

Summary

Alternative Compliance Plan for Water Right (A019145)

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[Return to Dashboard](#)

INTRODUCTION

See [Information and Instruction Sheet](#) for assistance in completing this form. The form shall be completed by the water right owner, their agent, or for an Alternative Compliance Plan filed for a group, the designated contact. The vast majority of water right owners should be able to meet the measurement requirements. Participation in an Alternative Compliance Plan does not relieve the participant of the independent obligation to file an online annual Report of Water Diversion and Use.

All sections of the form below must be completed. An incomplete form does not excuse non-compliance with the regulation or release you from the obligation to measure. The Alternative Compliance Plan may not be used to avoid measurement and monitoring, but should be used to describe an alternative method of measurement and monitoring which will provide the information required by the Regulation. Estimated diversion records may not meet the Regulation's accuracy requirements without supporting documentation.

Note: The large text boxes in the form have a character limit of 2,000 characters. Responses requiring more than 2,000 characters for a particular text box should be submitted as an attachment in Section I of this form. Additional information should be attached in Section I.

SECTION A - WATER RIGHT OWNER INFORMATION

This section of the form describes the information that is required for each water right or claimed right covered under the Alternative Compliance Plan.

In Section I, attach a table (in Microsoft Excel .xlsx, comma-separated .csv, or tab-separated .txt format) containing the Application or Statement Number for each water right covered under the Alternative Compliance Plan. For your water right, answer the questions below.

(1) Owner Name(s) *

Denny Land and Cattle

(2) Email Address *

[REDACTED]

(3) Phone Number *

[REDACTED]

(4) Mailing Address Line 1 *

[REDACTED]

(5) Mailing Address Line 2:

(6) City *

Boston

(7) State *

MA

(8) Zip Code *

02116

(9) Is the Water Right Owner also the Primary Contact? *

☐ Yes

☒ No

On questions 10 through 13, please tell us what you understand the requirements of the regulation to be for this water right to be.

(9) Installation Deadline *

☒ January 1, 2017

- ☐ July 1, 2017
- ☐ January 1, 2018

(10) Measurement Accuracy *

- ☒ 10%
- ☐ 15%
- ☐ Other, as specified in the Alternative Compliance Plan (if submitted)

(11) Required Monitoring Frequency *

- ☒ Hourly
- ☐ Daily
- ☐ Weekly
- ☐ Monthly

(12) Qualifications of the Individual Installing/Certifying *

- ☒ A California Licensed Professional Engineer (PE), a person working under the supervision of a California PE, a California-licensed contractor authorized by the State License Board for C- 57 well drilling or C- 61 Limited Specialty/D-21 Machinery and Pumps, or a Hydrologist or Engineer employed by a Federal Agency
- ☐ A person trained and experienced in water measurement (for diversions less than 100 acre-feet per year)

SECTION B - INFORMATION ON PRIMARY CONTACT

This section of the form includes the contact information for the primary contact associated with the Alternative Compliance Plan.

(1) Name(s): *

Ted deBraga

(2) Phone Number: *

[REDACTED]

(3) Email Address: *

[REDACTED]

(4) Mailing Address Line 1: *

[REDACTED]

(5) Mailing Address Line 2:

[REDACTED]

(6) City: *

Burney

(7) State: *

CA

(8) Zip Code: *

96013

(8) The Alternative Compliance Plan Primary Contact is a(n): *

- ☐ Water Right Owner
- ☒ Agent
- ☐ Designated Contact

SECTION C - INFORMATION ON QUALIFIED INDIVIDUAL

This section of the form includes the contact information for the Qualified Individual certifying the Alternative Compliance Plan.

