

# 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

January 2, 2026

**TO:** Commissioners and Alternates

**FROM:** Enforcement Committee

**SUBJECT: Enforcement Committee’s Recommended Enforcement Decision; Proposed Cease and Desist and Civil Penalty Order No. CCD2025.001.00 in BCDC Enforcement Matters ER2019.038.00 and ER2025.003.00; and Proposed Stipulated Civil Penalty Order Nos. CCD2025.002.00, CCD2025.003.00, and CCD2025.004.00 in BCDC Enforcement Matters ER2025.001.00, ER2025.002.00, and ER2025.004.00 for Five Parcels, Unincorporated Areas of Solano County**  
(For Commission consideration on January 15, 2026)

## Summary

The Enforcement Committee recommends that the Commission adopt this Recommended Enforcement Decision to resolve six violations of the McAteer-Petris Act and the Suisun Marsh Preservation Act, as unanimously adopted by the Enforcement Committee during a public hearing on December 10, 2025. This recommendation includes issuing proposed Cease and Desist and Civil Penalty Order CCD2025.001.00 and proposed Stipulated Civil Penalty Orders CCD2025.002.00, CCD2025.003.00, and CCD2025.004.00 to require Thaddeus (“Thad”) Woodin, Steve and Lesley Belcher, Allen Kanady, William (“Bill”) Woodin, and Kittrell Estate (“Respondents”) to do the following actions to resolve six violations:

Thad Woodin and Bill Woodin must:

1. Cease and desist from violating the McAteer-Petris Act and the Suisun Marsh Preservation Act.
2. If by March 31, 2026, Solano County has secured funding to remove the sunken barge described in Violation One of the Violation Report and Complaint, Thad Woodin must use best efforts to cooperate in the removal of the barge.
3. If by March 31, 2026, Solano County has not secured funding to remove the sunken barge described in Violation One of the Violation Report and Complaint, Thad Woodin must by June 30, 2026, use best efforts to apply for and obtain funding for the removal of the barge.
4. By September 30, 2026, Thad Woodin must remove the sunken barge described in Violation One of the Violation Report and Complaint.
5. By May 15, 2026, Thad Woodin and Bill Woodin must remove all unauthorized fill, except the sunken barge described in Violation One of the Violation Report and Complaint, to a legal disposal site or other location outside BCDC’s jurisdiction.



6. Pay \$123,000 in administrative civil liabilities within thirty (30) days of issuance of CCD2025.001.00.

Steve and Lesley Belcher must:

1. Pay \$3,500 in administrative civil liabilities within thirty (30) days of issuance of CCD2025.002.00.

The Kittrell Estate must:

1. Pay \$500 in administrative civil liabilities within thirty (30) days of issuance of CCD2025.003.00.

Allen Kanady must:

1. Pay \$8,000 in administrative civil liabilities within thirty (30) days of issuance of CCD2025.004.00.

## Background

Prior to November 23, 2022, fill consisting of large items, including cars, boats, and other materials was placed by Thad Woodin in the Montezuma Slough and adjacent shoreline on properties located in Solano County. The unauthorized fill is located across five different privately-owned properties and an area of the Montezuma Slough controlled and managed by the State Lands Commission.

The reference materials attached indicate that 1) respondent Thad Woodin owns a parcel identified by APN 0090-120-130, 2) respondents Steve and Lesley Belcher own a parcel identified by APN 0090-120-030, 3) respondent Allen Kanady owns a parcel identified by APN 0090-120-190, 4) respondent Bill Woodin owns a parcel identified by APN 0090-120-170, and 5) respondent Kittrell Estate owns a parcel identified by APN 0090-120-160. (Exhibit F [Ex. 4]). Each property is located in BCDC's shoreline band jurisdiction and the Primary Management Area of the Suisun Marsh. Further, a barge and recreational vessel owned by Thad Woodin both sit at the bottom of the Montezuma Slough at approximately 38°04'28.85"N 121°52'53.04"W, in the unincorporated community of Birds Landing in Solano County, within BCDC's Bay jurisdiction and the Primary Management Area of the Suisun Marsh. (Exhibit F [Ex. 7]).

On November 23, 2022, September 24, 2024, and December 11, 2024, BCDC staff inspected the properties owned by Respondents and collected photographic evidence depicting the fill. (Exhibit F [Ex. 2 and 3]).

