
State Water Resources Control Board

Re: May 13 Status Conference Ruling

Dear Parties:

On May 13, 2025, the State Water Resources Control Board's Administrative Hearings Office (AHO) conducted a status conference in connection with the pending petitions for change and extension of time for Permit 14853 and Pending Water Right Application A031792 of North Gualala Water Company. In a joint status conference statement submitted to the AHO on May 9, 2025, North Gualala Water Company (North Gualala) and the California Department of Fish & Wildlife requested that the hearing for this matter be continued to October 2026. Based on the joint status conference statement and their representations at the status conference, I find that North Gualala and CDFW have demonstrated good cause for the requested continuance. An amended hearing notice adopting the schedule proposed in Attachment 2 of CDFW and North Gualala's joint status conference statement will be issued concurrently with this ruling.

NOAA Fisheries and Jerome P. Lucey did not appear at the status conference and failed to file complete NOIs by the deadline identified in the hearing notice. On May 15, 2025, I sent a letter to the parties directing NOAA Fisheries and Mr. Lucey to file complete NOIs no later than 11:59 p.m. on May 22, 2025. Because NOAA Fisheries declined to file an NOI, I find that NOAA Fisheries is no longer a party to this proceeding, should be removed from the service list, and that its protest should be canceled pursuant to Water Code section 1703.6 and section 766 of the State Water Board's regulations.

Mr. Lucey did file a complete NOI indicating that he intends only to present a policy statement at the start of the hearing, but does not intend to submit exhibits, provide witness testimony, or conduct cross-examination during the hearing itself. Mr. Lucey's cover letter also indicated that he has concerns about appearing remotely at hearings and conferences due to perceived security risks associated with his use of the internet.¹

To accommodate Mr. Lucey's limited participation in this hearing while preserving the convenience to the AHO and other parties of conducting this hearing via Zoom, the AHO will make a laptop computer and internet connection available to Mr. Lucey at the AHO's

¹ A copy of Mr. Lucey's letter to the AHO is attached hereto as **Attachment 1**.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

offices in Sacramento at the start of the hearing so that he can provide an oral policy statement. (See Gov. Code, § 11425.20 subd. (b)(2).) Alternatively, Mr. Lucey may elect to submit a written policy statement and forego the opportunity to make an oral statement at the beginning of the hearing. If Mr. Lucey wishes to provide an oral statement, he shall contact the AHO by telephone at (916) 341-6940 no later than September 23, 2026 so that my staff can make the logistical arrangements necessary to accommodate his participation.

Date: June 11, 2025

/s/ Sam Bivins
Sam Bivins, Hearing Officer

Encl: Attachment 1: 2025-05-22 J. Lucey letter to AHO.pdf

Attachment 2: Service List

ATTACHMENT 1

To: MR. Sam Bivins, HEARING OFFICER
ADMINISTRATIVE HEARING OFFICE
STATE WATER RESOURCES CONTROL BOARD.
P.O. Box 100
SACRAMENTO, CALIF. 95812-0100

RE. PROCEEDING FOR PENDING PETITIONS FOR
CHANGE ~~AND~~ EXTENSION OF TIME FOR
PERMIT 14853 (A021883) AND PENDING
WATER RIGHT APPLICATION A031792 OF:
NORTH GUALALA WATER COMPANY

ATTACHMENT 1

MR. SAM BIXINS, HEARING OFFICER - ^{PROCEEDING RE:} North Gualaluwater Co.

DEAR MR BIXINS:

I CANNOT ACCEPT ELECTRONIC SERVICE DUE TO DATA BREACHES AT A.T.&T, EQUIFAX, A BANK AND SUBSEQUENT ATTEMPTED IDENTITY THEFT, FINANCIAL FRAUD AND PROPERTY TITLE MANIPULATION. OUR LUCEY FAMILY TRUST ATTORNEY ADVISED US TO DISCONNECT FROM THE INTERNET TO AVOID POTENTIAL FINANCIAL RISK. I APOLOGISE FOR THE INCONVENIENCE.

I HAVE BEEN AT EVERY HEARING AT SCORCB SACRAMENTO OR FIELD HEARINGS, IN PERSON, FOR CLOSE TO 40 YEARS AND WILL CONTINUE WHEN ZOOM MEETING RETURNS TO "IN-PERSON" EVENTS.

THANK YOU FOR YOUR CONSIDERATION.