(1) Name(s): *	<input type="text" value="Susan Goodwin"/>
(2) Phone Number: *	<input type="text" value=""/>
(3) Email Address: *	<input type="text" value=""/>
(4) Mailing Address Line 1: *	<input type="text" value=""/>
(5) Mailing Address Line 2:	<input type="text" value=""/>
(6) City: *	<input type="text" value="Redding"/>
(7) State: *	<input type="text" value="CA"/>
(8) Zip Code: *	<input type="text" value="96002"/>
(9) The qualifications of the individual certifying the Alternative Compliance Plan are: *	<p><input checked="" type="radio"/> California Licensed Professional Engineer (PE)</p> <p><input type="radio"/> Person working under the supervision of a California Professional Engineer</p> <p><input type="radio"/> California-licensed contractor authorized by the State License Board for C- 57 well drilling or C-61 Limited Specialty/D-21 Machinery and Pumps</p> <p><input type="radio"/> Hydrologist or Engineer employed by a Federal Agency</p> <p><input type="radio"/> Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year)</p>
(10) Qualifying Individual's PE or Contractor license number, if applicable:	<input type="text" value="C61687"/>

SECTION D - REQUEST FOR ALTERNATIVE COMPLIANCE

Water right holders who divert more than 10 acre-feet of water per year are required to measure the water they divert. A diverter may choose any measuring device, or combination of devices, that meet the measurement and monitoring requirements of the regulation. The measurement requirements are summarized on the [Reporting and Measurement Webpage](#).

For each box checked in questions 1a through 3 below, submit a detailed explanation and attach substantiating documentation.



(1a) Diverter is seeking alternative compliance from the requirement(s) checked below. *	<p><input type="checkbox"/> Measuring Device Location</p> <p><input type="checkbox"/> Required Accuracy</p> <p><input type="checkbox"/> Certification of Accuracy</p> <p><input checked="" type="checkbox"/> Installation and Maintenance</p> <p><input checked="" type="checkbox"/> Monitoring Frequency</p> <p><input type="checkbox"/> Telemetry</p> <p><input type="checkbox"/> Other (describe in Section 1b)</p>
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(1b) Provide additional information for each of the reasons selected in question 1a: *

D-1b The site is inaccessible during portions of the diversion season (November 1 to April 1) due to snow and mud on dirt access roads. Hourly monitoring is not necessary to document that no more than 6400 acre-feet is stored on stream during the wet season between November 1 and April 1. The maximum storage capacity of the reservoir is 6400 acre-feet and the existing monitoring program, required by the license, is sufficient to document total annual storage to within 5 percent.

(5000 character max.)

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(2a) Alternative compliance is being pursued because strict compliance with one or more of the requirements for measuring and monitoring (check all that apply): *

- ☒ Is not feasible.
- ☐ Would unreasonably affect public trust resources.*
- ☐ Is unreasonably expensive.**
- ☐ Would result in the waste or unreasonable use of water.

* Including fish, wildlife, recreation, navigation, and aesthetic values.

** Plans claiming that strict compliance is unreasonably expensive shall be accompanied by an attached supporting cost analysis. The cost analysis should compare the cost of the proposed alternate measuring devices to the cost of the measurement devices required by the Regulation. All Plans shall include a budget and shall identify sources of financing. The budget should provide sufficient detail to show the cost of the proposed alternate measuring devices, the cost of obtaining any necessary permits, and the cost of installation.

(2b) Provide additional information for each justification selected in question 2a: *

D-2b Haynes Reservoir (Lake Margaret) is located at an elevation of approximately 3700 feet and is inaccessible during portions of the diversion season between November 1 – April 1 due to snow and mud on dirt access roads.

(5000 character max.)