The ownership and boundaries of Respondents' respective properties were confirmed using RealQuest, the Solano County tax assessment map viewer, a March 18, 2025 email with Chris Rodgers (a map expert with Solano County), and by walking the levee road during the December 11, 2024 site visit with Chris Lanzafame, the secretary of Reclamation District 1607 (the "District"). (Exhibit F [Ex. 4]).

Letter correspondence dated September 13, 2012 to Respondent Thad Woodin from the District, an April 29, 2025 email exchange between staff and Mr. Lanzafame, and two interviews on September 27, 2024 and November 27, 2024 with Mr. Lanzafame revealed that the District is aware that Respondent Thad Woodin had placed large items on the levee since 2012. The District asked Respondent Thad Woodin to remove the items from the levee road and Mr. Lanzafame has tried to persuade Respondent Thad Woodin to remove them. Mr. Lanzafame asserted that all unauthorized fill belongs to Respondent Thad Woodin and advised staff on who owned the respective properties. (Exhibit F [Ex. 5]).

On October 15, 2024, Andrew Kershen from the State Lands Commission confirmed via email that the State Lands Commission has jurisdiction within the Montezuma Slough adjacent to Respondent Thad Woodin's property, up to the mean high tide line. However, Mr. Kershen asserted that the State Lands Commission does not have jurisdiction within Van Sickle Island. (Exhibit F [Ex. 6]).

On August 26, 2017, the Solano County Sheriff's Office responded to a report of Respondent Thad Woodin's barge sinking in the Montezuma Slough. The Sheriff's Office found in its report of the incident that Respondent Thad Woodin was solely and completely responsible for the sinking of his barge and that the barge was moored via insufficient means to prevent the barge from breaking loose from its mooring location. (Exhibit F [Ex. 7]).

On November 12, 2024, Solano County Marine Patrol took underwater images of Respondent Thad Woodin's sunken barge and subsequently provided these images to BCDC staff on November 13, 2024. (Exhibit F [Ex. 7]).

Respondent Thad Woodin alleged to staff that one of The Dutra Group's (Dutra) vessels struck his barge and caused the barge to sink. On May 22, 2025, John Wyma-Hughes, a Risk Manager for Dutra, via email denied any involvement in or liability arising from the sinking of Respondent Thad Woodin's barge. Staff reviewed daily logbook entries provided by Dutra for the tug Sarah Reed, the only Dutra vessel which traversed the Montezuma Slough at the time Respondent Thad Woodin's barge sank, and found no evidence that Dutra was responsible for the causing the barge to sink. (Exhibit F [Ex. 7]).

On November 15, 2024, staff discussed the unauthorized fill with Respondent Thad Woodin and advised him that he needed to remove all items from BCDC's jurisdiction. Respondent Thad Woodin acknowledged owning the sunken barge, the car and trailer on his parcel, and the two largest boats parked on the levee. He also acknowledged placing the partially submerged recreational vessel in its present location but accused the Solano County Sheriff's Office of sinking it without providing any evidence. Respondent Thad Woodin said that he has equipment to remove the fill and would do so. (Exhibit F [Ex. 8]). In an email on November 26, 2024, he denied owning a small white recreational vessel with a blue hull that is on his property.

On February 5, 2025, staff mailed initial contact letters to Respondents Steve and Lesley Belcher, Allen Kanady, and Bill Woodin describing the unauthorized fill and advising that each respondent "must clear all illicit items of fill from your parcel." On February 21, 2025, BCDC staff issued an initial contact letter to Respondent Kittrell Estate describing the unauthorized fill and also advising that the respondent "must clear all illicit items of fill from your parcel." (Exhibit F [Ex. 8]).

On April 8, 2025, Solano County Marine Patrol Sgt. Brady Graham advised staff that Solano County had applied for a grant to remove Respondent Thad Woodin's barge from the Montezuma Slough.

BCDC staff conducted a site visit on April 11, 2025, with Respondent Thad Woodin to walk the levee and identify his items. Respondent Thad Woodin reconfirmed ownership of all items except for a small recreational vessel on his parcel. Respondent Thad Woodin offered to remove all items except for the sunken barge, including the vessel that he claims not to own. (Exhibit F [Ex. 9]).

