

Bodega Bay Public Utility District Drought Contingency Plan

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1. Declaration of policy, purpose, and intent

1.1 General

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Bodega Bay Public Utility District (the “District”) hereby adopts the following regulations and restrictions on the delivery and consumption of water.

The primary focus is placed on best management practices to manage water use demand, while evaluating options for alternative water supply sources. Water uses regulated or prohibited under the Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in this Plan.

1.2 Water use priorities

The risks to public health from water shortages could be high and include issues of water quality, water quantity, sanitation, and hygiene for personal use and food preparation. As a result of this, the Plan establishes the following priorities for use in developing demand reduction programs and allocations during a water shortage emergency. Priorities for use of available water, from highest to lowest priority, are:

1. Health and safety: residential home interior uses, sanitation, and fire fighting
2. Commercial, industrial, and governmental: maintain jobs and economic base
3. Existing landscaping: especially trees and shrubs
4. New demand: projects without permits when shortage is declared

1.3 Application

The provisions of this Plan shall apply to all customers and property utilizing water provided by the Bodega Bay Public Utility District public water system.

2. Authorization

The Bodega Bay Public Utility District General Manager, or his/her designee, is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The designated official or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

3. Definitions

For the purposes of this Plan, the following definitions shall apply:

- a) **Aesthetic water use:** water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.
- b) **Commercial and institutional water use:** water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings. The term is also referred to as non-residential water use.
- c) **Conservation:** those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.
- d) **Customer:** any person, company, or organization using water supplied by the public water system.
- e) **Domestic water use:** water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence. The term is also referred to as residential water use.
- f) **Drought level or stage:** severity of the drought conditions indicated by the impact and/or vulnerability triggering criteria for the water source and capacity to meet demand, and corresponding best management practices to mitigate impacts.
- g) **Even number address:** street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.
- h) **Industrial water use:** the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

- i) **Landscape irrigation use:** water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.
- j) **Non-essential water use:** water uses that are neither essential nor required for the protection of public, health, safety, and welfare.
- k) **Non-residential water use:** the term is also referred to as commercial or institutional water use.
- l) **Odd numbered address:** street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.
- m) **Public water system:** a system for the provision to the public of water for human consumption through pipes or other constructed conveyances. The term is also referred to as community water system.
- n) **Residential water use:** the term is also referred to as domestic water use.

4. Criteria for initiating and termination of drought response stages

The General Manager shall monitor water supply on a periodic basis as determined by the severity of the drought, and determine when conditions warrant initiation or termination of each stage of the Plan based on the specified triggering criteria.

The triggering criteria are based on:

- a) Long or short term changes in measured source water well levels that would indicate that ground water aquifer(s) are being depleted at a rate that is unsustainable;
- b) Sudden or gradual changes in source water quality that might indicate that a ground water aquifer is under stress from lack of recharge;
- c) Any sudden or catastrophic loss of water storage or production capacity;
- d) Any other loss of water production or storage capacity that could result in a threat to public health or safety;
- e) State emergency regulations applicable to the District.

5. Public education and notification

The District shall provide community outreach, education, and notification about the Plan will include information about the conditions under which each stage is to be initiated or terminated, the drought response measures to be implemented in each stage, and the specific actions required of the public.

6. Triggering criteria and stages of action

The triggering criteria described below are based on an analysis of the vulnerability of the water source under anticipated drought conditions and system capacity limits. The drought condition stage, water shortage triggering criteria, and corresponding demand reduction goals are presented in the Table below.

Table 3: Level of water shortage, triggering criteria, and demand reduction goals

Stage Level	Stage title	Water shortage condition and triggering criteria	Demand reduction goal	Program type
1	Normal	Abnormally dry, minor shortage: 0-10%	10%	Voluntary
2	Alert	Moderate shortage: 10-25%	25%	Mandatory
3	Warning	Severe drought: 25-35%	35%	Mandatory
4	Critical	Extreme drought: 35-50%	50%	Mandatory
5	Emergency	Exceptional drought: over 50%	Over 50%	Mandatory

A water shortage may trigger any stage of response actions and include best management practices for supply management and demand reduction.

In some cases it may be necessary for the District General Manager to immediately implement an advanced stage of the Plan. This may occur due to information that indicates likely increased severity in the drought conditions (e.g. to serve as a preemptive action) or when the health and safety of the community are at an increased risk. The conditions that may trigger specific stages of the Plan are specified below.

