

Summary

Alternative Compliance Plan for Water Right (A017525)

You completed the survey on 12/28/2017 09:45:53

[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) *

Ken Grossman

(2) Email Address *

[REDACTED]

(3) Phone Number *

[REDACTED]

(4) Mailing Address Line 1 *

[REDACTED]

(5) Mailing Address Line 2:

[REDACTED]

(6) City *

Chico

(7) State *

CA

(8) Zip Code *

95928

(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 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)

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

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="David S. Evans"/>
(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="Healdsburg"/>
(7) State: *	<input type="text" value="CA"/>
(8) Zip Code: *	<input type="text" value="95448"/>
(9) The qualifications of the individual certifying the Alternative Compliance Plan are: *	<div><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 - 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)</p></div>
(10) Qualifying Individual's PE or Contractor license number, if applicable:	<input type="text" value="C 27837"/>

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
- ☒ Monitoring Frequency
- ☒ Telemetry
- ☐ Other (describe in Section 1b)

(1b) Provide additional information for each of the reasons selected in question 1a: *

Use of water on this property is documented back to 1883, and involves a complicated set of ponds, pipes and facilities. All of the diverted and utilized water is collected from Ford Cove Spring, located at the base of the western bluff at N39.90565, W-121.70112 & N39.90548, W-121.70033 & N39.90526, W-121.700293. The property's water rights are both riparian and pre-1914 (this Statement of Use and post-1914 appropriate); that application is 17525, License No. 7816. The primary diversion of water from Ford Cove Springs passes into a hydroelectric turbine that feeds electrical power to the ranch. Before reaching the turbine, a small amount of water is diverted through a 2" metered tap off the penstock for irrigation, domestic use and fire protection. A small portion of the turbine exhaust water is metered and then utilized for irrigation of the garden and orchard. The majority of the turbine exhaust water flows through a series of low-head ditches and pipes where it is utilized to maintain two fire protection ponds that ultimately discharge over spillways into a small, unnamed creek, making it impractical to meter. A small secondary diversion from Ford Cove Spring is metered and utilized for wildlife habitat. Partially filled pipes and multiple measuring points would not provide usable information about water consumption and would be of no value in managing water use. Furthermore, these diversions present no chance of another user being deprived of water. Thus, the proposed accuracy of measurement serves no real purpose. The water diverted to the hydroelectric turbine can be measured accurately from the monthly production of energy and run time (the same jets are used year round). Water diverted from the penstock for irrigation can flow only to irrigated acreage or into the ponds, which flow into a small creek that eventually enters Big Chico Creek, thus returning to a state of nature. A secondary means of measurement can be obtained by monthly registering of the number of acres irrigated because the net use for irrigation is made up only of evaporation and plant use. Any seepage or canal pipe loss returns to the creek that feeds Big Chico Creek. The domestic water use can be metered and quantified monthly. The hydroelectric turbine which produces power for the ranch has a rating and the jets have a gallonage use. The head remains unchanged. This is the best gross measurement of the diversion. The best measurement of consumption is the number of acres irrigated or watered and evaporation from the ponds. We propose a measurement calculation as follows: (i) We propose to record the turbine hours of operation each month and provide application of the rating of the jets in acre feet per month. (ii) We propose to estimate the irrigated pasture each month during the irrigation season. This is extremely steep sloping ground and therefore the usage and evaporation for a full irrigation season per acre is estimated at 3.00 acre feet total per acre irrigated distributed according to estimated monthly usage in this canyon located at approximately 2,000 feet elevation as: May .50 acre feet per irrigated acre; June .50 per irrigated acre; July .50 acre feet per irrigated acre; August .50 per irrigated acre; September .50 acre foot per irrigated acre; October .50 acre foot per irrigated acre. A written monthly computation of irrigated acres and consumption of water will be kept in the turbine room for inspection. If a curtailment notice was received under License no 17525, if the number of acres being irrigated exceeded the riparian and pre-1914 water use, irrigated acres will be ceased to be irrigated in response to the curtailment notice. The amount of water used through the domestic system will be metered and entered on the tabulation in the turbine house monthly. The water evaporating or diverted from the ponds will be estimated on a monthly basis. The total pond surface area is approximately 1 acre. Evaporation and any cattle watering will be estimated per month on the basis of 25 gallons per head per day and evaporation from the ponds at .20 ac/ft/month for May through October. The ponds are shaded and in a canyon not subject to direct sun light for substantial periods. Because of the priority of riparian and pre-1914 water use through the Big Cove Springs, any curtailment notice can be responded to by idling irrigation of pasture land commensurate with the amount of License 17525 priority.

(5000 character max.)

(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: *

See Section D(1b) above.

(5000 character max.)



(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: *

The explanation of the need for alternate system of compliance and the use of crop duty on irrigated land upon a hillside with multiple alfalfa valve outlets off a mainline which cannot be metered is clear.

(5000 character max.)



(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 used at each point of diversion in the plan to achieve closest attainable compliance. *

The above descriptions explain the method of documentation and performance standards.

(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. *

Steep slope descending from Ridge where Big Cove Springs are located to Big Chico Creek.
Turbine is located slightly above house adjacent to stream.

(5000 character max.)

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

Pen stock; pasture irrigation from Big Cove Springs, two ponds, domestic and yard use around home and shop area.

(5000 character max.)

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

Power production, irrigation, domestic use, regulatory reservoirs, and cattle watering.

(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. *

1. Pelton Wheel jet rating x hours of operation; 2. Duty/acre of pasture irrigated; 3. Pond evaporation; and 4. Domestic use in home and shop.

(5000 character max.)

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

10% +/- on Pelton Wheel

(5000 character max.)

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

Estimated use

(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:

The measurement works are in place, except the meter upon the home and shop use of treated water will be installed before May 1, 2018.

(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.

None

(5000 character max.)

SECTION I - ATTACHMENTS

?

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

Choose File

No file selected

Upload

(Uploaded files:)

Grossman.ACP.Maps.pdf

CERTIFICATION OF PROFESSIONAL ENGINEER..pdf

0%

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

1. List of Assessor's Parcel No.s and current owner of each parcel covered by the Alternative Compliance Plan; and 2. Certification by Professional Engineer.

(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 *

Paul R. Minasian

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.