Prior to July 8, 2025, Respondents failed to demonstrate that the unauthorized fill identified in Violations One through Six was removed from BCDC's Bay and shoreline band jurisdiction and from the Primary Management Area. On July 8, 2025, BCDC staff issued a Violation Report and Complaint for Administrative Civil Liability for the ongoing violations via electronic and certified mail.

On July 9, 2025, Respondents Steve and Lesley Belcher emailed photographs to BCDC staff demonstrating that the unauthorized fill identified in Violation Three had been removed from their property and placed onto Respondent Thad Woodin's parcel. On August 1, 2025, BCDC staff conducted a site visit to the properties and confirmed that the unauthorized fill identified in Violation Three was still in BCDC's shoreline band jurisdiction and the Primary Management Area. BCDC staff also discovered that the two boats identified in Violation Four were removed from BCDC's jurisdiction, while the Argo and large lawnmower identified in Violation Four remained on Respondent Allen Kanady's property. Finally, BCDC staff discovered that the unauthorized fill identified in Violation Six was removed from Respondent Kittrell Estate's property and placed onto Respondent Bill Woodin's parcel.

On July 14, 2025, Respondent Allen Kanady submitted his Statement of Defense ("SOD") form. On August 5, 2025, Respondent Bill Woodin submitted his SOD form. On August 8, 2025, Respondent Kittrell Estate submitted its SOD form. On August 12, Respondents Steve and Lesley Belcher submitted their SOD form. Thad Woodin did not submit a SOD.

On August 6, 2025, Deputy Sheriff Michael Urlaub from the Solano County Sheriff's Office via email provided BCDC staff with additional information regarding when Solano County may expect to hear back regarding the results of the funding application to remove Respondent Thad Woodin's sunken barge. According to Deputy Sheriff Urlaub, Solano County expects to hear if it received funding to remove the sunken barge within four to six months from September 2025. If

Solano County receives the funding, removal of the sunken barge is likely to occur in late summer of 2026. (Exhibit E [Ex. E]).

On August 12, 2025, BCDC staff discovered that one item of unauthorized fill identified in Violation 5 (a silver car) had been removed from Respondent Bill Woodin's parcel and BCDC's jurisdiction but the other items remained. Staff also discovered that one of the boats identified in Violation 4 that appeared to have been removed was placed back on Respondent Allen Kanady's parcel and the Argo and some trash remained. Staff confirmed that the unauthorized fill identified on Respondent Thad Woodin's parcel in Violation 2, in addition to the two boats that Respondents Steve and Lesley Belcher moved onto his parcel (Violation 3), remained.

The Violation Report & Complaint issued on July 8, 2025, made six essential allegations, as follows:

- A. **Violation One.** Respondent Thad Woodin is violating Section 66632(a) of the McAteer-Petris Act and Section 29500 of the Suisun Marsh Preservation Act for the placement of unauthorized fill consisting of: (1) 68- x 33-foot barge at the bottom of the Montezuma Slough, about 50 feet south of Thad Woodin's home on Van Sickle Island and under about 19 feet of water; and (2) a mostly submerged 20- to 25-foot-long recreational vessel about 10 feet away from the Kittrell Estate's parcel. (Exhibit F [Ex. 7]).
- B. **Violation Two.** Respondent Thad Woodin is violating Section 66632(a) of the McAteer-Petris Act and Section 29500 of the Suisun Marsh Preservation Act for the placement of unauthorized fill consisting of an abandoned car, silver trailer, and boat, in addition to plastic containers and other trash. (Exhibit F [Exs. 2-5]).
- C. **Violation Three.** Respondents Steve and Lesley Belcher and Thad Woodin are violating Section 66632(a) of the McAteer-Petris Act and Section 29500 of the Suisun Marsh Preservation Act for the placement of unauthorized fill consisting of: (1) a small, blue recreational vessel, close to the levee road and (2) a recreational vessel near Thad Woodin's house that is located on both the Belchers' and Thad Woodin's parcels. (Exhibit F [Exs. 3 and 4]).
- D. **Violation Four.** Respondents Allen Kanady and Thad Woodin are violating Section 66632(a) of the McAteer-Petris Act and Section 29500 of the Suisun Marsh Preservation Act for the placement of unauthorized fill consisting of an Argo (small amphibious craft), two boats, and a large lawn mower placed close to the levee road. (Exhibit F [Exs. 3 and 4]).
- E. **Violation Five.** Respondents Bill Woodin and Thad Woodin are violating Section 66632(a) of the McAteer-Petris Act and Section 29500 of the Suisun Marsh Preservation Act for the placement of unauthorized fill consisting of a green truck, an automobile, four boats, and an ATV. All are close to the levee road. (Exhibit F [Exs. 3 and 4]).

