Alternative Compliance Plan - Sample Form

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) *

(2) Email Address *

(3) Phone Number

(4) Mailing Address Line 1

(5) Mailing Address Line 2:

(6) City *

(7) State *

(8) Zip Code *

(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
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): *

(2) Phone Number: *

(3) Email Address: *

(4) Mailing Address Line 1: *

(5) Mailing Address Line 2: *

(6) City: *

(7) State: *

(8) Zip Code: *

(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): *

(2) Phone Number: *

(3) Email Address: *

(4) Mailing Address Line 1: *

(5) Mailing Address Line 2: 

(6) City: *

(7) State: *

(8) Zip Code: *

(9) The qualifications of the individual certifying the Alternative Compliance Plan are: *

- California Licensed Professional Engineer (PE)
- Person working under the supervision of a California Professional Engineer
- California-licensed contractor authorized by the State License Board for C-57 well drilling or C-61 Limited Specialty/D-23 Machinery and Pumps
- Hydrologist or Engineer employed by a Federal Agency
- Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year - no specific training is required; the person using any equipment and reporting the information must know how to use the equipment and submit correct information)

(10) Qualifying Individual's PE or Contractor license number, if applicable:

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. *

- Measuring Device Location
- Required Accuracy
- Certification of Accuracy
- Installation and Maintenance

https://public.waterboards.ca.gov/WRInfo

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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.*
(5000 character max.)

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

(5000 character max.)

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

(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. *

(5000 character max.)

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

(5000 character max.)

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

(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:

(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.

(5000 character max.)

SECTION I - ATTACHMENTS
(1) Attach documents that support the Alternative Compliance Plan.

Choose File

No file selected

Upload

(Uploaded files:)

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

(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

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.

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