

Summary

Alternative Compliance Plan for Water Right (A029641)

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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) *

Carmel Riviera Mutual V

(2) Email Address *

[REDACTED]

(3) Phone Number *

[REDACTED]

(4) Mailing Address Line 1 *

[REDACTED]

(5) Mailing Address Line 2:

(6) City *

Carmel

(7) State *

CA

(8) Zip Code *

93922

(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): *

Brian Garneau, Carmel I

(2) Phone Number: *

[REDACTED]

(3) Email Address: *

[REDACTED]

(4) Mailing Address Line 1: *

[REDACTED]

(5) Mailing Address Line 2:

(6) City: *

Carmel Valley

(7) State: *

CA

(8) Zip Code: *

93924

(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="Brian Garneau, Carmel I"/>
(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="Carmel Valley"/>
(7) State: *	<input type="text" value="CA"/>
(8) Zip Code: *	<input type="text" value="93924"/>
(9) The qualifications of the individual certifying the Alternative Compliance Plan are: *	<div><p><input 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 checked="" 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=""/>

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: *

(1) Surface Diversion: a small diversion dam directs flow into a diversion box where water then feeds into the following two directions: (1) into an approximately 6" intake pipe for beneficial use by Carmel Riviera Mutual Water Company and (2) into another approximately 6" pipe to immediately provide a 50% return of water to the creek at the intake point. A V notch weir has been in place for over twenty years, and historically a chart recorder had been used to measure flow. Measurements by weir method are problematic due to subbasin drainage, and due to the remote location of this weir to secure weekly measurements is infeasible. The alternative compliance plan includes the installation of a flow meter at the intake pipe, which device will satisfy regulatory requirements for measurement accuracy. However, due to the remote location of this device, remote reading of this device is infeasible. The alternative plan includes downloading data from this device on a monthly basis. The downloaded data will be transferred onto a spreadsheet to show the date and time of diversions in accordance with specifications under the State regulations. (2) Diversion Point #1: Water is diverted by a well pump from an open culvert. These diversions are currently measured by an existing meter. Due to heavy vegetation at the diversion site, the meter was installed above the diversion location. The alternative compliance plan includes maintaining this existing measure device, which will be monitored/read on a weekly basis. (3) Non-jurisdictional Points of Diversion. Carmel Riviera Mutual Water Company does not plan to provide any enhanced water measurement devices or monitoring at the seven (7) points of diversion, which State staff has determined are non-jurisdictional wells drawing from percolating groundwater. Due to the State's processing backlog, the State has not yet issued the draft license for Permit 20741.

(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: *

The surface point of diversion is in a remote location, without electronic access rendering weekly monitoring infeasible. The measurement device will collect the data, and the alternative compliance plan proposes to download the data on a monthly basis during times of use. The measuring device includes a flow meter at the intake pipe, which will meet regulatory measurement requirements. In the event diversions do not occur at this point of diversion for extended periods of time, monthly downloading of data would be suspended until after diversions resume. The second point of diversion has an existing measuring device, which can be read by a person trained and experienced in water measurement on a weekly basis.

(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: *

As stated above, the surface diversion is in a remote location without electronic access. The second point of diversion has an existing meter that has been placed in a generally accessible area, which will be read on a weekly basis.

(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 alternative compliance plan includes the installation of a flow meter at the intake pipe location of surface diversion #1. This measuring device will satisfy regulatory requirements for measurement accuracy. However, due to the remote location of this device, remote reading of this device is infeasible. The alternative plan includes downloading data from this device on a monthly basis (except during such times when diversions are not occurring at this location due to low flow or other conditions). The downloaded data will be transferred onto a spreadsheet to show the date and time of diversions in accordance with specifications under the State regulations. For the second point of diversion where water is diverted by a well pump from an open culvert, these diversions are currently measured by an existing meter. Due to heavy vegetation at the diversion site, the meter was installed above the diversion location. The alternative compliance plan includes maintaining this existing measure device, which will be monitored/read on a weekly basis. Non-jurisdictional Points of Diversion. Carmel Riviera Mutual Water Company does not plan to provide any enhanced water measurement devices or monitoring at the seven (7) points of diversion, which State staff has determined are non-jurisdictional wells drawing from percolating groundwater. Due to the State's processing backlog, the State has not yet issued the impending license for Permit 20741.

(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. *

The water diverted under Permit 20741 serves the authorized place of use as shown on the map on file with the State Water Resources Control Board, being that area within Carmel Riviera Mutual Water Company's service boundary located within projected Section 2 and 11, T17S, R1W, MDB&M. A map of the service area of the Carmel Riviera Mutual Water Company is also attached hereto.

(5000 character max.)

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

Carmel Riviera Mutual Water Company water system consists of two jurisdictional points of diversion under Permit No. 20741. Other points of diversion that were included under the originally issued Permit No. 20741 were later determined by the State to draw from percolating groundwater, and not subject to the State's permitting jurisdiction. The State's draft license

includes the two jurisdictional points of diversion, which are proposed to be covered by the Alternative Compliance Plan. The other points of diversion are non-jurisdictional and not subject to the new State regulations, and therefore would not be part of this Alternative Compliance Plan. As detailed in the Request for Additional Time filed concurrently filed herewith, Carmel Riviera Mutual Water Company requests that the State proceed with issuance of the license.

(5000 character max.)

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

Water is used for municipal/domestic purposes.

(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. *

Diversion under Well #1 is measured by a meter, which will be read on a weekly basis. The surface diversions will be measured by a flow meter at the intake pipe, and due to the remote location of this point of diversion without electronic access, data will be downloaded on a computer on a monthly basis when diversions occur.

(5000 character max.)

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

Diversion under Well #1 is measured by a meter, which will be read on a weekly basis. The meter accurately measures total flow, and weekly measurements will satisfy the State regulatory requirement that will enable measurements of the rate of diversion. The surface diversions will be measured by a flow meter at the intake pipe, and due to the remote location of this point of diversion without electronic access, data will be downloaded on a computer on a monthly basis when diversions occur. The flow meter will comply with State accuracy requirements.

(5000 character max.)

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

Accuracy for diversion under Well #1 will be ensured through weekly monitoring, which will provide necessary data for required monitoring. The flow meter at the surface diversion will provide required level of accuracy pursuant to manufacturer information. This information will be downloaded on a monthly basis, and then the weekly measurement information will be provided on an excel spreadsheet.

(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 new flow meter at the surface diversion is expected to be installed in the next few months. Diversions from this surface diversion will not occur until the new measuring device is installed. The second point of diversion will use an existing water meter, and weekly monitoring will initiate January 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.

No other permits are required to implement the Alternative Compliance Plan.

(5000 character max.)

SECTION I - ATTACHMENTS



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

Choose File No file selected

Upload

(Uploaded files:)

Draft License.pdf
CRMWCo Boundary. jpg.jpg

0%

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

Attachments include (1) the service area map for Carmel Riviera Mutual Water Company, and (2) the State draft license and signed Request for License.

(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 *

Brian Garneau, Carmel I

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.