- F. **Violation Six.** Respondents Kittrell Estate and Thad Woodin are violating Section 66632(a) of the McAteer-Petris Act and Section 29500 of the Suisun Marsh Preservation Act for the placement of unauthorized fill consisting of a silver truck placed close to the levee road. (Exhibit F [Exs. 3 and 4]).

As a result of Respondents' failure to remove the unauthorized fill despite multiple attempts by BCDC staff formally requesting Respondents to do so, BCDC staff was left with no other option than to commence formal enforcement proceedings to resolve these violations.

On August 15, 2025, BCDC mailed an initial Recommended Enforcement Decision to the Enforcement Committee. At that time, Respondents failed to resolve in full all six allegations outlined in the Violation Report and Complaint.

On August 26, 2025, the enforcement hearing scheduled for August 27, 2025, was postponed to October 22, 2025, to accommodate for a respondent's medical emergency. All respondents agreed to waive the 60-day time period to hold the hearing pursuant to Government Code section 66641.6(b) (Exhibit E [Exs. J1-J5]).

On August 29, 2025, Respondent Allen Kanady submitted photographs to BCDC staff via email claiming that the unauthorized fill that belonged to Respondent Thad Woodin had been removed from his property and placed onto Thad Woodin's property (Exhibit E [Ex. K]). On September 22, 2025, BCDC staff via a site visit verified a claim by Bill Woodin that the unauthorized fill was simply moved from Mr. Kanady's property to Bill Woodin's property (Exhibit E [Ex. L]).

Upon a showing by Respondents Steve and Lesley Belcher, Allen Kanady, and the Kittrell Estate that they had fully abated the violations occurring on their properties by removing the unauthorized fill and development, staff engaged with these respondents in confidential settlement negotiations. On October 21, 2025, BCDC staff and Respondents Steve and Lesley Belcher entered into a proposed settlement agreement to resolve their liability in the matter of ER2025.001.00. On October 22, 2025, BCDC staff and Respondent Kittrell Estate entered into a proposed settlement agreement to resolve its liability in the matter of ER2025.004.00. On October 27, 2025, BCDC staff and Respondent Allen Kanady entered into a proposed settlement agreement to resolve his liability in the matter of ER2025.002.00.

On December 10, 2025, the Enforcement Committee unanimously voted to adopt a Recommended Enforcement Decision which included a proposed Cease and Desist and Civil Penalty Order against Thad Woodin and Bill Woodin. Additionally, the Recommended Enforcement Decision included several proposed Stipulated Civil Penalty Orders which would require Respondents Steve and Lesley Belcher, Allen Kanady, and the Kittrell Estate, altogether, to pay \$12,000 in administrative civil liability within thirty days of order issuance.

If the proposed Cease and Desist and Civil Penalty Order and proposed Stipulated Civil Penalty Orders are adopted by the Commission, they will become effective as of the date of execution by the Executive Director. Adoption of this Recommended Enforcement Decision by the Commission shall immediately resolve Enforcement Cases ER2019.038.00, ER2025.001.00,

ER2025.002.00, ER2025.003.00, ER2025.004.00 and, at such time, these matters, including the proposed Orders, shall be referred to BCDC Compliance for compliance monitoring until Respondents demonstrate full compliance with the terms and conditions of the Orders. Should Respondents fail to comply fully with the Orders, the applicable matter shall be referred to the Office of the Attorney General for resolution by the superior court.

## Admitted and Contested Essential Allegations

The following Respondents filed a Statement of Defense (SOD): Allen Kanady by email, received July 14, 2025; Bill Woodin by mail, received August 5, 2025; Todd Trost, on behalf of the Kittrell Estate, by email, received August 8, 2025; and Lawrence Bazel, on behalf of the Belchers, by email, received August 12, 2025 (including declarations by the Belchers' attorney Lawrence Bazel and by Steve Belcher). (Prior, respondents Steve and Lesley Belcher also contacted BCDC on July 9, 2025, via email correspondence with certain arguments.)

