ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER AND WAIVER OF RIGHT TO HEARING;

ADMINISTRATIVE CIVIL LIABILITY ORDER R3-2026-0069

County of Santa Barbara Department of Public Works (Discharger)
Tajiguas Compost Management Facility
14470 Calle Real, Goleta, CA
Santa Barbara County
Waste Discharge Requirements General Order R3-2022-0035
National Pollutant Discharge Elimination System (NPDES) Permit CAG993004
WDID: 3 421224021

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing (Acceptance and Waiver) to the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), the Discharger hereby accepts the Conditional Settlement Offer from the Assistant Executive Officer to participate in the expedited payment program to settle the alleged violations and waives the right to a hearing before the Central Coast Water Board to dispute the alleged violations. The alleged violations are identified in the attached notice of violation (NOV).

The Discharger agrees that the NOV shall serve as a complaint pursuant to Division 7, Chapter 5, Article 2.5 of the California Water Code and that no separate complaint is required for the Central Coast Water Board to assert jurisdiction over the alleged violations. The Discharger agrees to pay the mandatory minimum penalties (Penalty Amount) authorized by California Water Code sections 13385 and 13385.1, as specified in the NOV, which shall be deemed payment in full of any civil liability pursuant to Water Code sections 13385 and 13385.1 that otherwise might be assessed for the violations described in the NOV. The Discharger understands that by signing this Acceptance and Waiver, the Discharger waives its right to contest the allegations in the NOV and the amount of administrative civil liability for such violations.

The Discharger understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the NOV.

The Discharger understands that federal regulations set forth in title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the Central Coast Water Board to publish notice of and provide at least 30 days for public comment on any proposed resolution of an enforcement action addressing NPDES permit violations. Accordingly, Central Coast Water Board staff will publish this Acceptance and Waiver for public comment.

If no public comments or new material facts are received within the public comment period that cause the Central Coast Water Board Assistant Executive Officer to reconsider the proposed Conditional Settlement Offer, the Executive Officer, through its delegated authority by the Central Coast Water Board, will consider execution of the Acceptance and Waiver as the executed Administrative Civil Liability Order R3-2026-0069 (ACL Order) that resolves the alleged violations identified in the NOV.

If significant public comments are received in opposition to the Acceptance and Waiver and/or new material facts become available that are relevant to the Acceptance and Waiver, the Central Coast Water Board Assistant Executive Officer may withdraw the Conditional Settlement Offer. In that circumstance, the Central Coast Water Board Assistant Executive Officer may issue a revised Conditional Settlement Offer or may issue an administrative civil liability complaint and the matter would be set for a hearing before the Central Coast Water Board. For such a civil liability hearing, the Discharger understands that this Acceptance and Waiver executed by the Discharger will not be used as evidence against the Discharger.

Penalty Amount: $45,000

The Discharger must fill in the blank boxes in Table 1 below to indicate how the Discharger will direct its payment of the Penalty Amount. Payment is not due until after Central Coast Water Board staff completes the public comment period and the Executive Officer issues the ACL Order as described herein.

The Discharger's payment options are shown below.

1. Payment Option 1 – Direct the entire Penalty Amount as Supplemental Environmental Project (SEP) funds towards the Bay Foundation of Morro Bay's (Bay Foundation) Central Coast Drinking Water Well Testing Program (Drinking Water Well Testing Program). See the *Bay Foundation's Drinking Water Well Testing Program – Use of Supplemental Environmental Project Funds summary document*[1] for more details about the program.

2. Payment Option 2 – Direct a portion of the Penalty Amount as SEP funds towards the Drinking Water Well Testing Program, and direct the remaining portion of the Penalty Amount to the State Water Pollution Cleanup and Abatement Account.[2] If the Discharger elects to allocate only a portion of the Penalty Amount towards the Drinking Water Well Testing Program, then the Discharger must pay the remaining Penalty Amount to the State Water Pollution Cleanup and Abatement Account.

