

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
NORTH COAST REGION**

**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R1-2026-0006**

**IN THE MATTER OF  
WINDSOR WATER DISTRICT  
WINDSOR WASTEWATER TREATMENT, RECLAMATION, AND DISPOSAL  
FACILITY  
SONOMA COUNTY**

This Amended Administrative Civil Liability Complaint (Complaint) is issued by the Assistant Executive Officer of the North Coast Regional Water Quality Control Board (Regional Water Board) to the Windsor Water District Wastewater Treatment, Reclamation, and Disposal Facility (Discharger) (collectively, Parties) for violations of effluent limitations contained in Waste Discharge Requirements (WDRs) Order No. R1-2020-0010 (2020 Order), National Pollutant Discharge Elimination System (NPDES) Permit No. CA0023345, for which the Regional Water Board may impose civil liability pursuant to California Water Code (Water Code) section 13385. The Regional Water Board’s Executive Officer has delegated her/his authority under Water Code section 13323 to issue this Complaint to the Assistant Executive Officer.

1. Windsor Wastewater Treatment, Reclamation, and Disposal Facility (Facility) is a publicly owned treatment works (POTW) located at 8400 Windsor Road, Windsor, CA 95492, Sonoma County, CA. The Facility is regulated under WDRs Order No. R1-2020-0010. The 2020 Order serves as both an NPDES permit and as WDRs for discharges from the facility.
2. The Regional Water Board adopted WDRs Order No. R1-2020-0010 on August 20, 2020, which became effective on October 1, 2020. The 2020 Order established, among other things, final effluent limitations for the discharges from the Discharger’s permitted discharge location, Discharge Point 001-Discharge to Storage Pond.
3. Section IV.A. of the 2020 Order contains, in part, the following effluent limitations for Biochemical Oxygen Demand 5- day @ 20°C (BOD5), and Total Coliform with which the Discharger is required to maintain compliance at Discharge Point 001:

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	7-Day Median	Maximum Daily	Once within any 30-day Period
Biochemical Oxygen	mg/L	10	15	--	--	--

Demand 5-day @ 20°C (BOD5)						
Total Coliform	MPN/100mL	--	--	2.2	240	23

**ALLEGATIONS:**

4. The Discharger’s own self-monitoring reports (SMRs) from June 8, 2024 through June 24, 2025, show that it violated the above-referenced Biochemical Oxygen Demand 5- day @ 20°C effluent limitation five (5) times and Total Coliform effluent limitation on eight (8) occasions as identified in Exhibit A. Exhibit A is attached hereto and is incorporated herein by this reference. This Complaint only addresses administrative civil liability for the violations specifically identified in Exhibit A, which are subject to mandatory minimum penalties (MMPs) under Water Code section 13385 (h) and/or (i).

**LEGAL PROVISIONS UPON WHICH LIABILITY IS BASED:**

5. Water Code section 13385 (h)(1) requires the Regional Water Board to assess a MMP of three thousand dollars (\$3,000) for each serious violation.
6. Water Code section 13385(h)(2), defines a “serious violation” as “any waste discharge that violates the effluent limitations contained in the applicable [WDRs] for a Group II pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more.”
7. Water Code section 13385(i)(1) also requires the Regional Water Board to assess a MMP of three thousand dollars (\$3,000) for each violation, not counting the first three violations, if the Discharger does any of the following four or more times in a period of six consecutive months:
  - a. Violates a waste discharge requirement effluent limitation;
  - b. Fails to file a report pursuant to section 13260;
  - c. Files an incomplete report pursuant to section 13260; or
  - d. Violates a toxicity effluent limitation contained in the applicable WDRs where the WDRs do not contain pollutant-specific effluent limitations for toxic pollutants.
8. Water Code section 13385(i)(2) defines a “period of six consecutive months” to mean “the period commencing on the date that one of the violations described in this subdivision occurs and ending 180 days after that date.”

9. Water Code section 13385.1(a)(1) also defines a “serious violation” as a failure to file a discharge monitoring report required pursuant to Section 13383 for each complete period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations.