**However, by October 27, 2025, BCDC staff had entered into separate proposed settlement agreements with the following respondents: Steve and Lesley Belcher, Allen Kanady, and the Kittrell Estate.**

On August 18, 2025, BCDC received a SOD from Respondent Thad Woodin. Because the SOD was submitted after the 35-day deadline in which a respondent may submit an SOD, the SOD is untimely filed and should not be considered by the Commission. However, BCDC staff prepared responses to Respondent Thad Woodin's SOD in the event the Commission wishes to consider his arguments.

Respondent Thad Woodin admits that all items on neighboring parcels were his ("If an alleged violation was committed on my nearby neighboring parcels of Belch[e]r, Kanady, K[it]trell[] or Woodin, the items that allegedly cross this were mine and mine alone").

## Defenses and Mitigating Factors

Steve and Lesley Belcher, Allen Kanady, and the Kittrell Estate have entered into separate proposed settlement agreements. For a full recounting of the previous SODs from these respondents and applicable staff rebuttals, refer to Exhibit E, the Recommended Enforcement Decision mailed to the Enforcement Committee on November 26, 2025.

Thad Woodin and Bill Woodin made the following affirmative arguments:

1. Respondent Bill Woodin states that he "personally never deposited any fill" on his property and that he has "no knowledge" as to "when and by whom deposited material" came to be on his property.
2. Respondent Thad Woodin denies the allegations based on his belief that the items "do not constitute fill."

3. Respondent Thad Woodin states that when he "purchased the property...each and every parcel I own has grandfathered in boat dock, house, 1947 truck [and] two tractors." Additionally, Thad Woodin states that the "parcel 180" was "used as a parking lot" and "California's 72 hr abandonment laws are untried or mitigated in a court."
4. Respondent Thad Woodin states that he is a "disabled" 62-year-old on a "retired fixed income." A fine would create an "adverse condition" in his life.
5. Respondent Thad Woodin states that "BCDC Anne met with me and said do not jeopardize levee" and "gave me all summer to clean up."
6. Respondent Thad Woodin requested confirmation whether this matter has "been brought before a judge before."
7. Respondent Thad Woodin requested an opportunity to cross-examine Anne Usher seemingly about her determination regarding measurements (although the SOD is indecipherable on this point), alleging that "this entire report is biased half truths."

## Staff Rebuttal

1. **Respondent Bill Woodin states that he “personally never deposited any fill” on his property and that he has “no knowledge” as to “when and by whom deposited material” came to be on his property.** BCDC may hold a landowner strictly responsible for unauthorized bay fill placed on their property by third persons. (*Leslie Salt Co. v. San Francisco Bay Conservation and Development Com.* (1984) 153 Cal.App.3d 605, 612-618; Exhibit D). In *Leslie Salt*, the Court of Appeal analyzed section 66638 of the McAteer-Petris Act (MPA) which authorizes BCDC to issue cease and desist orders against any person or governmental agency that “has undertaken, or is threatening to undertake, any activity” that requires a BCDC permit. *Id.* at 612. Recognizing that denying BCDC’s ability to utilize its enforcement devices against landowners whose property contains fill placed there by others in violation of the MPA would materially impair BCDC’s ability to prevent and remedy haphazard and detrimental filling of the Bay, the court concluded that BCDC’s ability to issue cease and desist orders extends to landowners regardless of whether they actually placed the fill or had any knowledge of the existence of the fill activities. *Id.* at 605, 617. While the court in *Leslie Salt* refers specifically to BCDC’s enforcement authority to issue cease and desist orders, this reasoning logically applies also to another of BCDC’s enforcement devices, the imposition of administrative civil liability.
2. **Respondent Thad Woodin denies the allegations based on his belief that the items “do not constitute fill.”** The McAteer-Petris Act defines fill as “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.” (Cal.

Gov. Code § 66632(a).) Therefore, the items identified in the Violation Report are "fill" subject to the McAteer-Petris Act.