RESPECTFULLY, *Jerome P. Lucey*

JEROME P. LUCEY

66 MAUDERLY RD.

SAN RAFAEL, CALIF 94901

TEL. 415-459-7811

INC. - NO I + decline electronic service
copy - SERVICE LIST

HEARING SCHEDULE AND DEADLINES

Deadlines / Schedule	Dates and Times
Deadline for filing NOIs and status conference statements.	February 24, 2025, at 11:59 pm
Status conference date and time.	February 28, 2025, at 9:00 am
Deadline to submit case-in-chief evidence and optional opening briefs (15-page limit).	October 3, 2025, at 11:59 pm June 5, 2026, at 11:59 pm
Deadline to submit evidentiary objections to case-in-chief evidence.	October 24, 2025, at 11:59 pm June 26, 2026, at 11:59 pm
Deadline to submit rebuttal evidence.	December 19, 2025, at 11:59 pm August 21, 2026, at 11:59 pm
Deadline to submit evidentiary objections to rebuttal evidence.	January 7, 2026, at 11:59 pm September 9, 2026, at 11:59 pm
Deadline to file pre-hearing conference statements, witness PowerPoint presentations, and (optional) written policy statements from interested persons.	January 21, 2026, at 11:59 pm September 23, 2026, at 11:59 pm
Pre-hearing conference date and time.	January 26, 2026, at 9:00 am September 28, 2026, at 9:00 am
Public hearing begins.	February 9, 2026, at 9:00 am October 12, 2026, at 9:00 am
Deadline to submit closing briefs (30-page limit).	March 27, 2026, at 11:59 pm December 18, 2026, at 11:59 pm

Optional:

Please fill out this section ONLY if you decline electronic (e-mail) service of hearing-related materials. If you desire electronic service, do not check this box.

☒ I decline electronic service of hearing-related materials.

Your Name (type or print): Jerome P. Lucey

Mailing Address: 66 Mandeville Rd. San Rafael, CA 94901

Telephone Number: 415-459-7811

Please e-mail this completed form to adminhrgoffice@waterboards.ca.gov (preferred) or send by U.S. Mail to:

State Water Resources Control Board
Administrative Hearings Office
P.O. Box 100
Sacramento, CA 95812-0100

**ATTACHMENT 1
NOTICE OF INTENT TO APPEAR (NOI)**

State Water Resources Control Board

Administrative Hearings Office

NOTICE OF INTENT TO APPEAR

I/we, JEROME P. LUCEY (please print), plan to participate in the conference or hearing indicated below:

1. **Name of Event** (copy from page 1 of Notice of Pre-Hearing Conference, Notice of Status Conference, or Notice of Hearing): Rescheduled Status Conference
2/24/25 Deadline for NOI & Statement - 2/28/25 Status Zoom Conf.
North Gualala Water Co -
2. **Date of Event** (copy from page 1 of Notice of Pre-Hearing Conference, Notice of Status Conference, or Notice of Hearing): 2/24/25 & 2/28/25

My/our intended participation during the conference or hearing is:

- ☐ Ask questions or provide comments during the pre-hearing conference
- ☒ Present a policy statement at the start of the hearing
- ☐ Submit exhibits, provide witness testimony, ask cross-examination questions during the hearing

(Please also complete a Request Party Status form if your party is not on the current Service List for this proceeding)

If you plan to listen to the hearing ONLY, you do not need to fill out this form. You may listen to the hearing on YouTube using the information on pages 1-2 of the Notice of Pre-Hearing Conference, Notice of Status Conference, or Notice of Hearing.

Please fill in the following information of the participant, party, attorney, or other representative:

Your Name (type or print): JEROME P. LUCEY Jerome P. Lucey 5/22/25
 Name of Represented Party (if applicable): _____
 E-mail address: _____

NOTE: PLEASE ADVISE me if
 status conference dates change.
 415-459-7811

ATTACHMENT 2

SERVICE LIST

North Gualala Water Company
legal.ngwc@gmail.com

Kristin B. Peer
Holly J. Jacobson
Maggie Foley
BKS Law Firm, PC
kbp@bkslawfirm.com
hjj@bkslawfirm.com
mef@bkslawfirm.com
Counsel for North Gualala Water Co.

Alan Levine
Coast Action Group
alevine@mcn.org

Monty Larson
David Manthorne
Stephen Puccini
Department of Fish and Wildlife
monty.larson@wildlife.ca.gov
david.manthorne@wildlife.ca.gov
Stephen.puccini@wildlife.ca.gov

Nicholas F. Bonsignore, P.E.
Wagner & Bonsignore, CCE
nbonsignore@wbecorp.com

Administrative Hearings Office
exec-adminhrгоffice@waterboards.ca.gov

By U.S. mail only:

Jerome P. Lucey
66 Manderly Road
San Rafael, CA 94901