

Alternative Compliance Plan for Water Right (S017698)

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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) *	<input type="text" value="Blake Alexandre"/>
(2) Email Address *	<input type="text" value="REDACTED"/>
(3) Phone Number *	<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="Crescent City"/>
(7) State *	<input type="text" value="CA"/>
(8) Zip Code *	<input type="text" value="95531"/>



(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): *

Chris Howard

(2) Phone Number: *

[REDACTED]

(3) Email Address: *

[REDACTED]

(4) Mailing Address Line 1: *

[REDACTED]

(5) Mailing Address Line 2:

(6) City: *

Crescent City

(7) State: *

CA

(8) Zip Code: *

95531

(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="Chris Howard"/>
(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="Crescent City"/>
(7) State: *	<input type="text" value="CA"/>
(8) Zip Code: *	<input type="text" value="95531"/>
(9) The qualifications of the individual certifying the Alternative Compliance Plan are: *	<div><div><input type="radio"/> California Licensed Professional Engineer (PE)</div><div><input checked="" type="radio"/> Person working under the supervision of a California Professional Engineer</div><div><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</div><div><input type="radio"/> Hydrologist or Engineer employed by a Federal Agency</div><div><input type="radio"/> Person trained and experienced in water measurement (for diversions of less than 100 acre-feet per year)</div></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: *

The surface water diversion S017698 is located in the Smith River, Del Norte County California and has been measuring water diversion through a McCrometer flow meter since 2012. The device is McCrometer Model MD308 which was installed in 2012 to comply with State law at a cost of \$4,950.00 and records on an analog meter. The meter records in acre/feet and is not designed to record on a daily basis without a farm employee stopping to read the meter. As such, this would come at great expense to the Dairy to staff an employee on a daily basis with recording water flows from the diversion or potentially remove an already functioning meter acquired by the dairy. As a matter of record, Del Norte County does not experience the same rainfall issues as the remainder of the state, with average annual rainfall of 74 inches a year. We are uncertain what would be achieved by increasing the frequency of recording in a basin the neither experiences drought or water curtailment.

(5000 character max.)

2

(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 (including fish, wildlife, recreation, navigation, and aesthetic values).
- ☒ Is unreasonably expensive.*
- ☐ Would result in the waste or unreasonable use of water.

* 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: *

As stated, the Dairy installed a McCrometer Model 0308 in 2012 at an expense of \$4,950.00 to comply with State law and report water diversion. The meter is analog and is unable to meet the State requirements for recording on a daily basis without staff from the farm from may through June physically going to the site and recording the daily reading. As the location is remote, it will take an hour a day to achieve this level of frequency required, at an estimated cost to the dairy of \$1,836 (153 days x \$12/hr). To compound this cost, the dairy also monitors surface water diversion at S018509 and S017877 which are also remote and will add similar labor costs bring the total daily cost higher, not including fuel expenses and lost productivity.

(5000 character max.)

3

(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, the Dairy installed a McCrometer Model 0308 in 2012 at an expense of \$4,950.00 to comply with State law and report water diversion. We hope not to have to replace this unit in which we installed to comply with State Law in 2012.

(5000 character max.)

4

(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 Dairy's objective would be to continue recording and reporting monthly or annually utilizing our current device at this diversion location. The frequency in which the site would be visited and

record of surface water flows diverted to pasture irrigation would be on a monthly basis under our proposed alternative compliance plan.

(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 is located in the Smith River bottoms in Del Norte County and irrigates approximately 211 Acres on APN Number 105-020-21 and 103-020-82. The owners of Record of APN Number 1105-020-21 and 103-020-82 are Blake and Stephanie Alexandre.

(5000 character max.)

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

The diversion draws directly from the main stem of the Smith River operates within a heavy screen stand pipe that pumps from a below ground Ranney style filtration gallery. Water is conveyed through subsurface mainlines to the fields for irrigation of pastures. Please see aerial photos and schematic for pasture irrigation pipeline.

(5000 character max.)

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

Irrigation of pasture for an organic grass feed pastured based dairy. The grass fed of the pasture based diet for the Dairy cows is significant to the type of dairying we practice here on the Northcoast and the marketing of our milk.

(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. *

There is only one point of diversion at this location and water is measured through the McCrometer Model M0308 installed in 2012. The proposed method of measuring will be to record the analog device reading from the McCrometer and report through eWRIMs as required.

(5000 character max.)

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

The device accuracy is 100.6% (Please see attached Calibration Data)

(5000 character max.)

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

The accuracy was calculated by the manufacture of the device and certified on 08/24/2012.

(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 device is already installed and we have been reporting water diversion measurements from this location since 2008. The accuracy of the report has increased through the installation of the McCrometer flow gauge and we are only requesting a change in which the frequency of the meter reading is taken so we do not have to replace this expensive meter or employee additional labor to read the meter on a daily basis.

(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 proposed 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:)

[McCrometer_EcoDairy.pdf](#)
[EcoDairyMap.jpg](#)

1%

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

Map of the fields and irrigation mainline system for Ecodairy and the calibration certificate for the McCrometer which was purchased and installed.

(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 *

Chris Howard

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.