mailing: January 22, 2025
Page 6

\$8,000, plus \$500 per day, to the date the violation is completely corrected, up to a maximum fine of \$30,000 per violation.

§ 11390(b). A person believed to be responsible for any alleged violation must pay double the amount listed in sub-part (a) to resolve the alleged violation if that person has previously paid, or has been assessed but has failed to pay, any standardized fine pursuant to § 11390(a) and § 11391 within the five years prior to resolution of the alleged violation.

§ 11390(c). If a violation resolved pursuant to § 11388 is repeated by the same person within five years of the resolution of the prior violation, § 11390(a) and (b) shall not apply. Instead, the person believed to be responsible for the subsequent alleged violation may resolve the subsequent alleged violation by paying \$200 per day for each day the alleged violation occurs or persists after the mailing date of this letter.

§ 11391(b). If any person subject to the standardized fines listed in § 11390(a), (b), or (c) believes that the 35-day time limit for resolution without a standardized fine is not feasible, that person may appeal the time limit to the Executive Director and the Chair by submitting to the Executive Director within 35-days of the mailing date of this notice a written statement that the person is appealing the 35-day time limit, the reasons for the appeal, and a proposed alternative date to complete the required corrective action. The Executive Director and the Chair can modify the 35-day time limit and the time periods for accrual of standardized fines as they believe appropriate.

§ 11391(e). Any person receiving a notice under § 11387 may waive the opportunity to resolve the violation under this Article by submitting a letter to the Executive Director indicating such a waiver and requesting that the violation be resolved through Commission enforcement proceedings in accordance with § 11321 through § 11334 if that person believes such proceedings are necessary to fairly determine liability for the violation, the appropriate remedy, or the appropriate fine or administrative civil penalty amount. A waiver of the opportunity to resolve a violation under this Article and request that the violation be resolved through Commission enforcement proceedings may be submitted at any time after receipt of a notice under § 11387 but no later than: (1) twenty one (21) days after the date of the notice provided by Commission staff under sub-part (a) of amount of standardized fines assessed, if the person receiving such notice elects not to appeal the amount of such fines to the Executive Director and Chair; or (2) fourteen (14) days after the date of the decision of the Executive Director and Chair on any appeal of the amount of standardized fines. If a letter waiving the opportunity to resolve a violation under this Article and requesting that the violation be resolved through Commission enforcement proceedings is submitted after the Commission staff has provided notice under sub-part (a) of the amount of standardized fines assessed or after the decision of the Executive Director and Chair on any appeal of the amount of standardized fines, no such fines shall be due pursuant to that notice or that decision, and the appropriate amount of fines or administrative civil penalties shall be determined through Commission enforcement proceedings.



Robert Chiang
Enforcement Case ER2023.063.03

Date of Mailing: January 22, 2025
Page 7

The BCDC's laws and regulations can be accessed online at <https://bcdc.ca.gov/resources/laws-and-regulations>.



Robert Chiang
Enforcement Case ER2023.063.03

Date of Mailing: January 22, 2025
Page 8

Site visit on Aug. 23, 2024

North parcel, APN 0051010460

Pollution source: Homeless encampments (previous but several individuals remained on the parcel at the time of this and a previous visit)



Robert Chiang
Enforcement Case ER2023.063.03

Date of Mailing: January 22, 2025
Page 9

South parcel, APN 0051010470

Pollution source: A previous homeless encampment.



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VERONICA A.F. NEBB
City Attorney, SBN 140001
By: HAMPTON A. JACKSON
Deputy City Attorney, SBN 326209
CITY OF VALLEJO, City Hall
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Vallejo, CA 94590
Tel: (707) 648-4545
Fax: (707) 648-4687
Email: hampton.jackson@cityofvallejo.net

Attorneys for CITY OF VALLEJO

FILED/ENDORSED
Clerk of the Superior Court

AUG - 4 2023
By J. Abueg
DEPUTY CLERK

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SOLANO**

PEOPLE OF THE STATE OF CALIFORNIA and
CITY OF VALLEJO, a Municipal Corporation,

Plaintiffs,

vs.

