

February 13, 2003

Mr. Arthur G. Baggett, Jr., Chairman
State Water Resources Control Board
Post Office Box 100
Sacramento, California 95810-0100

*Item # 7
2-19 Bd Mtg
Cp: Bd, M M
E-mail: CC
HMS, TH, CMLW,
B. Ludwig, V. Whitney*

Subject: Comments on Draft Order Determining
Classification of Ground Water
Elf Prairie, North Fork, Gualala River
Permit 14853 (Application 21883)

Dear Chairman Baggett,

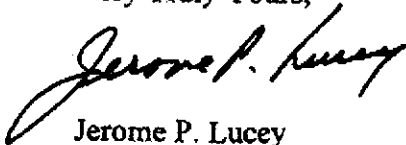
The revised draft order WRO2003 is acceptable; I urge you to adopt this order as recommended by SWRCB staff.

I understand that the Department of Fish and Game, the National Marine Fisheries Service and the SWRCB will no longer tolerate the flagrant violations of past years and are prepared to monitor compliance and respond swiftly to violations. However, I believe the maximum fine of \$1,000 per day could force the North Gualala Water Company into financial ruin and, possibly, bankruptcy.

In order to ensure compliance and uninterrupted water deliveries to rate payers in Gualala, it may become necessary for ordinary citizens to become involved in the processes necessary to either (a) secure grants or other funds from the State of California or the federal government, or (b) initiate eminent domain proceedings to transfer the obligations of the NGWC to an agency such as the Gualala Community Service District. Please allow me to be the first to volunteer my efforts to help keep the water flowing.

Planning should begin now to ensure that no more time is lost by desperate legal maneuvering and stalling tactics. The Gualala River is an extremely important habitat of the steelhead and the Coho salmon, and it must be protected through conservation-based management. However, that management must be tempered with the understanding that community growth is crucial to local citizens, who depend on the region's infrastructure for jobs, housing and economic stability.

Very Truly Yours,



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

cc: J. Bower, North Gualala Water Company