3. **Respondent Thad Woodin states that when he "purchased the property...each and every parcel I own has grandfathered in boat dock, house, 1947 truck [and] two tractors." Additionally, Thad Woodin states that the "parcel 180" was "used as a parking lot" and "California's 72 hr abandonment laws are untried or mitigated in a court."** While BCDC staff is unclear about the precise meaning of "grandfathered in," at no time did his parcel obtain a BCDC permit authorizing the placement of the unauthorized fill. Regardless of the history of the parcel or its intended use by the property owner, Thad Woodin must abide by BCDC's laws and policies. At issue is his noncompliance with the McAteer-Petris Act and Suisun Marsh Preservation Act.
4. **Respondent Thad Woodin states that he is a "disabled" 62-year-old on a "retired fixed income." A fine would create an "adverse condition" in his life.** BCDC staff has not received any supporting documentation which would show an inability to pay, as required under Appendix J of BCDC regulations so this claim may not be fully assessed. (14 CCR Div. 5 App. J.) However, administrative civil penalties are warranted where Mr. Woodin has continued to violate BCDC laws and policies since November 2022, and August 2017 for Violation One.
5. **Respondent Thad Woodin states that "BCDC Anne met with me and said do not jeopardize levee" and "gave me all summer to clean up."** BCDC staff has taken into account the safety issues associated with removing the fill during certain times of the year on account of the levee and recommend in part on that basis a reduced penalty.
6. **Respondent Thad Woodin requested confirmation whether this matter has "been brought before a judge before."** Because this is an administrative proceeding, this matter has not been filed in a court of law.
7. **Respondent Thad Woodin requested an opportunity to cross-examine Anne Usher seemingly about her determination regarding measurements (although the SOD is indecipherable on this point), alleging that "this entire report is biased half truths."** While Section 11322(b) of BCDC regulations allows a respondent to request cross-examination, Section 11329(b) limits respondent's right to cross-examination to a declarant who introduces evidence into the record in the form of a declaration under penalty of perjury. Thad Woodin's request to cross-examine BCDC staff should be rejected in full. None of the subjects that Thad Woodin desires to cross-examine BCDC staff about constitute hearsay evidence. Nor has any BCDC staff submitted declarations under penalty of perjury, a necessary precondition in order for a respondent to request cross-examination pursuant to Sections 11322(b) and 11327(g). Nor has Thad Woodin satisfied the specific elements required in Section 11322(b) to request cross-examination, including among other things

“the reasons the respondent believes that the information can best be provided by cross-examination rather than by the submittal of declarations or other written evidence.” The request should be denied.

### Unresolved Issues

There are no unresolved issues.

### Previous Enforcement Actions

No prior enforcement actions have been taken in this matter.

### Recommendation

The Enforcement Committee and Executive Director recommend that the Commission adopt this Recommended Enforcement Decision and issue the proposed Cease and Desist and Civil Penalty Order CCD2025.001.00 and proposed Stipulated Civil Penalty Orders CCD2025.002.00, CCD2025.003.00, and CCD2025.004.00.

For Violation One, unauthorized fill consisting of a barge at the bottom of the Montezuma Slough and a partially submerged recreational vessel in the Montezuma Slough within BCDC's Bay jurisdiction and the Primary Management Area, BCDC staff have determined that the gravity of harm is major, and the extent of deviation from the statutory requirement to remove the unauthorized fill is major.

For Violation Two, unauthorized fill consisting of an abandoned car, silver trailer, and boat, in addition to plastic containers and other trash in the shoreline band and Primary Management Area, BCDC staff have determined that the gravity of harm is moderate, and the extent of deviation from the statutory requirement to remove the unauthorized fill is major.

For Violation Three, unauthorized fill consisting of a small, blue recreational vessel and additional recreational vessel in the shoreline band and Primary Management Area, BCDC staff have determined that the gravity of harm is moderate, and the extent of deviation from the statutory requirement to remove the unauthorized fill is moderate.

For Violation Four, unauthorized fill consisting of an Argo (small amphibious craft), two boats, and a large lawn mower in the shoreline band and Primary Management Area, BCDC staff have determined that the gravity of harm is moderate, and the extent of deviation from the statutory requirement to remove the unauthorized fill is moderate.

For Violation Five, unauthorized fill consisting of a green truck, an automobile, four boats, and an ATV in the shoreline band and Primary Management Area, BCDC staff have determined that the gravity of harm is moderate, and the extent of deviation from the statutory requirement to remove the unauthorized fill is moderate.