6.1 Stage 1: Minor/abnormally dry conditions (Watch)

Requirements for initiation

Customers shall be *requested* to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section 3 (Definitions) when:

- a) The one-year change in the static water level in the well(s) indicates a downward trend and the change in the depth of static water level exceeds 2 feet, or;

- b) The State Governor or authorized State or local authority issues a drought declaration at Level/Stage 1, or;
- c) Any combination of circumstances reduces the water system's overall water supply or production capabilities by 10% or more.

Requirements for termination

Stage 1 of the Plan *may* be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days.

6.1 Stage 2: Moderate conditions (Alert)

Requirements for initiation

Customers shall be *required* to comply with the requirements and restrictions on certain non-essential water uses provided in Section 6 of this Plan when:

- a) The one-year change in the static water level in the well(s) indicates a downward trend and the change in the depth of static water level exceeds 4 feet, or;
- b) The State Governor or authorized State or local authority issues a drought declaration at Level/Stage 2, or;
- c) Any combination of circumstances reduces the water system's overall water supply or production capabilities by 20% or more.

Requirements for termination

Stage 2 of the Plan *may* be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

6.2 Stage 3: Severe conditions (Warning)

Requirements for initiation

Customers shall be *required* to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when:

- a) The one-year change in the static water level in the well(s) indicates a downward trend and the change in the depth of static water level exceeds 6 feet, or;

- b) The State Governor or authorized State or local authority issues a drought declaration at Level/Stage 3, or;
- c) Any combination of circumstances reduces the water system's overall water supply or production capabilities by 30% or more.

Requirements for termination

Stage 3 of the Plan *may* be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

6.3 Stage 4: Extreme conditions (Critical)

Requirements for initiation

Customers shall be *required* to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when:

- a) The one-year change in the static water level in the well(s) indicates a downward trend and the change in the depth of static water level exceeds 8 feet, or;
- b) The State Governor or authorized State or local authority issues a drought declaration at Level/Stage 4, or;
- c) Any combination of circumstances reduces the water system's overall water supply or production capabilities by 40% or more.

Requirements for termination

Stage 4 of the Plan *may* be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

6.4. Stage 5: Exceptional conditions (Emergency)

Requirements for initiation

Customers shall be *required* to comply with the requirements and restrictions on certain non-essential water uses for Stage 5 of this Plan when:

- a) The one-year change in the static water level in the well(s) indicates a downward trend and the change in the depth of static water level exceeds 10 feet, or;
- b) The State Governor or authorized State or local authority issues a drought declaration at Level/Stage 5, or;
- c) Any combination of circumstances reduces the water system's overall water supply or production capabilities by 50% or more.

Requirements for termination

Stage 5 of the Plan *may* be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days. Upon termination of Stage 5, Stage 4 becomes operative.

7. Response actions

The Bodega Bay Public Utility District shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section 6 of this Plan, shall determine whether a watch, alert, warning, critical, or emergency water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The customers of the Bodega Bay Public Utility District shall be notified by means of any or all of the following: Board meetings, inserts with utility bills, mailings, postings at the District offices and facilities, postings on the District website, flyers, or other means as designated by the Board. At its discretion the Board or the District General Manager shall also notify, or cause to be notified, agencies or organizations it believes may be affected.

A brief description of the response actions for each stage of the Plan are specified below.

7.1.1 Stage 1 response actions

Target and public message

Target: Achieve a **voluntary** reduction of 10% of total daily water demand.

Public message: *Due to abnormally dry conditions this winter, we are asking all customers to voluntarily cut back on water use by 10% in order to stretch the available water supply. The water users should stop using water for non-essential purposes and conserve where possible in case the dry period continues through the year. If everyone cooperates and the water supplies are not impacted anymore, we may avoid more stringent water restrictions. Wasting water hurts everyone.*

Voluntary Water Use Restrictions for Reducing Demand:

- a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- b) All operations of the Bodega Bay Public Utility District shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

7.1.2 Stage 2 response actions

Target and public message

Target: Achieve a **mandatory** reduction of 25% of total daily water demand.