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(3a) Alternative compliance is requested under the following categories (check all that apply): *

- ☐ Highly variable flow rate at point of diversion.
- ☒ Point of diversion is inaccessible a portion of the year due to weather or other on-site conditions.
- ☐ Point of diversion is under tidal influence
- ☒ There is an existing measuring device or measurement method in use.
- ☐ Water is corrosive to measurement equipment.
- ☐ The diversion is measured by another entity (identify entity and method of measurement used).
- ☐ Other (provide complete description in section 3b)

(3b) Provide additional information for each of the categories selected in question 3a: *

D-3b License 8943 authorizes on stream storage of 6400 acre-feet of water from Goose Creek in Haynes Reservoir between November 1 and April 1, and a maximum withdrawal from the reservoir of 4000 acre-feet per calendar year. During this time period, the site may be inaccessible due to snow and mud on dirt access roads. Furthermore, the licensee is already required to maintain a staff gage to measure the water level in Haynes Reservoir on or about April 1 of each year. The staff gage was installed during the construction of the reservoir (1960s) and continues to be used by the licensee and PGE to monitor water levels in the Haynes Reservoir. A reservoir capacity curve (storage volume in acre-feet versus gage height in feet) is available for Haynes Reservoir (included in Section I). The staff gage is designed to be read by PGE helicopter fly-overs on a routine basis.

(5000 character max.)

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(4) Alternative Compliance Plans shall include alternative, objective measurement and performance standards that achieve the closest attainable compliance. Describe the measurement or alternative to measurement that will be used at each point of diversion in the plan to achieve closest attainable compliance. *

D-4 The existing staff gage will continue to be used to record water levels in the reservoir and the volume of stored water will be calculated using the capacity curve and regression equation

included in Section I. Weather permitting the gage level will be recorded weekly.

(5000 character max.)

SECTION E - AREA COVERED BY THE ALTERNATIVE COMPLIANCE PLAN

Summarize the following for each water right covered by the Alternative Compliance Plan. In Section I, attach maps, aerial photographs, or other renderings showing the area covered by the Alternative Compliance Plan and delineating the acreage of each place of use served. For the area covered by the Alternative Compliance Plan, include a list of assessor's parcel numbers and the current owner of each parcel.

(1) Provide a general description of the area covered by the Alternative Compliance Plan. *

E-1 The license 8943 authorizes on stream storage of 6400 acre-feet of water from Goose Creek in Haynes Reservoir between November 1 and April 1, and a maximum withdrawal of 4000 acre-feet per calendar year. Beneficial uses for the water in the reservoir include stock watering, recreation, and fire protection. Beneficial uses and place of use for the withdrawals include domestic supply, stock watering and the irrigation of 5,000 net acres within 5900 gross acres in Sections 22, 23, 24, 25, 26, 27, 34, 35, and 36 T36N and R02E; Section 1, 2, 3 and 12 T35N and R02E; and Section 6, T35N and R03E, MDB&M Maps and parcel numbers are included in Section I.

(5000 character max.)

(2) Describe all diversion and conveyance works covered by the Alternative Compliance Plan. *

E-2 Dam and spillway on Goose Creek and discharge structure to release water into Goose Creek.

(5000 character max.)

(3) Describe the type(s) of Beneficial Use(s). *

Beneficial uses for the water in the reservoir include stock watering, recreation, and fire protection. Beneficial uses for withdrawals include domestic supply, stock watering and irrigation.

(5000 character max.)

(4) Have you attached a list of assessor's parcel numbers and the current owner of each parcel covered by the Alternative Compliance Plan? (Attachments may be made under Section I of this form.) *

☒ Yes | ☐ No

SECTION F - MEASUREMENT AND MONITORING

(1) For each Point of Diversion listed in the Alternative Compliance Plan, describe how the water is measured. *

F-1 The existing staff gage will continue to be used to record water levels in the reservoir. This gage is currently used by the licensee and PGE to record water levels in the reservoir. The volume of stored water will be calculated using gage elevation and the regression equation from the capacity curve included in Section I.

(5000 character max.)

(2) Identify the measurement accuracy associated with the measurement devices. *

F-2 The accuracy of the measurement method is calculated to be within 5 percent of the storage volume at a gage elevation of 90 feet (storage volume of approximately 1000 acre-feet) and 2 percent of the storage volume at a gage elevation of 120 feet (storage volume of approximately 6400 acre-feet). 120 feet is the gage elevation of the spillway.