For Violation Six, unauthorized fill consisting of a silver truck in the shoreline band and Primary Management Area, BCDC staff have determined that the gravity of harm is moderate, and the extent of deviation from the statutory requirement to remove the unauthorized fill is minor.

BCDC staff believes that the nature and extent of harm caused by these violations is significant. The Bay and shoreline in this area contain various large and small vehicles, machines, and other debris in varying stages of decay. As the unauthorized fill breaks down, they may leach harmful chemicals into the Montezuma Slough, a part of the Suisun Marsh, which provides habitat for resident and migratory fish and wildlife and plays an important role in providing wintering habitat for waterfowl of the Pacific Flyway or onto Van Sickle Island, an area of managed wetlands in the Suisun Marsh. (Cal. Pub. Res. Code § 29002). While staff believes the area can be restored, the introduction of pollutants to the Montezuma Slough and Van Sickle Island cannot be undone.

BCDC staff have assessed the Respondents degree of culpability, history of violations, resolution efforts, any economic benefit to the violators, violators' ability to pay, costs to the state in pursuing the enforcement action, and other facts as justice may require.

Staff believes that circumstances outside of Respondents' control may lessen their degree of culpability for each violation. The Solano County Sheriff's Office report, dated August 26, 2017, indicates that one of the mooring lines connecting Thad Woodin's barge to the shoreline broke, causing the barge to move into a 90-degree angle in the Montezuma Slough and ultimately sinking. (Exhibit F [Ex. 7]). While it was Thad Woodin's responsibility to ensure the barge and recreational vessel were securely moored, staff believes that a downward adjustment is proper for Violation One, as the sunken barge appears to be the result of an accident or inadvertent omission. With respect to all other violations, staff previously communicated to Respondents that they should not yet remove the unauthorized fill due to unsafe conditions of the levee road during wet seasons and the environmentally sensitive nature of the area. Staff requested that each Respondent refrain from moving the unauthorized fill until it was safe and environmentally responsible to do so (*i.e.*, in late spring or summer). Staff believes that a downward adjustment for Violations Two, Three, Four, Five, and Six is appropriate on the basis that Respondents refrained from removing the unauthorized fill for a period of time on the advice of staff and that the timeframe during which Respondents could safely and responsibly remove the unauthorized fill was at times out of their control.

Additionally, Respondent Thad Woodin admitted to owning or placing all unauthorized fill identified in each violation, with the exception of a small recreational vessel located on his property. (Exhibit F [Ex. 9]). Although Respondents Steve and Lesley Belcher, Kanady, Bill Woodin, and Kittrell Estate are responsible for abating any violations of the MPA and SMPA on their respective properties as property owners, staff believes that a downward adjustment is appropriate on the basis that the violations were the result of inadvertent omissions on the part of the property owners to survey their properties to identify and remove fill placed by Respondent Thad Woodin.

Staff believes that the efforts to cooperate and resolve the violations on the part of Respondents Steve and Lesley Belcher, Bill Woodin, and Kittrell Estate support an additional downward adjustment because these Respondents have cooperated with the investigation in a timely manner and engaged in efforts to resolve Violations Three, Five, and Six, including planning to remove the fill as soon as possible.

Staff does not believe that Respondents derived any economic benefit from the placement of unauthorized fill on their respective properties. However, it is Respondents' burden to demonstrate an inability to pay, and Respondents did not introduce any such evidence into the record as part of their timely SODs.

Based on these penalty factors, staff finds Violation One is eligible for a \$1900 penalty per day, with a start date for this violation on August 26, 2017, when the Solano County Sheriff's Office verified the existence of the sunken barge, and the violation has persisted for over 2,800 days.<sup>1</sup> Thus, Violation One is subject to the maximum allowable penalty of \$30,000, however, staff believes a five percent downward adjustment is appropriate based on Respondent Thad Woodin's degree of culpability.