**PROPOSED ADMINISTRATIVE CIVIL LIABILITY ASSESSMENT:**

10. The Assistant Executive Officer proposes that the Discharger be assessed an MMP of thirty-nine thousand dollars (\$39,000) for exceeding the effluent limitations for BOD5 and Total Coliform specifically identified in Exhibit A.

**THE DISCHARGER IS HEREBY GIVEN NOTICE THAT:**

11. The Regional Water Board will hold a hearing on this Complaint on a date proposed by the Regional Water Board Advisory Team on February 18 or 19, 2026. The meeting is tentatively scheduled to take place in the City of Santa Rosa in Sonoma County, California, at a location to be announced, or at a location posted on the Regional Water Board’s website, unless the Discharger does one of the following by the deadline to submit the Waiver Form (Attachment B), which will be specified in the Notice of Public Hearing and Hearing Procedures that will subsequently be issued by the Advisory Team:
  - a. Waive the right to a hearing before the Regional Water Board and pay the proposed MMP of **\$39,000** in full;
  - b. Waive the right to a hearing-within-90-days before the Regional Water Board after service of this Complaint to engage the Regional Water Board Prosecution Team in settlement negotiations; or
  - c. Waive the right to a hearing-within-90-days before the Regional Water Board after service of this Complaint to extend the hearing date and/or hearing deadlines and allow additional time to prepare for hearing.
12. To select one of the waiver options identified above, the Discharger must complete the enclosed Waiver Form and submit it to the Regional Water Board Advisory Team. If the Discharger has questions about the Waiver Form or wishes to request an extension to the deadline, it should contact the Regional Water Board Advisory Team.

All submittals and communications to the Advisory Team shall be sent to:

**Advisory Team**  
Valerie Quinto  
Executive Officer  
Regional Water Quality Control Board  
North Coast Region

[Valerie.Quinto@waterboards.ca.gov](mailto:Valerie.Quinto@waterboards.ca.gov)

Nathan Jacobsen  
Attorney IV  
Office of Chief Counsel  
State Water Resources Control Board  
(916) 341-5181  
[Nathan.Jacobsen@waterboards.ca.gov](mailto:Nathan.Jacobsen@waterboards.ca.gov)

Bayley Toft-Dupuy  
Attorney IV  
Office of Chief Counsel  
State Water Resources Control Board  
(916) 341-5165  
[Bayley.Toft-Dupuy@waterboards.ca.gov](mailto:Bayley.Toft-Dupuy@waterboards.ca.gov)

13. If a hearing takes place, it will be governed by the Hearing Procedures issued with this Complaint and subject to revision by the Advisory Team.
14. During the hearing, the Regional Water Board will hear testimony and arguments and affirm, reject, or modify the proposed MMP amount, or determine whether to refer the matter to the Attorney General for recovery of judicial civil liability.
15. Notwithstanding the issuance of this Complaint, the Regional Water Board retains the authority to assess additional penalties for violations of the requirements of the Discharger's WDRs for which penalties have not yet been assessed or for violations that may subsequently occur.
16. Issuance of this Complaint is an enforcement action and is, therefore, exempt from the California Environmental Quality Act (CEQA) Pub. Resources Code section 21000 *et seq.*) pursuant to 14 California Code of Regulations section 15321(a)(2).

Claudia E. Villacorta, P.E.  
Assistant Executive Officer

Attachments:

- A. Exhibit A: List of Violations Requiring Mandatory Minimum Penalties
- B. Hearing Waiver Form for Administrative Civil Liability Complaint

MANDATORY PENALTY ADMINISTRATIVE CIVIL LIABILITY

Windsor Water District

Windsor Wastewater Treatment, Reclamation, and Disposal Facility

WDID No. 1B820370SON NPDES No. CA0023345

EXHIBIT "A"