3. Payment Option 3 – Reject the option to direct any of the Penalty Amount towards the Drinking Water Well Testing Program and instead pay the entire Penalty Amount to the State Water Pollution Cleanup and Abatement Account.

[1] Bay Foundation's Drinking Water Well Testing Program – Use of Supplemental Environmental Project Funds summary document:
https://www.waterboards.ca.gov/centralcoast/water_issues/programs/enforcement/docs/2024/summary-drinking-water-well-testing-sep.pdf
[2] Cleanup and Abatement Account:
https://www.waterboards.ca.gov/water_issues/programs/grants_loans/cleanup_and_abatement.html

For Payment Option 1 or 2, the Discharger will not have any additional obligations related to the Drinking Water Well Testing Program upon proof of payment to the Bay Foundation. Electing to pay all or a portion of the Penalty Amount to the Drinking Water Well Testing Program will not change the total Penalty Amount that must be paid to resolve the mandatory minimum penalties for the alleged violations.

Table 1: Penalty Amount Payment Option Selection

(***Please note that no payments are due at the time the Discharger returns this signed Acceptance and Waiver form to the Central Coast Water Board.***)

Payment Options	Mark "X" Below to Select One Payment Option	Enter SEP and CAA Portions of Penalty Amount ($) if Payment Option 2 Selected
Payment Option 1: Direct entire Penalty Amount as SEP funds to the Central Coast Drinking Water Well Testing Program		No entry required in this box. Entire Penalty Amount will be directed as SEP funds to the Central Coast Drinking Water Well Testing Program.
Payment Option 2: Direct portion of Penalty Amount as SEP funds to the Central Coast Drinking Water Well Testing Program, and the remaining portion to the State Water Pollution Cleanup and Abatement Account (CAA)	***If "X" marked in this box, then enter portion amounts in box to the right.***	Portion of Penalty Amount to direct as SEP funds to the Central Coast Drinking Water Well Testing Program: $_____ Portion of Penalty Amount to direct to the CAA: $_____ ***Sum of amounts entered in this box must equal the Penalty Amount.***
Payment Option 3: Direct entire Penalty Amount to the State Water Pollution Cleanup and Abatement Account (CAA)	**X**	No entry required in this box. Entire Penalty Amount will be directed to the CAA.

Upon signature by the Discharger, the Discharger must return this Acceptance and Waiver in pdf format via email or mail to:

Kelsey DeLong
Enforcement Coordinator

Email: kelsey.delong@waterboards.ca.gov
Central Coast Water Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

The Discharger understands that no payments are due at the time it returns the signed Acceptance and Waiver form to the Central Coast Water Board. After the required public comment period and execution of the Acceptance and Waiver as the executed ACL Order by the Executive Officer, the Central Coast Water Board will transmit the executed ACL Order to the Discharger. The transmittal letter will include payment due dates and payment instructions based on the payment options selected in the Acceptance and Waiver. The full payment of the Penalty Amount shall be due within 30 calendar days of the executed ACL Order. Furthermore, the Discharger understands that full payment within 30 calendar days of the executed ACL Order is a material condition of this Acceptance and Waiver. Failure to pay the Penalty Amount within the required time period may subject the Discharger to further liability.

IT IS SO STIPULATED.
I hereby affirm that I am duly authorized to act on behalf of and to bind the Discharger in the making and giving of this Acceptance and Waiver.

Original signed by Travis Spier
dated November 3, 2026

By:_____ _____
(Signed Name) (Date)

_____
(Printed or Typed Name)

_____
(Email)

_____
(Title)

IT IS HEREBY ORDERED pursuant to Water Code section 13323 and Government Code section 11415.60 on behalf of the California Regional Water Quality Control Board, Central Coast Region that ACL Order R3-2026-0069 is hereby adopted.

By:_____
Ryan E. Lodge
Executive Officer
Central Coast Water Board

Attachment: Notice of Violation

File Location: R:\RB3\Enforcement\EPLs\2026-0069 Tajiguas CMU\Tajiguas MMP EPL 26-0069_Waiver.docx

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