Further, staff finds that Violation Two is eligible for a \$1400 penalty per day, Violation Three is eligible for a \$800 penalty per day, Violation Four is eligible for a \$900 penalty per day, Violation Five is eligible for a \$800 penalty per day, and Violation Six is eligible for a \$250 penalty per day, with the start date for each violation on November 23, 2022, when BCDC staff verified the existence of these violations. These violations have persisted for over 900 days. Thus, each violation is subject to the maximum allowable penalty of \$30,000, however, staff believes the following downward adjustments are appropriate based on Respondents' degree of culpability and efforts to cooperate:

- Violation Two (Thad Woodin): 10 percent downward adjustment based on degree of culpability.
- Violation Three (Thad Woodin and Steve and Lesley Belcher): 20 percent downward adjustment based on degree of culpability and 20 percent downward adjustment based on efforts to cooperate.
- Violation Four (Thad Woodin and Allen Kanady): 15 percent downward adjustment based on degree of culpability.
- Violation Five (Thad Woodin and Bill Woodin): 20 percent downward adjustment based on degree of culpability and 20 percent downward adjustment based on efforts to cooperate.

---

<sup>1</sup> Although BCDC staff was confirmed the existence of the partially submerged recreational vessel – also included in Violation One – on September 24, 2024, the appropriate start date for Violation One is August 26, 2017. The recreational vessel was added to Violation One because of the proximity of the vessel to the sunken barge. Moreover, the addition of the recreational vessel to Violation One did not impact Respondent Thad Woodin's administrative civil penalty liability as the administrative civil penalty maximum was already reached due to the length of time that Respondent Thad Woodin's barge was in the Montezuma Slough.

- Violation Six (Thad Woodin and Kittrell Estate): 20 percent downward adjustment based on degree of culpability and 20 percent downward adjustment based on efforts to cooperate.

Finally, BCDC staff entered into proposed settlements with certain respondents: \$3,500 to resolve Violation Three with Steve and Lesley Belcher; \$8,000 to resolve Violation Four with Allen Kanady; and \$500 to resolve Violation Six with Kittrell Estate. Therefore, Thad Woodin and Bill Woodin remain responsible for the following penalties (as apportioned below):

- Violation One: \$28,500 (Thad Woodin).
- Violation Two: \$27,000 (Thad Woodin).
- Violation Three: \$14,500 (Thad Woodin).
- Violation Four: \$17,500 (Thad Woodin).
- Violation Five: \$18,000 (Thad Woodin and Bill Woodin).
- Violation Six: \$17,500 (Thad Woodin).

Thus, the total administrative liability, including each proposed settlement amount, is \$135,000.

A proposed Cease and Desist and Civil Penalty Order and proposed Stipulated Civil Penalty Orders consistent with this recommendation are attached (Exhibits A-D).

### **Proposed Orders CCD2025.001.00, CCD2025.002.00, CCD2025.003.00, and CCD2025.004.00**

Proposed Cease and Desist and Civil Penalty Order CCD2025.001.00 (Exhibit A), proposed Stipulated Civil Penalty Order CCD2025.002.00 (Exhibit B), proposed Stipulated Civil Penalty Order CCD2025.003.00 (Exhibit C), proposed Stipulated Civil Penalty Order CCD2025.004.00 (Exhibit D) consistent with this recommendation are attached, along with the approved December 10, 2025 Recommended Enforcement Decision with Exhibits (Exhibit E) and the Violation Report and Complaint dated July 8, 2025 with Exhibits (Exhibit F).

Attachments: RED Exhibit A: Proposed Cease and Desist and Civil Penalty Order CCD2025.001.00

RED Exhibit B: Proposed Stipulated Civil Penalty Order CCD2025.002.00

RED Exhibit C: Proposed Stipulated Civil Penalty Order CCD2025.003.00

RED Exhibit D: Proposed Stipulated Civil Penalty Order CCD2025.004.00

RED Exhibit E: December 10, 2025, Recommended Enforcement Decision with Exhibits

RED Exhibit F: Violation Report and Complaint with exhibits

**Full Commission Motion and Action:**

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

By a vote of \_\_ yeses, \_\_ noes, and \_\_ abstentions, the Commission concurs with the Enforcement Committee's Recommended Enforcement Decision and issues the proposed Cease and Desist and Civil Penalty Order.

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

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

By a vote of \_\_ yeses, \_\_ noes, and \_\_ abstentions, the Commission rejects the Enforcement Committee's Recommended Enforcement Decision and decides to consider the entire matter de novo at the Commission meeting on \_\_\_\_\_.

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

\_\_\_\_\_  
Date: