

Law Office of Jack Silver

P.O. Box 5469 Santa Rosa, California 95402
Phone 707-528-8175 Fax 707-528-8675
lhm28843@sbcglobal.net



Via Certified Mailing – Return Receipt

February 23, 2011

Rod Huls, General Manager
Bodega Bay Public Utilities District
265 Doran Park Road
P.O. Box 70
Bodega Bay, CA 94923

Lohn S. Locey, P.E., President
and Registered Agent for Service
Brelje & Race Consulting Civil Engineers
475 Aviation Boulevard, Suite 120
Santa Rosa, CA 95403

Re: Notice of Violations and Intent to File Suit Under the California Coastal Act

Dear Mr. Huls and Mr. Locey:

Northern California River Watch (“River Watch”) believes the Bodega Bay Public Utilities District (“BBPUD”) has failed and is failing to comply with the permitting requirements of the California Coastal Act (Public Resources Code § 30000 *et seq.*) for development on its properties located in Bodega Bay.

The Coastal Act requires that all non-exempt “development” in the coastal zone be appropriately permitted, which in the case of BBPUD would be a coastal development permit(s) (“CDP”) issued by the County of Sonoma. “Development” is broadly defined in the Coastal Act to mean, in relevant part:

“ ... the placement or erection of any solid material or structure ... grading, removing, dredging ... change in the density or intensity of use of land ... change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility or any private, public, or municipal utility ...”

“ ... ‘structure’ includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical transmission and distribution line.”

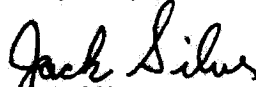
River Watch’s concern, based on a review to date of publicly available records, is that BBPUD has failed to obtain one or more CDPs for “development” as defined under the Coastal Act on its properties in the coastal zone.

River Watch is providing you with notice herewith that following the expiration of sixty (60) days from the date of receipt of this Notice, it intends to file suit against BBPUD for failure to comply with the permitting requirements of the Coastal Act. During the 60-day notice period, River Watch is willing to discuss effective remedies for the violations identified in this Notice. However, if BBPUD wishes to pursue such discussions in the absence of litigation, it is suggested those discussions be initiated soon so that they may be completed before the end of the 60-day notice period. River Watch does not intend to delay the filing of the lawsuit if discussions are continuing when the notice period ends.

River Watch has retained legal counsel with respect to the issues set forth in this Notice. All communications should be addressed to:

Jack Silver, Esq.
Law Offices of Jack Silver
P.O. Box 5469
Santa Rosa, CA 95402-5469
Tel. 707-528-8175
Fax. 707-528-8675
Email: lhm28843@sbcglobal.net

Very truly yours,


Jack Silver

JS:lhm