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July 13, 2016

(VIA EMAIL and  
FACSIMILE 916-341-5400)

Felicia Marcus, Board Chair, [Felicia.Marcus@waterboards.ca.gov](mailto:Felicia.Marcus@waterboards.ca.gov)  
Tom Howard, Executive Director, [Tom.Howard@waterboards.ca.gov](mailto:Tom.Howard@waterboards.ca.gov)  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

Mathew Quint, [Mathew.Quint@waterboards.ca.gov](mailto:Mathew.Quint@waterboards.ca.gov)  
Division of Water Rights  
State Water Resources Control Board  
PO Box 2000  
Sacramento, CA 95812-2000

Re: Preliminary Staff Recommendation to Modify Cease & Desist Order WR 2009-0060

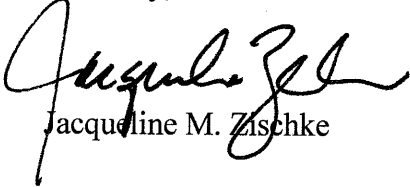
Dear Ms. Marcus, Mr. Howard and Mr. Quint:

On behalf of ACLS, LLC and Rancho Canada Venture, LLC, this letter serves to provide comment to the Preliminary Staff Recommendation to Modify the Cease and Desist Order WR 2009-0060 and Staff's Rationale Document for this Preliminary Staff Recommendation.

ACLS, LLC and Rancho Canada Venture, LLC support the request made by the Trust for Public Land ("TPL") in its July 7, 2016 comment letter to the SWRCB that the SWRCB include in either the narrative part of the Order or in the Resolution adopting the Order the findings requested by TPL specifically applicable to the TPL-California-American Water ("Cal-Am") forbearance agreement and the properties involved therein. ACLS, LLC and Rancho Canada Venture, LLC hold an interest in the Rancho Canada golf course property, and have participated in the collaborative effort of TPL and Cal-Am to secure interim water use forbearance of over 300 acre feet per year through the closure of the Rancho Canada golf course.

We applaud Cal-Am's continuing efforts to reduce its unauthorized diversions, increase legal diversions, and enhance instream flows, and are pleased to contribute towards this continuing effort. We believe that the SWRCB's express recognition of the TPL-Cal-Am forbearance agreement, which recognizes the reasonable and beneficial use of water for instream purposes that will be achieved without risk of adverse water right outcomes, will create additional opportunities for Cal-Am and provide incentive that will encourage other non-profit groups and private parties to participate in these types of forbearance arrangements.

Sincerely,



Jacqueline M. Zischke

cc: Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
(fax) (916) 341-5620  
[commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)