

Summary

Alternative Compliance Plan for Water Right (S000697)

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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) *

Collins Pine Co

(2) Email Address *

[REDACTED]

(3) Phone Number *

[REDACTED]

(4) Mailing Address Line 1 *

[REDACTED]

(5) Mailing Address Line 2:

(6) City *

Chester

(7) State *

CA

(8) Zip Code *

96020

(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="Garett Hattenhauer"/>
(2) Phone Number: *	<input type="text" value="REDACTED"/>
(3) Email Address: *	<input type="text" value="REDACTED"/>
(4) Mailing Address Line 1: *	<input type="text" value="REDACTED"/>
(5) Mailing Address Line 2:	<input type="text"/>
(6) City: *	<input type="text" value="Redding"/>
(7) State: *	<input type="text" value="CA"/>
(8) Zip Code: *	<input type="text" value="96001"/>
(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="C76784"/>

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: *

Collins Pine Company ("Collins Pine") has two points of diversion that are subject to the measurement regulations at the Chester Sawmill Facility. One directly along the North Fork Feather River: S000698 and one below that point of diversion in a ditch system that returns water to the North Fork Feather River: S000697. The two points of diversion do not deliver water to any other water user beside Collins Pine. The water that is returned to the North Fork Feather River from the point of diversion associated with statement S000697 is not put to use before it is returned to the North Fork Feather River. Please see the attached diagram of the Collins Pine Chester Sawmill Facility, that identifies the two points of diversion by each application identification number. Under the California Code of Regulations, Title 23, Section 933, Subdivision (i), "no delivery or use of water shall occur between the point of diversion and the location of the monitoring device." Based on that regulation, Collins Pine proposes placing its measuring device below both points of diversion, at the headgate of its Chester Sawmill Facility, as demonstrated on the attached map at the location identified as "Proposed Measure Point-Stover Ditch Head Gate". A measuring device located at this point will accurately reflect the amount of water diverted and beneficially used at the Collins Pine Chester Sawmill Facility, under S000697 and S000698. However, this change in location will decrease the amount of water Collins Pine reports as diverted under S000697 and S000698 and will result in identical reports of diversion and use for both water rights. Thus, alternative compliance is required to address the difference between the amount of water diverted under the water right and the amount of water reported using this measurement device location.

(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: *

The point of diversion established under water right statement S000698 is a natural channel directly off of the North Fork Feather River. The North Fork Feather River has large seasonal variation in flow, and therefore, so does Diversion S000698. Placing a measurement device in the natural channel at the point of diversion under water right statement S000698 will cause irregularity of measurement not in compliance with the measurement regulations. The only viable option at this location is development of a rating curve for the natural channel that correlates water depth with a corresponding flow rate. A rating curve consists of numerous flow rate measurements compiled over a period of time that requires frequent updating to maintain the required accuracy. The rating curve would be used in conjunction with a gauging station to continuously measure water depth. Additionally, placing a gauging station along the Feather River, albeit on Collins Pine's property, is likely to result in tampering to or even theft of the measurement device. The project cost of the gauging station at this point of diversion would be approximately \$59,500 not including ongoing maintenance and repair requirements. Those costs would be approximately \$8,000 annually, provided the gauging station is not vandalized or damaged by flood. The attached cost analysis demonstrates the total project costs associated with installing a gauging station at the point of diversion for S000698. The point of diversion established under water right statement S000697 has many of the same challenges as the point of diversion