Public message: *It is necessary to impose mandatory restrictions on water use to ensure that throughout the duration of this water shortage an adequate supply of water is maintained for public health and safety purposes. Our overall goal is to reduce water use by 25%, which can be achieved if everyone cuts back their*

outdoor watering and other non-essential uses. We are relying on cooperation and support of all water users to abide by all restrictions and to reach this goal. Otherwise, the shortage could deteriorate into a more serious emergency that requires household water allocations to avoid depleting that available water supply.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- e) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the Bodega Bay Public Utility District.
- f) All restaurants are prohibited from serving water to patrons except upon request of the patron.

The following uses of water are defined as non-essential and are prohibited:

1. Wash-down of any sidewalks, walkways, driveways, parking lots, or other hard-surfaced areas;
2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. Use of water for dust control;
4. Permitting water to run or accumulate in any gutter or street; and
5. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

7.1.3 Stage 3 response actions

Target and public message

Target: Achieve a **mandatory** reduction of 35% of total daily water demand.

Public message: *The Bodega Bay Public Utility District faces a serious water shortage emergency due to prolonged drought. To conserve the available water supply for the greatest public benefit while minimizing impacts on our local economy, it has become necessary to institute a water allocation program for all residential customers. Our goal is to reduce system water demand by [35%]. While water allocation amounts are adequate for normal domestic needs, significant cuts to outdoor water use may be necessary to remain within set allocations. All customers are urgently asked to make every effort to conserve water and abide by watering restrictions or face further reductions in water allotments.*

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- b) The use of water for construction purposes from designated fire hydrants under special permit shall be discontinued.

7.1.4 Stage 4 response actions

Target and public message

Target: Achieve a **mandatory** reduction of 50% of total daily water demand.

Public message: *Due to continuing deterioration and scarcity of the available water supply, all customers are subject to reduced water allocations. The current water shortage has become very severe. We must all continue to conserve water to the maximum extent possible and strive to maintain water use within our established water allocation limits as long as the drought endures in order to prevent a water crisis.*

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

7.1.5 Stage 5 response actions

Target and public message

Target: Achieve a **mandatory** reduction of over 50% of total daily water demand.

Public message: *The Bodega Bay Public Utility District is confronted with a critical water shortage emergency of unprecedented proportions. At this time, there exists barely enough drinking water for the most essential human health, sanitation, and safety needs. As a result, all outdoor water use is prohibited. We understand the hardship this extraordinary condition poses to every customer, and we appreciate the sacrifices people are making to ensure that water system does not run dry. Everyone is urgently requested to do whatever necessary to maintain water use within or below their allotted amount.*

Optional Water use allocations

General

In the event that water shortage conditions threaten public health, safety, and welfare, the District Board of Directors or the District General Manager is hereby authorized to allocate water according to the following water allocation plan in the Table listed below.

Table 4: Stage water use allocations

Customer/connection type	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
Residential	Normal or 200 gpcd	Normal or 100 gpcd	75 gpcd	50 gpcd	25 gpcd
Commercial/institutional	Normal	90% of average	85% of average	65% of average	50% of average
Landscape irrigation	Normal	90% of average	50% of average	0% of average	0% of average

Note: gallons per capita per day is gpcd.

Table 5: Stage 4, 5, and rationing residential water use allocations requirements

Residential water uses	Stage 4 requirements (gpcd)	Stage 5 requirements (gpcd)	Rationing requirements (gpcd)
Drinking	2.5	2.5	2.5
Cooking	5.0	2.5	2.0
Personal washing	15.0	12.5	7.5
Sanitation	5.0	2.5	1.5
Washing clothes	2.5	2.5	1.5
Cleaning home	5.0	2.5	0
Growing food/garden	15.0	0	0
Total	50	25	15

Residential customers may have some livestock, and will be entitled to an allocation to meet the needs of the animals. Residential customers with livestock should follow water conservation practices including repairing leaks, dripping faucets, practice of filling water tubs and tanks, and cleaning floors and equipment. The Table below provides a list of daily water needs of some common animals.

Table 6: Water needs for farm animals

Type of animal	Daily water requirements (gallons per day)
Horse	12
Cow	20-45
Beef animal	8-12
Swine/pig	3-5
Sheep/goats	2-4
Poultry/fowl (per 100)	8-15

8. Residential customer single-family

The allocation to residential water customers residing in a single-family dwelling shall be based on the persons per household at the level given in Table 4. A “household” means the residential premises served by the

customer's water service line and/or water meter. Persons per household include only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of two (2) persons unless the customer notifies the District in writing of a greater number of persons per household.

