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County Reaches Settlement Agreement in Lawsuit on OCPW Flood Control Channel Maintenance Project

Santa Ana, CA (February 17, 2017) — The County of Orange reached a final settlement in the matter of *Diehl v. County of Orange*, the lawsuit filed by the ACLU of Southern California (ACLU) challenging the County of Orange Public Works (OCPW) department maintenance project activities along the Santa Ana Riverbed

The settlement agreement dismisses the temporary restraining order filed against the County and includes no admission of fault on the part of the County, the Orange County Flood Control District or any officer, employee, or agent of the County.

The settlement agreement, which is effective on February 17, 2017, requires the County to post notices instructing all persons presently encamped in the project area to voluntarily relocate by February 23, 2017. It also states that any personal property in the project area after February 23, 2017, shall be held by the County for pick up at a storage facility for a period of 90 days, and that the County shall provide bus passes or transportation upon request for individuals to reclaim impounded property.

The County has agreed to pay the plaintiff's reasonable and substantiated attorney's fees, and the plaintiff agreed to not file any future legal challenges based on the same or similar facts. The amount of the attorney's fees has not yet been determined.

On February 23, 2017, the County will continue with the project and may enforce all existing trespassing laws.

The OCPW flood control channel maintenance and security project focuses on three priorities to ensure the County is prepared for flood-fighting activities: storage of rocks and sand, upgraded fencing, and levee repairs. Primarily, materials such as large rock ("riprap") and sand will be stored along the County maintenance road. These materials will be later used as needed to prevent flooding in neighborhoods and for beach replenishment around the County.

The project area is a County maintenance road and stockpile area for County operations only, and is restricted to the public. Unauthorized use of the project area is trespassing.

The County is aware that there are homeless encampments in the project area. Flood control channels are not a safe place to live. Links to existing resources and transportation to armories have been offered by the County of Orange Health Care Agency Outreach and Engagement Teams and the Orange County Sheriff's Department Homeless Liaison Officers.

The project is expected to extend through June 2017.

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