ROBERT C.M. CHIANG; and DOES 1 – 25,

Defendants.

Case No.: **CU23-03243**

**COMPLAINT FOR INJUNCTIVE AND
OTHER RELIEF FOR MAINTAINING A
PUBLIC NUISANCE**

Public Nuisance
**[Civ. Code §3480; Code of Civ. Proc. §731;
Vallejo Municipal Code §1.12.020]**

*Exempt from filing Fees (Gov. Code §6103)
Deemed Verified (Code Civ. Proc. §446)*

The PEOPLE OF THE STATE OF CALIFORNIA, by and through Veronica A.F. Nebb, City Attorney for the CITY OF VALLEJO (collectively, "Plaintiffs") bring forth this action against ROBERT C.M. CHIANG and DOES 1-25 (collectively, "Defendants") for the purpose of abating and enjoining a public nuisance at two adjoining properties, controlled, or otherwise maintained by Defendants.

///
///

Exhibit 10

PRELIMINARY ALLEGATIONS

1
2 1. This action is brought pursuant to California Civil Code section 3479 et seq. and the Vallejo
3 Municipal Code (“VMC”), and it arises out of the maintenance by Defendants of a public nuisance at the
4 properties commonly known as Assessor’s Parcel Numbers (APN) 0051-010-460 and 0051-010-470,
5 located in Vallejo, California (“Properties”).

6 2. The Properties are now, have been, and continue to be maintained in such a manner as to
7 be in violation of State and local laws and are therefore a nuisance per se. Specifically, Defendants have
8 failed to properly secure the Properties and as a consequence have allowed unhoused individuals to camp
9 on the Properties in a place that can be viewed from the public right-of-way and in such a manner as to
10 constitute a public nuisance. The unhoused individuals have caused garbage, debris, and other junk to
11 accumulate on the Properties. Members of the public have also complained of the unhoused individuals
12 allegedly committing and inviting illicit activities in and around the Properties.

13 3. Defendants have failed to abate any of the nuisance activities and conditions despite
14 receiving notice and demands for the abatement of the nuisance activities and conditions.

15 4. Plaintiff CITY OF VALLEJO (hereafter referred to “City”) is a municipal corporation and
16 a charter city, duly organized and existing under and by virtue of Article XI § 7 of the Constitution of the
17 State of California and is charged with maintaining the public health, welfare, and safety of its citizens.
18 Veronica A.F. Nebb, as the City Attorney for the City, brings this action in the name of the PEOPLE OF
19 THE STATE OF CALIFORNIA, pursuant to Code of Civil Procedure section 731.

20 5. Defendants ROBERT C.M. CHIANG, an individual, and DOES 1-25 are the owners,
21 operators, landlords, trustees, administrators, property managers, lessors, lessees, sublessors, sublessees,
22 users, invitees, guests, occupants, recorded interest holders, or anyone who exercises dominion and control
23 over the Property and who permit or maintain the nuisance activities and conditions on the Properties,
24 including violations of State and local laws. All violations alleged within this complaint occurred during
25 the course and conduct of Defendants’ ownership, possession, tenancy, dominion, control, interest, or
26 occupancy of the Properties.

27 6. Plaintiffs sue fictitiously named Defendants DOES 1-25, inclusive, pursuant to Code of
28 Civil Procedure section 474, because their names, capacities, status, or facts showing them to be liable are

COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF FOR MAINTAINING A PUBLIC NUISANCE

Exhibit 10

1 not presently known. Plaintiffs are informed and believe, and thereon allege that each of the fictitiously
2 named Defendants are responsible in some manner for the occurrences herein alleged, including
3 permitting, creating, and maintaining a public nuisance at the Properties. The true names and capacities,
4 whether individual, corporate, or otherwise, of DOES 1-25 are at this time unknown to Plaintiffs. Plaintiffs
5 will amend this complaint to show the true names of each when they have been ascertained.

6 7. The PEOPLE OF THE STATE OF CALIFORNIA, by and through the City, requests that
7 this court declare the Properties a public nuisance and issue an injunction against Defendants, prohibiting
8 them from maintaining a public nuisance and nuisance per se and allowing the City permission to abate
9 the violations at the cost of Defendants, in the event Defendants refuse to voluntarily do so.