(5000 character max.)

(3) Describe how the accuracy of the Alternative Compliance Plan was calculated. *

F-3 The accuracy was calculated using the regression equation from the capacity curve included in Section I assuming that the field recorded gage readings are within + 0.25 vertical feet of the true gage reading. For example, at a gage level of 90 feet the storage volume (SV) is 1030 acre-feet based on the capacity curve. Assuming that the field recorded gage reading is within + 0.25 vertical feet of actual gage level, the accuracy was calculated using the following equation: $\text{Accuracy}(\%) = \frac{[(\text{SV at 90.25 feet}) - (\text{SV at 89.75 feet})]}{(\text{SV at 90 feet})} * 100 = 5.1\%$ The calculated accuracy at the spillway elevation of 120 feet with a storage volume of approximately 6400 acre-feet is 2%.

(5000 character max.)

SECTION G - IMPLEMENTATION SCHEDULE (IF NECESSARY)

(1) If applicable, describe the implementation schedule for the Alternative Compliance Plan, including objective milestones from date of filing through final implementation. Milestones should include date of completion for construction and testing, expected dates of issuance of required permits, and expected date for compliance with the California Environmental Quality Act:

G-1 The monitoring program is in-place.

(5000 character max.)

An Alternative Compliance Plan shall be submitted and implemented by the established regulatory deadlines (see form instructions for additional information) unless a Request for Additional Time has been granted.

SECTION H - OTHER PERMITS

(1) Describe any other permits required to implement the Alternative Compliance Plan. Include information on the agency that will issue the permit, and the expected date of issuance.

H-1 No additional permits are required.

(5000 character max.)

SECTION I - ATTACHMENTS



(1) Attach documents that support the Alternative Compliance Plan.

Choose File No file selected

Upload

(Uploaded files:)

[3_8943_Section_I.pdf](#)

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(2) Provide a brief description of the attached documents.

I-2 For Application 19145/Permit 12799/License 8943, the following items are attached: General Site Location Diversion and Place of Use Shasta County Assessor's Parcels (APNs) Haynes Reservoir (Lake Margaret) Capacity Curve

(5000 character max.)

SECTION J - IMPORTANT INFORMATION AND SIGNATURES

Each participant in an Alternative Compliance Plan (Plan) must sign this form or an "opt-in" form that must be retained by the Plan manager. Attach a listing of participants, as needed, in Microsoft Excel .xlsx, comma-separated .csv, or tab-separated .txt format. By signing this form or the Plan's "opt-in" form, each Plan participant acknowledges that the Plan will be timely implemented and that the measurement of diversions will substantially comply with the Measurement Regulation. Further, each Plan participant acknowledges that the water rights covered by the Plan will not be exercised outside the scope of the Plan. Each Plan participant is responsible for promptly informing the Division of Water Rights or Delta Watermaster, as appropriate, if the participant withdraws from the Plan. The Plan manager is responsible for promptly informing the Division of Water Rights or the Delta Watermaster, as appropriate, if the Plan is

modified or abandoned or if the Implementation Schedule is adjusted.

I hereby certify that the information in this Alternative Compliance Plan is true to the best of my knowledge and belief and that the Alternative Compliance Plan is in compliance with the requirements of Title 23, Division 3, Chapter 2.8, Section 931 through 938 of the California Code of Regulations. *

☒ Yes | ☐ No

Printed Name *

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Division of Water Rights and Delta Watermaster staff may or may not evaluate the contents of an Alternative Compliance Plan at the time of receipt. Staff will initially determine if all the information has been filled out, and accept the Alternative Compliance Plan as complete or return it as incomplete. An Alternative Compliance Plan may be reviewed for compliance purposes at any time or as part of a systematic audit.