

**ACCEPTANCE OF CONDITIONAL RESOLUTION
AND WAIVER OF RIGHT TO HEARING; (PROPOSED) ORDER**

Los Angeles County Flood Control District
Settlement Offer No. R4-2024-0021
WDID No. 4 19M1000134

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board), the Los Angeles County Flood Control District (each individually a "Permittee" and collectively the "Permittees") hereby accepts the "Offer to Participate in the Expedited Payment Program" and waives the right to a hearing before the Los Angeles Water Board to dispute the alleged violations described in Exhibit 1, which is incorporated herein by reference.

Because the Permittees are jointly responsible for meeting permit requirements, at least one Permittee must sign and return this Acceptance and Waiver. The Permittee that signs this Acceptance and Waiver agrees that Exhibit 1 shall serve as a complaint pursuant to Article 2.5 of the California Water Code (Water Code) and that no separate complaint is required for the Los Angeles Water Board to assert jurisdiction over the alleged violations through its Chief Prosecutor. Permittee further agrees to pay the penalties required by Water Code section 13385 in the sum of \$93,000 (Expedited Payment Amount) which shall be deemed a payment in full of any civil liability pursuant to Water Code section 13385 that otherwise might be assessed for the violations described in Exhibit 1. Permittee understands that this Acceptance and Waiver waives its right to contest the allegations in Exhibit 1 and the assessment of civil liability for such violations.

Permittee understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in Exhibit 1.

Upon execution by Permittee, the completed Acceptance and Waiver shall be returned to:

Emma Averill, Enforcement II Unit
Expedited Payment Program
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Permittee understands that federal regulations set forth by title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the Los Angeles Water Board to publish notice of and provide at least thirty (30) days for public comment on any proposed resolution of this enforcement action. Accordingly, the Acceptance and Waiver, prior to execution by the Los Angeles Water Board Executive Officer, will be published as required by law for public comment.

If no significant comments are received within the notice period, the Acceptance and

Waiver will be presented to the Los Angeles Water Board Executive Officer for approval.

Permittee understands that if significant comments are received, the Los Angeles Water Board Prosecution Team may withdraw the offer. In that circumstance, Permittees will be advised of the withdrawal and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the Los Angeles Water Board. For such a liability hearing, Permittee understands that this Acceptance and Waiver executed by Permittee will not be used as evidence in that hearing.

Permittee further understands that once the Acceptance and Waiver is executed by the Los Angeles Water Board Executive Officer, Permittee is then legally bound to tender the full payment required by the deadline set forth below. In accordance with Water Code section 13385, subdivision (n)(1), funds collected for violations of effluent limitations and reporting requirements pursuant to Water Code section 13385 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the \$93,000 liability shall be paid by a cashier's or certified check made out to the "State Water Pollution Cleanup and Abatement Account" and reference [R4-2024-0021]. The payment must be submitted to the State Water Resources Control Board at the address set forth below no later than thirty (30) calendar days after the date the Acceptance and Waiver is executed by the Los Angeles Water Board Executive Officer.

A Permittee's submission of this Acceptance and Waiver and payment of the mandatory minimum penalty amount in no way prohibits that Permittee from seeking contribution and/or payment of that liability directly from other Permittees that were responsible in whole or in part for the exceedances.

Please mail the check to:

State Water Resources Control Board
ATTN: ACL PAYMENT
Division of Administrative Services, Accounting Branch
P.O. Box 1888
Sacramento, California 95812-1888

I hereby affirm that I am duly authorized to act on behalf of and to bind the Permittee in the making and giving of this Acceptance and Waiver.

Los Angeles County Flood Control District

By: Original signed by Adam Ariki
(Signed Name)

March 21, 2024
(Date)

Adam Ariki
(Printed or Typed Name)

Deputy Director
(Title)

R4-2024-0021

January 10, 2024

IT IS SO ORDERED PURSUANT TO WATER CODE SECTION 13323 AND
GOVERNMENT CODE SECTION 11415.60

By:

Susanna Arredondo
Executive Officer

Date