10 **PERSONAL JURISDICTION**

11 8. This court has personal jurisdiction over Defendants pursuant to the California Constitution,
12 Article VI, section 10, and the Code of Civil Procedure section 410.10 in that each of the Defendants are
13 domiciled in California; does substantial business in California; purposely availed themselves of the
14 benefits of doing business in California; and Defendants' violations of law alleged herein occurred, in
15 whole or in part, in California.

16 **VENUE**

17 9. Venue is proper, as the Properties are located in the City of Vallejo, which is located in the
18 County of Solano. The nuisance activities and conditions are also located and occurring in the City of
19 Vallejo.

20 **GENERAL ALLEGATIONS**

21 **Public Nuisance**

22 10. Plaintiffs re-allege and incorporate by reference the foregoing paragraphs, 1 through 9
23 above, as if fully set forth herein.

24 11. Civil Code section 3479 defines a nuisance as including “[a]nything which is ... offensive
25 to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment
26 of life or property, or unlawfully obstructs the free ... use, in the customary manner, of any ... public ...
27 street, or highway”

28 ///

Exhibit 10

1 12. Civil Code section 3480 defines a public nuisance as “one which affects at the same time
2 an entire community or neighborhood, or any considerable number of persons, although the extent of the
3 annoyance or damage inflicted upon individuals may be unequal.”

4 13. Additionally, Government Code section 38771 declares that a city’s legislative body may
5 declare what constitutes a nuisance. Under this provision, “[c]ity legislative bodies are empowered ... to
6 declare what constitutes a nuisance.” (*City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 100; *see also*
7 *People ex rel. Dept. of Transp. v. Outdoor Media Group* (1993) 13 Cal.App.4th 1067, 1076-1077; *City of*
8 *Costa Mesa v. Soffer* (1992) 11 Cal.App.4th 378, 382-83.)

9 14. “A legislatively declared public nuisance constitutes a nuisance per se against which an
10 injunction may issue without allegation or proof of irreparable injury.” (*People ex rel. Dept. of Public*
11 *Works v. Adco Advertisers* (1973) 35 Cal.App.3d 507, 511-512.)

12 15. “The concept of a nuisance per se arises when a legislative body with appropriate
13 jurisdiction, in the exercise of police power, expressly declares a particular object or substance, activity,
14 or circumstance, to be a nuisance.” (*Beck Dev. Co., Inc. v. So. Pac. Trans. Co.* (1996) 44 Cal.App.4th
15 1160, 1206; *accord Jones v. Union Pac. R.R. Co.* (2000) 79 Cal.App.4th 1053, 1068; *Amusing Sandwich,*
16 *Inc. v. City of Palm Springs* (1985) 165 Cal.App.3d 1116, 1129.)

17 16. “Nuisances per se are so regarded because no proof is required, beyond the actual fact of
18 their existence, to establish the nuisance.” (*City of Claremont v. Kruse* (2009) 177 Cal.App.4th 1153, 1164
19 [citation and internal quotation marks omitted]; *see also City of Costa Mesa v. Soffer* (1992) 11
20 Cal.App.4th 378, 382; *McClatchy v. Laguna Lands Ltd.* (1917) 32 Cal.App. 718, 725.) “[W]here the law
21 expressly declares something to be a nuisance, then no inquiry beyond its existence need be made and in
22 this sense its mere existence is said to be a nuisance per se.” (*Beck Dev. Co., Inc. v. So. Pac. Trans. Co.*
23 (1996) 44 Cal.App.4th 1160, 1207.) “No ill effects need to be proved.” (*McClatchy*, 32 Cal.App. at 725.)

24 17. “[A]ll parties to a nuisance per se, he who creates it and he who maintains it, are responsible
25 for its effect, without limitations of conditions or time.” (*Id.*; *see City of Bakersfield v. Miller* (1966) 64
26 Cal.2d 93, 100; *Amusing Sandwich, Inc. v. City of Palm Springs* (1985) 165 Cal.App.3d 1116, 1129.)

27 ///

28 ///

Exhibit 10

1 26. The adjoining properties at issue in this action are commonly known as Assessor's Parcel
2 Number 0051-010-460 and Assessor's Parcel Number 0051-010-470, located in Vallejo, California. The
3 Properties are vacant commercial lots with no structures on the parcels, other than those associated with
4 the unhoused individuals camping on the Properties.

5 27. Public records show that the Defendant ROBERT C.M. CHIANG is the owner of the
6 Properties.

7 28. The Properties have a long history of maintaining nuisance conditions in violation of State
8 and local laws. City records indicate that the City has received complaints of unauthorized encampments
9 on the Properties as early as October 2006. As a result of ongoing complaints, Code Enforcement has
10 investigated the Properties on numerous occasions and initiated several cases against the owner(s) of the
11 Properties.

12 29. The underlying action stems from conditions on the Properties first noticed by Code
13 Enforcement as violations of the VMC back in February 2023 (APN 0051-010-460) and June 2023 (APN
14 0051-010-470), described more fully below:

15 30. On or around February 15, 2023, Code Enforcement inspected the property commonly
16 known as APN 0051-010-460 and observed multiple encampments and an accumulation of trash and
17 debris in violation of VMC sections 7.54.030(F) (prohibits damaged lumber, junk, trash, salvage materials,
18 household materials, etc.), 7.54.030(M) (prohibits any wall, fence or hedge maintained in a condition of
19 deterioration or disrepair as to constitute a hazard to persons on property), 7.54.030(S) (prohibits
20 maintenance of a property in such a manner as to constitute a public nuisance), and 7.54.030(T) (prohibits
21 unauthorized camping on private property in a place which can be viewed from the public right-of-way or
22 in such a manner that constitutes a public nuisance). On February 23, 2023, Code Enforcement mailed an
23 Administrative Notice - Warning to the recorded owner concerning the violations. The notice demanded
24 the recorded owner, Robert C.M. Chiang, to abate the violations by March 27, 2023.

25 31. On or around May 4, 2023, Code Enforcement and the City Attorney's Office met with
26 Defendant Chiang (hereinafter, Defendant Chiang shall also be referred to as "Owner") concerning the
27 nuisance conditions on the Properties (APN 0051-010-460 and APN 0051-010-470). Defendant Chiang
28 advised that he wanted to work with the City to abate the nuisances. Code Enforcement informed

Exhibit 10

1 Defendant Chiang that no fines would be issued until the Defendant was able to access his properties from
2 the public right-of-way. (At the time of the May 4, 2023 meeting, Defendant Chiang's access to his
3 properties was blocked by several vehicles parked on the end of the public street adjoining Defendant's
4 properties.)

5 32. On or around June 9, 2023, Code Enforcement inspected the property commonly known
6 as APN 0051-010-470 and observed multiple encampments and an accumulation of trash and debris in
7 violation of VMC sections 7.54.030(K) (prohibits dead, decayed, diseased or otherwise hazardous trees,
8 weeds or overgrown vegetation), 7.54.030(M) (prohibits any wall, fence or hedge maintained in a
9 condition of deterioration or disrepair as to constitute a hazard to persons on property), 7.54.030(S)
10 (prohibits maintenance of a property in such a manner as to constitute a public nuisance), and 7.54.030(T)
11 (prohibits unauthorized camping on private property in a place which can be viewed from the public right-
12 of-way or in such a manner that constitutes a public nuisance). On June 13, 2023, Code Enforcement
13 mailed an Administrative Notice - Warning to the recorded owner concerning the violations. The notice
14 demanded the recorded owner to abate the violations by July 21, 2023. The recorded owner at the time
15 was Robert C.M. Chiang.

16 33. On or around June 14, 2023, the Owner accessed the Properties (APN 0051-010-460 and
17 APN 0051-010-470) and performed abatement work. Based on City staffs' observations and subsequent
18 inspections, the abatement work only included the removal of weeds and overgrown vegetation; however,
19 the unauthorized camping, the trash and debris, and the broken-down fencing remained unabated.

20 34. On or around July 24, 2023, Code Enforcement reinspected the Properties (APN 0051-010-
21 460 and APN 0051-010-470) and observed no change in the conditions. The Properties remained in
22 violation of the several sections of the VMC including: VMC sections 7.54.030(F) (prohibits damaged
23 lumber, junk, trash, salvage materials, household materials, etc.), 7.54.030(M) (prohibits any wall, fence
24 or hedge maintained in a condition of deterioration or disrepair as to constitute a hazard to persons on
25 property), 7.54.030(S) (prohibits maintenance of a property in such a manner as to constitute a public
26 nuisance), and 7.54.030(T) (prohibits unauthorized camping on private property in a place which can be
27 viewed from the public right-of-way or in such a manner that constitutes a public nuisance).

28 ///

Exhibit 10

1 40. Defendants have permitted and maintained a continuing public nuisance on the Properties
2 for the last several years and continuing presently. The circumstances constituting a public nuisance, as
3 alleged herein, have been ongoing since at least February 2023 (APN 0051-010-460) and June 2023 (APN
4 0051-010-470). However, Plaintiffs reserve the right to extend this period pursuant to evidence to be
5 presented at trial in this matter.

6 41. Specifically, Defendants have failed to secure the Properties (APN 0051-010-460 and APN
7 0051-010-470), which in turn has permitted transients and unhoused individuals to establish encampments
8 on the Properties. The encampments have resulted in excess trash, junk, and other debris to accumulate
9 on the Properties, which in turn has turned the Properties into a fertile breeding ground for disease, vermin,
10 and other infestation that could prove injurious to public health. The excess garbage also serves as fire
11 hazards. There are also complaints of the unhoused individuals allegedly conducting and/or inviting illicit
12 activities on the Properties, suggesting that the conditions on the Properties are also injurious to public
13 safety. The accumulation of trash on the Properties also offends the senses. Furthermore, the Properties
14 have become a point source of illicit discharge into an environmentally sensitive area. Still further, the
15 referenced conditions are in violation of several sections of the VMC and are thus a nuisance per se.

16 42. The City has duly notified Defendants of the nuisance activities and conditions on the
17 Properties (APN 0051-010-460 and APN 0051-010-470); the City has also demanded Defendants to abate
18 said nuisance activities and conditions. Despite receiving notice, Defendants have failed to act accordingly
19 and have therefore permitted the nuisance activities and conditions to exist on the Properties.

20 43. The nuisance activities and conditions affect a substantial number of people at the same
21 time, as evidenced by the continuous stream of complaints from the public about the activities and
22 conditions on the Properties. The activities and conditions are also of such a nature that an ordinary person
23 would be reasonably annoyed or disturbed by the conditions.

24 44. The seriousness of the harm outweighs the social utility of Defendants' non-action.

25 45. Plaintiffs also did not consent to Defendants' conduct.

26 46. Unless restrained by this court's issuance of injunctive relief to prohibit Defendants from
27 continuing to maintain the Properties in such a manner as to constitute a public nuisance, and to permit
28 the City access to the Properties, clean up the encampments, remove the unhoused individuals in

Exhibit 10

1 accordance with the law, and secure the Properties, the Properties will continue to serve as public
2 nuisances and blight to the community.

3 47. The wrongful conduct of Defendants as alleged herein and/or shown by evidence at trial in
4 this matter constitutes a serious threat to the general health, safety, and welfare of the City and its residents,
5 particularly the residents and businesses surrounding the Properties, and their peaceable and safe
6 enjoyment of their respective properties.

7 48. Plaintiffs have no plain, adequate, or speedy remedy at law in that the City's administrative
8 process has failed to secure compliance from Defendants. Specifically, Defendants have demonstrated an
9 unwillingness and/or inability to manage and/or operate the Properties in a manner that would be
10 compliant with the law and/or not injurious to the public health, welfare, and safety. Defendants have
11 instead engaged in, furthered, contributed to, fostered, encouraged, conspired to do the same, or have
12 otherwise allowed, permitted, or participated in such harmful, dangerous, and unlawful activities and
13 operations to continue at the Properties.

14 **PRAYER**

15 WHEREFORE, Plaintiffs pray:

16 **A. Declaratory Relief**

17 1. That the Properties (APN 0051-010-460 and APN 0051-010-470) be declared a public
18 nuisance.

19 **B. Injunctive Relief**

20 2. That the public nuisance be preliminarily and permanently abated in accordance with Civil
21 Code section 3491 et seq., Code of Civil Procedure section 731.

22 a. For an order perpetually and permanently enjoining Defendants, their agents,
23 officers, managers, representatives, employees, and anyone acting on their behalf, or in concert with, from
24 maintaining the Properties in violation of any local, state, or federal law, and from operating, conducting,
25 using, occupying, maintaining, suffering, allowing or in any way permitting the use of the Properties as a
26 public nuisance.

27 b. For an order requiring Defendants to show cause, if any they have, why they should
28 not be enjoined as set forth above in this complaint during the pendency of this action.

COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF FOR MAINTAINING A PUBLIC NUISANCE

Exhibit 10

1 3. That, if Defendants fail to abate the nuisance activities and conditions on the Properties,
 2 the court permit the City access to the Properties, clean up the encampments, remove the unhoused
 3 individuals in accordance with the law, secure the Properties, and otherwise act in such a manner as to
 4 abate the public nuisances on the Properties.

C. Damages

6 4. That, pursuant to Code of Civil Procedure section 731, Defendants are liable for the City's
 7 damages of having to abate the public nuisance on the Properties.

D. Penalty, Fees, and Costs

9 5. That, pursuant to VMC section 1.12.020(B), the court issue a civil penalty of \$250.00 to
 10 all Defendants for each and every day during any portion of which any violation of the VMC occurs.

11 6. That, pursuant to VMC section 1.12.020(c), Plaintiffs be awarded their fees and costs
 12 incurred for the prosecution of this action, including reasonable attorney's fees and costs of abatement of
 13 the public nuisances existing on the Properties.

14 7. That, pursuant to Code of Civil Procedure section 1032, Plaintiffs be awarded their costs
 15 incurred in this action.

16 8. The court grant further relief as this court should find just and proper.

17 DATED: August 4, 2023

Respectfully submitted,


18 
 19 _____
 20 HAMPTON A. JACKSON
 21 Deputy City Attorney
 22 CITY OF VALLEJO
 23
 24
 25
 26
 27
 28

Exhibit 11

BCDC staff took these photos on April 25, 2025. Trash and other forms of pollution are marked in red.





Exhibit 12



Re: Chiang case

From Nicholas Braden <NBraden@bgslc.us>

Date Wed 6/4/2025 8:27 AM

To Usher, Anne@BCDC <anne.usher@bcdc.ca.gov>; rnweaver@pacbell.net and <robertnewlweaver@gmail.com>

Cc rnweaver@pacbell.net <rnweaver@pacbell.net>; Lori <lorichiang52@gmail.com>

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

I have sent a proposal for building a barricade similar to the other ones that we use that were effective in keeping people off the property. I am waiting for approval. I believe their lawyer has some questions in regards to it. But we should be close to a resolution.

Get [Outlook for iOS](#)

From: Usher, Anne@BCDC <anne.usher@bcdc.ca.gov>

Sent: Tuesday, June 3, 2025 3:57:18 PM

To: rnweaver@pacbell.net and <robertnewlweaver@gmail.com>

Cc: rnweaver@pacbell.net <rnweaver@pacbell.net>; Nicholas Braden <NBraden@bgslc.us>; Lori <lorichiang52@gmail.com>

Subject: Chiang case

Hi Robert,

I wanted to reach out because I haven't heard back from Robert or Lori Chiang after reaching out twice to them in an attempt to close their case with BCDC. I called Robert a few weeks ago and he asked me to email them again, using Lori's email address. I did so.

I told them that fines are still accumulating because they haven't given me a simple statement on how they plan to keep the creeks (and the banks up to five feet MHW) clean. It's been 132 days since I sent them the violation notice, which means that their case is eligible for formal enforcement with the commission. If I can't close it soon, I'll need to do that.