It shall be the customer's responsibility to go to the District Office to complete and sign the necessary form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the District Board of Directors or District General Manager. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the District and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the District in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the designated official shall adopt methods to insure the accuracy of the claim.

8.1 Supply management best management practices

Best management practices for supply management include:

- a) Discontinue flushing of water mains; for emergency purposes only.
- b) Intensify leak detection and repair program.
- c) Intensify program for water waste patrols.
- d) Use of reclaimed water for non-potable purposes.
- e) Use of an alternative water source(s).

8.2 Demand reduction best management practices

Best management practices for demand reduction include:

- a) Implement Stage 5 water consumption allocations for all customers (see Table 4).
- b) Water use reduced to health and safety needs only. All other uses are prohibited.

9. Residential customer master-metered multi-family

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (e.g. apartments, mobile homes) shall be allocated based on (2) persons in each dwelling unit per month. It shall be assumed that such a customer's meter serves two dwelling units unless the

customer notifies the designated official of a greater number on a form prescribed by the District Board of Directors or District General Manager. It shall be the customer's responsibility to go to the District Office to complete and sign the form claiming more than (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not.

New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the District Board of Directors or District General Manager. If the number of dwelling units served by a master meter is reduced, the customer shall notify the District in writing within two (2) days. In prescribing the method for claiming more than (2) dwelling units, the District Board of Directors or District General Manager shall adopt methods to insure the accuracy of the claim.

9.1 Commercial customers

A monthly water allocation shall be established by the District Board of Directors or District General Manager, or his/her designee, for each non-residential commercial customer. The non-residential customer's allocation shall be based on Table 4, and the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists.

The District Board of Directors or District General Manager shall strive to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the District Office to determine the allocation. Upon request of the customer or at the initiative of the District Board of Directors or District General Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, (2) one non-residential customer agrees to transfer part of its allocation to another non-residential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation to the District General Manager. If the customer is not satisfied with the General Manager's decision the customer may then appeal to the District Board of Directors.

10. Enforcement

- a) No person shall knowingly or intentionally allow the use of water from the public water system for any purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Board of Directors or General Manager in accordance with provisions of this Plan.
- b) Any person who violates this Plan shall be fined:
 1. For the first incident, a warning shall be issued and the fee in the amount of (\$50) that would otherwise be imposed shall be deferred. The deferral shall be conditioned on the customer not having an additional incident of water wastage within a one-year period. The deferred fee shall be collected if a second incident of water wastage occurs within a one-year period.
 2. For the second incident, the fee shall be not less than \$50. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense.

3. For the third incident or more distinct violations of this Plan within a one-year period, the General Manager shall, upon due notice to the customer, be authorized to take any or all of the following actions:
 - i. Require the customer to repair any defects in the water system of such customer within 14 days of notice;
 - ii. Install or cause to be installed flow restrictors or termination of water service for exterior use;
 - iii. Terminate all water service to a customer unless in the opinion of the Board of Directors or General Manager such termination would result in an unreasonable risk to the health and safety of the persons;
 - iv. Restore services discontinued under such circumstances, only upon payment of a re-connection charge, hereby established at \$150, and any other costs incurred by the Bodega Bay Public Utility District in discontinuing service.
 - v. Presume that any person, including a person classified as a water customer of the Bodega Bay Public Utility District, in apparent control of the property where a violation occurs or originates, is the violator. Proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
 - vi. Cause any employee of the Bodega Bay Public Utility District, police officer, or other designated official, to issue a citation to a person he/she reasonably believes to be in violation of this Plan. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence.

11. Variances

The District Board of Directors or District General Manager may in writing grant a temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance, and if one or more of the following conditions are met:

1. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect, and/or
2. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the District within ten days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the District General Manager and shall include the following:

- a) Name and address of the petitioner(s).
- b) Purpose of water use.
- c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.
- e) Description of the relief requested.
- f) Period of time for which the variance is sought.
- g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- h) Other pertinent information.

Variances granted by the District shall be subject to the following conditions, unless waived or modified by the designated official:

1. Variances granted shall include a timetable for compliance.
2. Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

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