



State Water Resources Control Board

Name:
Source: «*Dutch Bill Creek; Green Valley Creek; Mark West Creek; or Mill Creek*» **Watershed**
County: **Sonoma**

**ATTACHMENT A – ACCEPTANCE AND WAIVER
ACCEPTANCE OF CONDITIONAL SETTLEMENT OFFER
AND WAIVER OF RIGHT TO HEARING OR RECONSIDERATION**

By signing below and returning this Acceptance of Conditional Settlement Offer and Waiver of Right to Hearing and Reconsideration (Acceptance and Waiver) to the State Water Resources Control Board (State Water Board), _____, (Recipient) hereby accepts the conditional settlement offer (Conditional Offer) and waives the right to a hearing before the State Water Board regarding the Administrative Civil Liability Complaint issued to Recipient (ACL Complaint), to which this Acceptance and Waiver is attached. Additionally, the Recipient waives the right to reconsideration of any order adopting the settlement agreement. These waived proceedings are the venues through which the violations alleged in the ACL Complaint could be disputed.

Recipient agrees to comply with Order WR 2015-0026-DWR¹ by submitting the requested information electronically via the web through the Online Informational Order Form within 20 days of receipt of the ACL Complaint.

Recipient understands that this Acceptance and Waiver waives the Recipient’s right to contest the allegations in the ACL Complaint and the civil liability amount for such violations.

Recipient understands that failure to fulfill the Recipient’s obligations under Order WR 2015-0026-DWR and to submit the signed Acceptance and Waiver within 20 days of receipt of the ACL Complaint, shall render the Conditional Offer void. If the Conditional Offer is deemed void due to Recipient’s non-performance, then the Assistant Deputy Director for Water Rights will issue a final ACL Order for the amount of \$2,500 for violations up to December 10, 2015, and shall seek recovery. Continued failure to submit the requested information electronically via the web through the Online Informational Order Form may result in additional penalties or enforcement action.

Recipient understands that providing incomplete data or data that are not true and correct to the best of Recipient’s knowledge could subject the Recipient to additional fines and void the settlement agreement.

Recipient understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the ACL Complaint. Once signed (executed) by Recipient, the Acceptance and Waiver shall be mailed to the following address:

¹Order WR 2015-0026-DWR, Order for Additional Information in the Matter of Diversion of Water from Dutch Bill Creek, Green Valley Creek, Portions of Mark West Creek, and Mill Creek Watersheds, as defined in California Code of Regulations, title 23, section 876(c)(1), dated August 24, 2015.

December 15, 2015

Conditional Settlement Offer
State Water Resources Control Board
Division of Water Rights – Public Trust Unit
Attention: Russian River Tributaries Informational Order ACL
P.O. Box 2000
Sacramento, CA 95812-2000

Recipient understands that this Acceptance and Waiver is not final until it is approved by the State Water Board or by the Deputy Director for Water Rights under delegated authority or by the Assistant Deputy Director for Water Rights under redelegated authority.

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

Signature

Date

Printed or typed name

Title

(Relationship to Recipient, if not Recipient)

Identification Code(s):

Please return the completed Acceptance and Waiver by mail to the address above.