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**Subject:** Fahey ACL/CDO Hearing - Petition for Reconsideration Period, ACL Remittance Instructions, and Revised Service List of Participants  
**Date:** Tuesday, October 1, 2019 11:23:00 AM  
**Attachments:** [faheyacldo\\_servicelist\(revised100119\).pdf](#)

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Ladies and Gentlemen:

On September 17, 2019, the State Water Resources Control Board (State Water Board or Board) adopted an order issuing a cease and desist order and imposing administrative civil liability against G. Scott Fahey and Sugar Pine Spring Water, LP (collectively "Fahey"). No later than 30 days after adoption of the order, any interested person may file a petition with the Board for reconsideration of the matter upon any of the following causes (Wat Code, § 1122; Cal. Code Regs. tit. 23, § 768): (a) irregularity in the proceedings, or any ruling, or abuse of discretion, by which the person was prevented from having a fair hearing; (b) the decision or order is not supported by substantial evidence; (c) there is relevant evidence which, in the exercise of reasonable diligence, could not have been produced; or (d) error in law. Petitions for reconsideration should be addressed to:

Michael Buckman, Hearings Unit Chief  
State Water Resources Control Board  
Division of Water Rights  
PO Box 2000  
Sacramento, CA 95812-2000

Petitions for reconsideration may also be hand delivered to the following address:

Records Unit  
Attn: Michael Buckman  
State Water Resources Control Board  
Division of Water Rights  
Joe Serna Jr. CalEPA Building  
1001 I Street, 2nd Floor  
Sacramento, CA 95814

Couriers delivering petitions for reconsideration must check in with lobby security and have them contact the Division of Water Rights Records Unit, second floor at (916) 341-5421. The Records Unit will receive and date stamp petitions.

Please note that section 8.0(II)(A) of the adopted order requires Fahey to pay \$50,000 of the \$215,000 imposed administrative civil liability (ACL) immediately. In compliance with section 8.0(II)(A) of the order, Fahey shall remit a cashier's check or money order in the amount of \$50,000, payable to the State Water Resources Control Board. The payment's memo line should read "ACL WR Order 2019 - Fahey." The payment should be hand delivered to the address shown above or

mailed to:

Division of Water Rights  
Attn: Enforcement Section  
State Water Resources Control Board  
PO Box 2000  
Sacramento, CA 95812-2000

If this amount of the ACL is unpaid after the time for review under Water Code section 1120, et seq. has expired, the Deputy Director may seek a judgment against the G. Scott Fahey and Sugar Pine Spring Water, LP in accordance with Water Code section 1055.4.

Attached to this email is a revised Service List of Participants for the Fahey ACL/CDO hearing. Please note that Nicholas Whipps has been added as a contact for the City and County of San Francisco.

If you have any questions regarding this letter, please contact Mara Irby, Staff Environmental Scientist, at (916) 322-6794 or by email at [Mara.Irby@waterboards.ca.gov](mailto:Mara.Irby@waterboards.ca.gov) or Lily Weaver, Staff Counsel, at (916) 341-5184 or by email at [Lily.Weaver@waterboards.ca.gov](mailto:Lily.Weaver@waterboards.ca.gov).

Sincerely,

*Mara C. Irby*  
*Environmental Scientist*  
State Water Resources Control Board  
Division of Water Rights, Hearings Unit  
(916) 322-6794