



Marin Audubon Society

P.O. Box 599 | MILL VALLEY, CA 94942-0599 | MARINAUDUBON.ORG

November 15, 2016

Zack Wasserman, Chairman
Bay Conservation and Development Commission
405 Golden Gate Avenue, Suite 10600
San Francisco, CA 94102

Att: Adrienne Kline

RE: POINT BUCKLER CLUB, LLC AND JOHN D. SWEENEY

Dear Chairman Wasserman and Commissioners:

The Marin Audubon Society urges the Commission to accept the Enforcement Committee's recommendation, except that we recommend that the full fine of \$952,000 be reinstated.

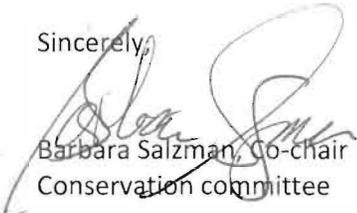
This is one of the most egregious enforcement cases we have ever seen. There is absolutely no evidence that the perpetrator paid the least bit of attention to any of the regulations that are in place to protect the Estuary's natural resources. Instead, he proceeded to commit violation after violation that destroyed tidal marsh and adversely impacted natural resources by building levees and a dock, excavating ponds and channels, and cutting off tidal action to tidal marsh. The violations occurred over a five year period, with complete disregard to the resulting damage and regulatory requirements and notifications by regulatory agencies. Mr. Sweeney knowingly ignored BCDC stop work orders and conditions of permits from other agencies.

It is absolutely essential that violators such as this receive the maximum penalty both as a punishment and to deter other potential violators. It is equally important that violators be required to restore properties to their previous natural condition. We find nothing in the history of this enforcement violation that would warrant any reduction in the penalty amount.

Behavior such as this is a significant threat to the health and natural resources of the Estuary. We urge your prompt action on this outrageous series of violations.

Thank you for acting on our recommendation.

Sincerely,


Barbara Salzman, Co-chair
Conservation committee


Phil Peterson, Co-chair
Conservation Committee