



## Re: Re: Request for extension to respond to Violation Report (ER2018.015.00)

From Chamberlain, Isabel@BCDC <isabel.chamberlain@bcdc.ca.gov>  
Date Tue, 12/16/2025 4:59 PM  
To Jim Armstrong <jimellen7@gmail.com>  
Cc Wagner-McGough, Sean@BCDC <Sean.Wagner-McGough@bcdc.ca.gov>

Hi.Jim,

Thank you for your detailed response. At this time, we are not able to grant an additional extension for the Statement of Defense. Please submit your Statement of Defense by Friday.

If you are interested in discussing a potential settlement, please feel free to call me at 530-902-4024 by the close of business on December 18. I am happy to discuss settlement options over the phone, via Teams, or in person.

As a reminder, we are still planning to proceed with the hearing on January 14, 2026.

Best regards,

### ISABEL CHAMBERLAIN

Enforcement and Compliance Manager.

P: (415) 352-3605.

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E: [isabel.chamberlain@bcdc.ca.gov](mailto:isabel.chamberlain@bcdc.ca.gov)

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San Francisco Bay Conservation and Development Commission.

375 Beale St., Suite 510

San Francisco, CA 94105.

FAX: (415) 352-3606

Main Number: (415) 352-3600



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**From:** Jim Armstrong <jimellen7@gmail.com>

**Date:** Tuesday, December 16, 2025 at 4:08 PM

**To:** Wagner-McGough, Sean@BCDC <Sean.Wagner-McGough@bcdc.ca.gov>, Cohen, Rachel@BCDC <rachel.cohen@bcdc.ca.gov>, Chamberlain, Isabel@BCDC <isabel.chamberlain@bcdc.ca.gov>

**Subject:** Re: Request for extension to respond to Violation Report (ER2018.015.00)

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Sean, I w ke t sc ss sett ement terms w thy as y have reference n y re-ma enc se (wh ch w be preferre by a pers na meet ng) As as lve prev s y reference eatt e Tr st...wh ch s a famiy wnersh p.... s n t great y ntereste n a engthy p ss b e f t re pr cesses nv vng reb tta s bmiss ns an f t re meet ngs... nstea we w prefer a sett ement meet ng t sat sfact r y res ve CDC's c ncerns. There s a engthy h st ry that g es back t the 30's an 40's regar ng th s pr perty an the entre ne ghb rh as we .

At the en f the ay we are s mewhat v ct ms t what amo nts t extreme y ff c t an harsh c n t ns wth a B f the ack P nt waterfr nt pr pert es. The CDC etter a resses 2 fences p ace n the fr nt yar f the 172 res ence. **Residence Front Yard Fence:** The fence that exten s fr m the fr nt r f the res ence t the ma b xes / te eph ne p le by the eatt e Ave r a way parce was p ace wth n 12 nches f the ex st ng pen w fence w that has been there f r years an s st there as t wasn't remove .We fence the yar beca se we have 2 y ng ch ren v ng here an the f rmer pen fence wth t be ng amen e represents an extreme r wn ng hazar . The fence s ess than 6 ft ta nc ng an pper att ce p rt n. The p sts n the p rt n c sest t the r a are v s b e a ng the street beca se the creek has ser s y er e .We w ke t whatever s appr pr ate t res ve th s r remove th s. We n t a y met Matt t there an he ha s ggeste s me type f mit gat nc bec ns ere n the f t re.

**Parking Lot Fence:** We nsta e a per meter fence n the park ng t an a ng each s ean the back. We a s erecte a **storage bin** as the garage by the h se was remove years ag .

Matt s ggeste that we p ss b y might nee t remove the st rage b n an p ss b y the fence a ng that s e. We have s nce **removed the storage bin**, an are w ng t a ress CDC req rements regar ng that fence. It sh be n te that the rg na fence **nstalled by the Railroad is still installed....** I p nte t p rt ns f t at the nta wakthr gh an tr ns fr m the street t bey n the back f the ex st ng backyar fence. Th s the rg na fence wh ch was ega y permitte an nsta e by the Ra r a ...wh ch s n w v s b e, n w that the st rage b n has been rem ve . After the wa kthr gh we a s ha the **backyard parking lot fence removed** an temp rar y p ace a ng the back f the t ver 10 ft we p n the tt the h gher evat n an prev s y f e area. The rg na p acement by s exten bey n the ex st ng park ng t f e area....base n r s rvey, b t n w t's move c ser t the street t av any p ss b e marsh areas. after the wa kthr gh. **No fill added:** The parking lot land has been filled for many years we befr we b ght th s pr perty. It has an asphat an grave s rface. We n t a f t the park ng t...The entre park ng t f e area was ne by prev s wners... ng ag . If y g t eatt e Ave an v ew the ex st ng park ng t parcs, y w see that a f them have been f e years ag as res ents have nee e t be pr tecte fr m severe f ng.

As n cate we w ke t w rk t a sett ement an have a meet ng res ch wth the g a f sat sfy ng r mit gat ng CDC's req rements. I a s j st receive a ca fr m CDC ffer ng s ch. We w ke t p rs e sa pt n nabs te g fath that a sat sfact ry res t n w be met. There s a ng h st ry t th s pr perty an ne ghb rh . We are very env r nmenta y c nsc s as y can see by the c mp a nt etter we f e aga nst the RR n 2016, wh have ne s gn f cant amage t th s ne ghb rh an r pr perty by npermitte f ng act v t es f r years.

**Extension Request:** We are requesting a settlement meeting to be scheduled when ava ab e...an short term extension of our response date and hearing date. We c rrent y have a **Notice to Respond to BCDC Complaint deadline of 12/19/25** an a **Hearing Date of Jan 14, 2026.**

If y can't exten the hear ng ate, p s exten the resp nse ate, n wh ch we nee a tt e more t me t c mp ete a f rma resp nse.... an seek a pr per n erstan ng f the req rements.

Please a v se me acc r ng y. S ncere y,

Jim Armstr Ma a er  
C O: Beattie Trust:  
415-606-6864  
[jim\\_ll\\_n7@gmail.com](mailto:jim_ll_n7@gmail.com)

On Tue, Nov 18, 2025 at 10:46 AM Wagner - G u h, Sean @BCDC <[Sean.Wagner-McGough@bcdc.ca.gov](mailto:Sean.Wagner-McGough@bcdc.ca.gov)> wrote:

Hi Mr. Armstrong,

Thank you for your confirmation that Beattie Trust has waived the requirement that BCDC hold a hearing on ER2018.015.00 within 60 days. Therefore, BCDC has hereby granted your request for an extension until **December 19, 2025**, to respond to the Violation Report. **We plan to hold the hearing on January 14, 2026.**

If you have any other questions, are unable to access the Violation Report, or would like to discuss possible settlement terms to resolve the case, please do not hesitate to reach out to me. Thank you.

Best,  
Sean

Sean Wagner-McGough | Enforcement Attorney  
SF Bay Conservation & Development Commission  
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**From:** Jim Armstrong <[jimellen7@gmail.com](mailto:jimellen7@gmail.com)>  
**Sent:** Tuesday, November 18, 2025 10:25 AM  
**To:** Wagner-McGough, Sean@BCDC <[Sean.Wagner-McGough@bcdc.ca.gov](mailto:Sean.Wagner-McGough@bcdc.ca.gov)>; Chamberlain, Isabel@BCDC <[isabel.chamberlain@bcdc.ca.gov](mailto:isabel.chamberlain@bcdc.ca.gov)>; Scharff, Greg@BCDC <[greg.scharff@bcdc.ca.gov](mailto:greg.scharff@bcdc.ca.gov)>  
**Subject:** Re: Request for extension to respond to Violation Report (ER2018.015.00)

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Dear Sean ,  
Thank you for writing up with me re ardi the resp se exte si request made behalf f Beattie Trust . (ER2018.015.00) , S cludi the electr ic se di f the BCDC vi lati rep rt li k with said e-mail. As previ usly i dicated, said rep rt had t bee received as the rep rt li k had expired a d was i active whe a eff rt was made t pe such. This e-mail c firms receipt f y ur 11 17 25 e mail t Beattie Trust, i cludi the waiverl f the 60 day requireme t (refere ced), e

the grant ng are n e exten n unt l Dec 19 2025, and a l kely hear ng t ccur met me n Jan 202 .

hank y u r y ura tance w th th matter.  
S ncerely,

J m Armstr ng

On Mon, Nov 17, 2025 at 9:52 AM Wagner-McGough, Sean@BCDC <[Sean.Wagner-McGough@bcdc.ca.gov](mailto:Sean.Wagner-McGough@bcdc.ca.gov)> wrote:

Hi Mr. Armstrong,

For your convenience, we are passing along the Violation Report that was originally sent to you on October 10, 2025. Please use the link below.



I also wanted to follow up about my earlier email, to which I am responding. As explained there, in order for BCDC to grant your requested extension, we need you to waive the requirement that we hold a hearing within 60 days, which will occur on December 10, 2025. If you waive this requirement, we would be willing to grant you an extension until December 19, 2025, at which point a response to the Violation Report would be due, with a hearing to follow likely at some point in January.

Please let me know as soon as possible.

Best,

Sean Wagner-McGough T

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**From:** Wagner-McGough, Sean@BCDC  
**Sent:** Friday, November 14, 2025 5:13 PM  
**To:** [jimellen7@gmail.com](mailto:jimellen7@gmail.com) <[jimellen7@gmail.com](mailto:jimellen7@gmail.com)>  
**Cc:** Chamberlain, Isabel@BCDC <[isabel.chamberlain@bcdc.ca.gov](mailto:isabel.chamberlain@bcdc.ca.gov)>; Scharff, Greg@BCDC <[greg.scharff@bcdc.ca.gov](mailto:greg.scharff@bcdc.ca.gov)>  
**Subject:** Request for extension to respond to Violation Report (ER2018.015.00)

Hi Mr. Armstrong,

My name is Sean Wagner-McGough, and I am an enforcement attorney with BCDC who is handling the matter concerning Beattie Trust (ER2018.015.00). We received your email requesting an extension to respond to the Violation Report and Complaint for Administrative Civil Penalties, which was sent by BCDC to respondents on October 10, 2025.

We are willing to extend a 35-day extension for responses to the Violation Report, but only if our will to waive the requirement for BCDC to hold a hearing goes beyond the 60 days after the date of the Violation Report's mailing, as required by Government Code section 66641.6(b). Pursuant to BCDC's regulations, before reaching his extension, we need responses to be received by December 10 as scheduled. If responses are received on this date, you would have until December 19, 2025 to respond to the Violation Report and a hearing would likely occur in January.

**Please respond in writing with confirmation of this agreement at your earliest convenience.** Upon your written consent to extend the hearing beyond the 60 days required by law, you will have 35 days from the day November 14, 2025, to respond to the Violation Report.

If you choose to extend, we will respond to the Violation Report and Complaint for Administrative Civil Penalties by Monday, November 17. Thank you.

Best,  
Sean

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### **Jim Armstrong**

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