**Effluent Limitation Violations Requiring Mandatory Minimum Penalties**

#	Violation Number	Violation Date	Constituent	Pollutant Group	Limitation Period	Limit	Result/Average	Units	Exempted from MMP?	% Over Limit	Date 180 Days Prior	Serious or Chronic Violation?	No. of Violations within 180 days	Mandatory Fine?	Water Code	Penalty
1	1130218	06/08/2024	BOD5	Group 1	Weekly Average	15	20	mg/L	N	33%	12/11/2023	N/A	1	N		\$ 0
2	1130217	06/22/2024	BOD5	Group 1	Weekly Average	15	22.5	mg/L	N	50%	12/25/2023	N/A	2	N		\$ 0
3	1130216	06/30/2024	BOD5	Group 1	30-Day Average	10	15.1	mg/L	N	51%	01/02/2024	N/A	3	N		\$ 0
4	1135086	07/13/2024	BOD5	Group 1	Weekly Average	15	17	mg/L	N	13%	01/15/2024	C	4	Y	13385(i)	\$ 3,000
5	1135083	07/20/2024	BOD5	Group 1	Weekly Average	15	17.8	mg/L	N	19%	01/22/2024	C	5	Y	13385(i)	\$ 3,000
6	1135085	07/27/2024	BOD5	Group 1	Weekly Average	15	15.4	mg/L	N	3%	01/29/2024	C	6	Y	13385(i)	\$ 3,000
7	1135084	07/31/2024	BOD5	Group 1	Monthly Average	10	15.4	mg/L	N	54%	02/02/2024	S	7	Y	13385(i)	\$ 3,000
8	1135082	08/03/2024	BOD5	Group 1	Weekly Average	15	21.5	mg/L	N	43%	02/05/2024	S	8	Y	13385(i)	\$ 3,000
9	1145367	05/01/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/02/2024	N/A	1	N		\$ 0
10	1145376	05/02/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/03/2024	N/A	2	N		\$ 0
11	1145374	05/03/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/04/2024	N/A	3	N		\$ 0
12	1145372	05/07/2025	Total Coliform	Other	Not to exceed a	23	27.2	MPN/100	N	N/A	11/08/2024	C	4	Y	13385(i)	\$ 3,000
13	1145377	05/09/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/10/2024	C	5	Y	13385(i)	\$ 3,000
14	1145375	05/10/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/11/2024	C	6	Y	13385(i)	\$ 3,000
15	1145370	05/11/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/12/2024	C	7	Y	13385(i)	\$ 3,000
16	1145368	05/12/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/13/2024	C	8	Y	13385(i)	\$ 3,000
17	1145369	05/13/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/14/2024	C	9	Y	13385(i)	\$ 3,000
18	1145371	05/14/2025	Total Coliform	Other	7-Day Median	2.2	3.1	MPN/100	N	N/A	11/15/2024	C	10	Y	13385(i)	\$ 3,000
19	1145373	06/24/2025	Total Coliform	Other	Daily Maximum	240	2419.6	MPN/100	N	N/A	12/26/2024	C	11	Y	13385(i)	\$ 3,000

**Total Penalty: \$39,000**

**Legend of Table**

1. - Violation occurs on sample date or last date of averaging period.
2. - For Group I pollutants, a violation is serious when the limit is exceeded by 40% or more  
- For Group II pollutants, a violation is serious when the limit is exceeded by 20% or more
3. - When a serious violation occurs on the same day as a chronic, the serious violation is only assessed an MMP once and is counted last for the day when determining the number of chronic violations to be assessed a penalty.

**Violation Period ending the last day of June 2025**

Group I Violations Assessed MMP: 5  
 Group II Violations Assessed MMP: 0  
 Other Effluent Violations Assessed MMP: 8  
 Violations Exempt from MMP: 0  
 Total Violations Assessed MMP: 13

**Mandatory Minimum Penalty = (0 Serious Violations + 13 Non-Serious Violations) x \$3,000 = \$39,000**

---

## North Coast Regional Water Quality Control Board

### WAIVER FORM FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT

By signing this waiver, I affirm and acknowledge the following:

I am duly authorized to represent the Windsor Water District, Windsor Wastewater Treatment, Reclamation, and Disposal Facility (Discharger) in connection with Administrative Civil Liability Complaint No. R1-2026-0006 (Complaint). I am informed that California Water Code section 13323, subdivision (b), states that, “a hearing before the regional board shall be conducted within 90 days after the party has been served [with the complaint]. The person who has been issued a complaint may waive the right to a hearing.”