established under water right statement S000698 does. The location of the point of diversion for water right S000697 is also located on Collins Pine property but is accessible to the public and has been tampered with in the past. Installing additional equipment in this area is likely to invite additional tampering. Further, installing and maintaining a measurement device that complies with the requirements under the measurement regulations requires that the equipment be located at a depth that is difficult to access. Consequently, the cost of installation at this point of diversion would be approximately \$65,020 not including ongoing maintenance and repair requirements. Those costs would be approximately \$2,000 annually, provided the measuring device does not need to be replaced. The attached cost analysis demonstrates the costs associated with installing a measuring device at the point of diversion for statement S000697. Collins Pine proposes placing a measurement device just downstream of the headgate to the Chester Sawmill Facility, past both points of diversion under S000697 and S000698. This point does not experience such drastic impacts from the North Fork Feather River as the points of diversion under water rights statements S000698 and S00697. The point of diversion at S000697 returns water to the North Fork Feather River, ensuring that the water reaching the Chester Sawmill Facility is a more constant, steady flow than the diversion taken directly from the river. By moving the measurement device to this location, Collins Pine is able to more efficiently monitor and inspect the device, avoid the threat of repeated loss of or tampering with the device, and avoid the costs associated with the need to repair and replace measurement devices that are damaged or lost. As more fully explained in the attached cost analysis, Collins Pine will still experience the initial cost of \$54,200 to install the device, but will be able to avoid the significantly higher costs associated with placing a measuring device with the required frequency of measurement at the points of diversion for both water rights statements S000698 and S000697.

(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: *

The North Fork Feather River is highly seasonally variable. Consequently, placing a measurement device in an area under the influence of that variability is unlikely to sustainably provide measurement of Collins Pine's diversion and use of water year-round. The proposed measurement location ensures that this seasonal variability does not improperly impact the measurement of Collins Pine's diversion and use of water at the Chester Sawmill Facility. Collins Pine currently measures its diversion and use of water and is proposing to add an additional point of measurement to comply with the requirements of the measurement regulations. The existing measurement approach does not provide the measurement regulations' required frequency of measurement. The existing points of diversion are in a remote location that is often inaccessible during winter conditions. Snowfall in the last ten (10) years has varied, but has been observed to be as high as 28 feet, making inspection and access to the points of diversion extremely difficult. Snowfall will continue to make the points of diversion inaccessible during winter months.

(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. *

The proposed place of measurement accurately reflects the water diverted and used at the Chester Sawmill Facility. The proposed location protects the measurement device from the impact of the North Fork Feather River, while recording the water used at the Chester Sawmill. Existing measurement methods, that lack the required frequency of measurement, are present at the other points of diversion to ensure that Collins Pine is not improperly diverting water in excess of its water right under both water rights statements S000698 and S000697.

(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 area covered by the Alternative Compliance Plan is the Collins Pine's Chester Sawmill facility as depicted in the attached map and identified in the attached list of Plumas County Assessor Parcel Numbers ("APNs").

(5000 character max.)

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

The Alternative Compliance Plan addresses the points of diversion established under water rights statements S000697 and S000698.

(5000 character max.)

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

Beneficial uses of the water diverted for the Collins Pine Chester Sawmill Facility include milling, domestic, fire protection, dust control, power, and fish and wildlife protection and/or enhancement.

(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. *

For both water rights statements S000697 and S000698, the diverted water will be measured at a single point just downstream of the headgate used to control flow to the Chester Sawmill Facility. The measurement facility will consist of a doppler ultrasonic area velocity sensor used to calculate flow in an open channel. The sensor will be accessed via a concrete manhole installed in the conveyance pipe just downstream of the headgate. This measurement device complies with all requirements under the measurement regulations for Collins Pine's size of diversion.

(5000 character max.)

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

The accuracy associated with the measurement device is consistent with the required accuracy under the measurement regulations. Based on the amount of water Collins Pine diverts, the measurements taken with an accuracy of at least 10%.

(5000 character max.)

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

The doppler ultrasonic area/velocity sensor has a published accuracy of $\pm 1\%$.

(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:

Collins Pine anticipates that the measuring device proposed in this alternative compliance plan will be in place by December 31, 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 additional 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:)

2018.06.18 Collins Pine Alternative Compliance Cost Analysis (CW059172xDCB25).pdf
2018.06.18 Collins Pine Alternative Compliance Parcel and Water Right Identification (CW059173xDCB25).xlsx
2018.06.18 Diversion Facilities Map (CW059169xDCB25).pdf

0%

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

1. A map of the Chester Sawmill Facility illustrating the points of diversion and the proposed place of measurement 2. A cost analysis of the alternative compliance plan 3. A list of assessor parcel numbers for the parcels impacted and the water rights statement numbers

(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 *

CHRISTIAN VERDERBEI

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.