Regards,
Anne

Anne Usher

Enforcement Policy Analyst

(415) 352-3662

Anne.Usher@bcdc.ca.gov

Exhibit 12



San Francisco Bay Conservation and Development Commission

<http://bcfdc.ca.gov/enforcement>

375 Beale St., Suite 510

San Francisco, CA 94105

FAX: (415) 352-3606

Main Number: (415) 352-3600

Business Days & Hours: M-F 8:30a – 5:00p

Exhibit 13

BCDC staff took these photos on Aug. 18, 2025.

This encampment is just to the west of Mr. Chiang's southern parcel.



Part of the creek that runs through his southern parcel.

Exhibit 13



As you can see below, part of the fence near the end of the creek has been torn away, allowing people to enter Mr. Chiang's parcel from a parking lot.



Exhibit 14

Phone conversation with Ted Tarver, Vallejo code enforcement

Sept. 5, 2025

Ted told me that Robert Chiang's property is a mess again and that a tiny home has been built on it.

He also told me that Robert has a new lawyer. And he confirmed that Nick quit. (Nick had texted me a message to this effect, expressing frustration that Robert hadn't accepted plans he submitted to keep the parcels clean).

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

Via Electronic Mail

Date of Mailing: November 12, 2025

Mr. Robert Chiang
627 29th Ave.
San Francisco, CA 94121
Email: Lorichiang52@gmail.com

SUBJECT: Notification of Rescission of the Opportunity to Resolve BCDC Enforcement Case ER2023.063.03 Using the Standardized Administrative Fines Process

Dear Mr. Chiang,

This letter serves as a notification that the San Francisco Bay Conservation and Development Commission (BCDC) has terminated the opportunity for a resolution of your violation using the standardized fines process and will initiate a formal enforcement process regarding the following matters:

- In the BCDC's Napa River certain waterway jurisdiction, trash and other pollution that constitute unpermitted fill in violation of Section 66632(a) of the McAteer-Petris Act.

This alleged violation is associated with APN 0051-010-460 and APN 0051-010-470, your parcels in Vallejo, Solano County. On January 22, 2025, BCDC sent you a "Notice of Violation" notifying you of your opportunity to resolve the alleged violation on your parcels by completing certain corrective actions within 35 days before standardized fines would begin to accrue. Two-hundred and ninety-four (294) days have passed since BCDC mailed the notice.

Pursuant to Section 11390(d) of the BCDC's regulations, because you have failed to complete the necessary corrective actions within 125 days of the Notice of Violation and the Executive Director has determined that you have not made a good faith effort to correct the alleged violation, the opportunity to resolve the violation through the standardized fine process is now rescinded.

You will receive a Violation Report and Complaint for Administrative Civil Liability, initiating the formal enforcement process. This report will provide detailed information on the identified alleged violation; outline next steps, including the submission of a Statement of Defense or payment of the proposed administrative civil penalty; and include information regarding a hearing date before the Commission's Enforcement Committee.



Robert Chiang
BCDC Enforcement Case No. ER2023.063.03

Page 2
November 12, 2025

In the meantime, **continue any efforts that are in progress to correct the alleged violation at your property while formal enforcement is pending.** Should you successfully resolve your violation while formal enforcement is pending, then we may suspend this process prior to your final hearing before the Commission.

If you have any immediate questions, require clarification, or can provide evidence that the violation has been resolved, please feel free to contact me.

Thank you for your attention to this matter.

Sincerely,

Signed by:

798061AD3AB64EF...

ANNE USHER

Enforcement Analyst

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510

San Francisco, California 94105

Tel: 415-352-3662

Email: anne.usher@bcdc.ca.gov

Website: www.bcdc.ca.gov

cc: Sean Wagner-McGough, enforcement attorney (via email)
Andrew Murray, Vallejo City Manager (via e-mail), Andrew.Murray@cityofvallejo.net
Ali Kalyan, Water Resource Control Engineer, San Francisco Bay Regional Water Quality Control Board (via e-mail), Imtiaz-Ali.Kalyan@Waterboards.ca.gov

Exhibit 16

BCDC staff took these photos on Dec. 5, 2025

Northern creek:





Southern creek:



Exhibit 16

