



San Francisco Bay Regional Water Quality Control Board

September 19, 2014
CIWQS Place ID 245331 (HTK)

Certified Mail No. 7014 0510 0001 3749 6053
Return Receipt Requested

North Marin Water District
Attn: Mr. Robert Clark, Superintendent
999 Rush Creek Place
P.O. Box 146
Novato, CA 94948

Email: rclark@nmwd.com

**Subject: Administrative Civil Liability Complaint R2-2014-1024
for Unauthorized Chlorinated Water Discharge from Wild Horse Storage
Tank, Novato, Marin County**

Dear Mr. Clark:

The enclosed Complaint R2-2014-1024 (Complaint) proposes to assess a \$45,500 administrative civil liability (ACL) against North Marin Water District (District). This liability is based on the allegation that the District discharged of 204,000 gallons of chlorinated potable water on May 22, 2014, to waters of the State and the United State in violation of Water Code sections 13376 and 13243.

The District can respond to the Complaint by appearing before the Regional Water Board at a public hearing to contest the matter or by signing a waiver to pursue other options.

1. The Complaint can be contested before the Regional Water Board at the following meeting:

Date/Time: December 10, 2014, commencing at 9:00 a.m.
Place: First Floor Auditorium, Elihu Harris Building
1515 Clay Street, Oakland

At this meeting, the Regional Water Board will consider whether to impose administrative civil liability (as proposed in the Complaint or for a different amount), decline the administrative civil liability, or refer the matter to the Attorney General for judicial enforcement at a public hearing.

Please refer to the enclosed Public Notice and Hearing Procedure for the Complaint and the ACL Fact Sheet for additional information about the Regional Water Board's process, hearing procedure, and important deadlines (for submitting comments or evidence, obtaining

designated party status, waiving or postponing a hearing, making objections or rebuttals to evidence, etc.).

2. The public hearing that has been scheduled (above) can be waived to pursue one of the following options:
 - a. Pay the liability as proposed in the Complaint;
 - b. Request more time and postpone the date of the public hearing;
 - c. Promptly engage in settlement discussions with the Regional Water Board Prosecution Team;
 - d. Propose a Supplemental Environmental Project (SEP), where partial payment of the penalty may be deferred towards completion of an environmental project (see the enclosed SEP Policy for more information on such projects).

The enclosed Waiver Form describes these options in further detail, and it also provides the deadline for submitting an SEP proposal (if this option is selected). To pursue one of these options, **the Waiver must be signed, dated, and received by Ms. Yuri Won (a representative of the Regional Water Board Advisory Team) with a copy to the Prosecution Team contact listed below no later than 5:00 p.m. on October 20, 2014. It is at the discretion of the Regional Water Board Advisory Team to either accept or deny a waiver request.**

For more information about SEPs and the project selection and proposal approval process, please contact Athena Honore of the San Francisco Estuary Project (SFEP) at (510) 622-2325 or ahonore@waterboards.ca.gov. To see examples of current and completed projects, visit SFEP's website <http://www.sfestuary.org/projects/list.php>.

If you wish to communicate directly with the Prosecution Team regarding the Complaint, please contact Habte Kifle at (510) 622-2371 or hkifle@waterboards.ca.gov.

Please refer to the letterhead for our mailing address and fax number.

Sincerely,



Dyan C. Whyte
Assistant Executive Officer

Enclosures: ACL Complaint R2-2014-1024
Waiver Form for ACL Complaint R2-2014-1024
Public Notice and Hearing Procedure for ACL Complaint R2-2014-1024
Administrative Civil Liability Fact Sheet
State Water Resources Control Board Policy on Supplemental Environmental
Projects, February 3, 2009.

Copy to: Regional Water Board Lyris Enforcement email list

Regional Water Board Advisory and Prosecution Teams
Cris Carrigan, State Water Board, Office of Enforcement
Jack Barry, Concerned Resident, gojackgojack@gmail.com