

## Summary

# Alternative Compliance Plan for (A026619)

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## INTRODUCTION

See Information and Instruction Sheet

([http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/docs/alt\\_comply\\_instruct.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/docs/alt_comply_instruct.pdf)) 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) \***

Salmon Creek Hydroelectric

**(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

☐ 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): \***

Mark Henwood

**(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-21 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

([http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/water\\_use.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_use.shtml)) .

**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: \***

Monitoring frequency – seeking to annually report our monthly flows by submitting annual Report of Licensee via the Water Board RMS.

Telemetry – seeking to meet telemetry requirements by submitting annual Report of Licensee via the Water Board RMS.

(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: \***

As a direct diversion small hydropower generator with no storage and no intervening water rights between our point of diversion and point of return, we do not believe that there is value enough in the collection our hourly data and its weekly publication to justify the additional cost to us in providing it.

We believe that the monthly and annual volume totals faithfully provided in our annual Report of Licensee for more than a decade now provide valuable data without undue cost to us and we request to continue to comply in this way.

See attached Supporting Cost Analysis for an estimate of the costs we would incur in raw dollars and as a percentage of our average annual revenue.

(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: \***

Existing measuring device – Measurement is by an existing CAISO meter. Plant electrical generation data from the meter is converted to monthly volume in acre-feet and annual volume in acre-feet. Installation of additional devices would be redundant and add unnecessary expense.

Other entity – CAISO meter data is controlled by CAISO and accessible to us intermittently making it difficult to process and post weekly. Annual processing of the data is a more reasonable burden.

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

\*

Measurement will be by conversion of the plant electrical generation data provided by the CAISO meter to monthly volume in acre-feet and annual volume in acre-feet.

Pursuant to Section 933 subdivision (b)(3) of the measurement and reporting regulation, Henwood Associates will retain measurement data for a period of no less than 10 years.

Pursuant to Section 933 subdivision (b)(4)(C) of the measurement and reporting regulation, Henwood Associates will provide measurement data to the Board upon request by the Deputy Director for the Division of Water Rights.

(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 Alternative Compliance Plan covers the waters diverted by Salmon Creek Hydroelectric Company from Sardine Creek and Salmon Creek in Sierra County for use in power generation. Sardine Creek is a tributary to Salmon Creek and Salmon Creek is a tributary to the North fork of the Yuba River.

The SWRCB should note that all the project works are located entirely on Tahoe Nation Forest lands. Salmon Creek Hydroelectric is not aware of any assessor's parcel numbers associated with the lands on which the works reside.

(5000 character max.)

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

The Alternative Compliance Plan covers the Sardine Creek diversion, the Salmon Creek diversion, the Packer Lake Road Crossing conveyance pipe between the two diversions, the penstock run from the Salmon Creek diversion to the powerhouse, and the powerhouse and its discharge tailrace.

(5000 character max.)

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

Power generation.

(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. \***

The waters from the Sardine Creek diversion are diverted into Salmon Creek. The Salmon Creek diversion supplies the penstock leading to the power house.

The water right permits the power house to flow 20 cfs from Jan 1 to Dec 31 of each year. The water right also dictates that the Sardine Creek diversion bypass 1 cfs and that the Salmon Creek diversion bypass 12 cfs from April 1 to Jun 20 and 6cfs from July 1 to March 31.

Sardine Creek bypass flows are met by use of a Parshall flume.

Salmon creek bypass flows are met by combination of passive geometry in the diversion structure and active flow regulation by the power generation equipment.

Diversion volumes into the penstock are measured by back-calculating flows from the electrical generation data following the methods submitted annually in our Report of Licensee.

(5000 character max.)

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

The CAISO meter providing the electrical generation data is a Schwietzer Engineering SEL735 with a measurement accuracy of 0.1% guaranteed by the manufacturer for 10 years. The manufacturer recommends calibration only if changes in output are observed.

(5000 character max.)

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

The accuracy of the Alternative Compliance Plan does not affect the accuracy of our measurements which are fully described in our Report of Licensee.

(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:**

N/A. This Alternative Compliance Plan can be implemented immediately upon acceptance by continuing to submit the annual Report of Licensee typically released in October of each calendar year.

(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.**

N/A. 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 Files No file chosen

Upload

(Uploaded files:)

Attachment 1 - Supporting Cost Analysis.xlsx (/WRInfo/Surveys/Download?fileName=42\_16340\_2387\_AlternativeComp\_A026619\_Uploads\_1.xlsx)

Attachment 2 - Salmon Creek Project Map.pdf (/WRInfo/Surveys/Download?fileName=42\_16340\_2387\_AlternativeComp\_A026619\_Uploads\_2.pdf)

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

'Attachment 1 - Supporting Cost Analysis' is a cost analysis supporting Section D.

'Attachment 2 - Salmon Creek Project Map' is an overview of the project works to provide context.

(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 \***

Mark Henwood, Manager, S

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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