***OPTION 1: Check here [ ] if the Discharger waive the hearing requirement and will pay the liability in full.***

- a. I hereby waive any right the Discharger may have to a hearing before the North Coast Regional Water Quality Control Board (Regional Water Board).
- b. I certify that the Discharger will remit payment for the proposed civil liability in the full amount of **thirty-nine thousand dollars (\$39,000)** by submitting a check that references “ACL Complaint No. R1-2026-0006” made payable to the Accounting Office, Attn: ACL Payment Accounting Office, PO Box 1888, Sacramento, California, 95812-1888, and a copy of the check to the Regional Water Board within 30 days from the date on which this waiver is executed.
- c. I understand the payment of the above amount constitutes a proposed settlement of the Complaint, and that any settlement will not become final until after a 30-day public notice and comment period. Should the Regional Water Board receive significant new information or comments from any source (excluding the Regional Water Board’s Prosecution Team) during this comment period, the Regional Water Board’s Assistant Executive Officer may withdraw the Complaint, return payment, and issue a new Complaint. I understand that this proposed settlement is subject to approval by the Regional Water Board, and that the Regional Water Board may consider this proposed settlement in a public meeting or hearing. I also understand that approval of the settlement will result in the Discharger having waived the right to contest the allegations in the Complaint and the imposition of civil liability.

Attachment B  
ACL R1-2026-0006  
Complaint Hearing Waiver Form

- d. I understand that payment of the above amount is not a substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject the Discharger to further enforcement, including additional civil liability.

***OPTION 2: Check here [ ] if the Discharger waive the 90-day hearing requirement in order to engage in settlement discussions.***

- a. I hereby waive any right the Discharger may have to a hearing before the Regional Water Board within 90 days after service of the Complaint, but I reserve the ability to request a hearing in the future. I certify that the Discharger will promptly engage the Regional Water Board Prosecution Team in settlement discussions to attempt to resolve the outstanding violation(s). By checking this box, the Discharger requests that the Regional Water Board delay the hearing so that the Discharger and the Prosecution Team can discuss settlement. It remains within the discretion of the Regional Water Board to agree to delay the hearing. Any proposed settlement is subject to the conditions described above under "Option 1." In these discussions, the Discharger may raise settlement options, including a Supplemental Environmental Project(s), that meet the State Water Resources Control Board's requirements. Copies of the State Water Resources Control Board's 2024 Water Quality Enforcement Policy and 2018 Policy on Supplemental Environmental Projects, are available at: [https://waterboards.ca.gov/water\\_issues/programs/enforcement/docs/2024/2024-enforcement-policy.pdf](https://waterboards.ca.gov/water_issues/programs/enforcement/docs/2024/2024-enforcement-policy.pdf) and [https://www.waterboards.ca.gov/water\\_issues/programs/enforcement/docs/seps/20180503\\_sep\\_policy\\_amd.pdf](https://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/seps/20180503_sep_policy_amd.pdf)

***OPTION 3: Check here [ ] if the Discharger waives the 90-day hearing requirement in order to extend the hearing date and/or hearing deadlines. Attach a separate sheet with the amount of additional time requested and the rationale.***

- a. I hereby waive any right the Discharger may have to a hearing before the Regional Water Board within 90 days after service of the Complaint. By checking this box, the Discharger requests that the Regional Water Board delay the hearing and/or hearing deadlines so that the Discharger may have additional time to prepare for the hearing. It remains within the discretion of the Regional Water Board to approve the extension.

**WINDSOR WATER DISTRICT  
WINDSOR WASTEWATER TREATMENT,  
RECLAMATION, AND DISPOSAL FACILITY**

---

(Print Name and Title)

---

(Signature)

---

(Date)