

FEDERAL ENERGY REGULATORY COMMISSION
Washington, DC 20426
November 21, 2021

OFFICE OF ENERGY PROJECTS

Project No. 2290-122 – California
Kern River No. 3 Hydroelectric Project
Southern California Edison Company

VIA FERC Service

Subject: Scoping Document 1 for the Kern River No. 3 Hydroelectric Project

To the Parties Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document submitted by Southern California Edison for relicensing the Kern River No. 3 Hydroelectric Project (Kern 3 Project) (FERC No. 2290). The project is located on the North Fork Kern River and on Salmon and Corral Creeks near the town of Kernville in Kern and Tulare Counties, California.

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, Commission staff will prepare either an environmental assessment or an environmental impact statement (collectively referred to as the “NEPA document”), which will be used by the Commission to determine whether, and under what conditions, to issue a new license for the project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed, and that the NEPA document is thorough and balanced.

We invite your participation in the scoping process and are circulating the attached Scoping Document 1 (SD1) to provide you with information on the Kern 3 Project. We are also soliciting your comments and suggestions on our preliminary list of issues and alternatives to be addressed in the NEPA document. Additionally, we are requesting that you identify any studies that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the NEPA document for the project.

Due to concerns with large gatherings related to COVID-19, we do not intend to conduct in-person public scoping meetings or an in-person environmental site review. Instead, we are soliciting electronic or written comments, recommendations, and information on SD1. The Commission invites you to attend one of the scoping meetings

its staff will conduct by telephone (see Section 2.2, *Scoping Comments and Meetings* of the attached SD1).

SD1 is being distributed to both SCE's distribution list and the Commission's official mailing list for the project (see Section 9.0, *Mailing List* of the attached SD1). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to efiling@ferc.gov or by mail. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All written or emailed requests must specify your wish to be added to or removed from the mailing list and must clearly identify the following on the first page: **Kern River No. 3 Hydroelectric Project No. 2290-122.**

Please review SD1 and, if you wish to provide comments, follow the instructions in Section 6.0, *Request for Information and Studies*. The Commission strongly encourages electronic filings. If you have any questions about SD1, the scoping process, or how Commission staff will develop the NEPA document for this project, please contact Quinn Emmering, the Commission's relicensing coordinator for the project, at (202) 502-6382 or quinn.emmering@ferc.gov. Additional information about the Commission's licensing process and the project may be obtained from our website, www.ferc.gov. The deadline for filing comments is **January 20, 2022**. The Commission strongly encourages electronic filings.

Enclosure: Scoping Document 1

SCOPING DOCUMENT 1
KERN RIVER NO. 3 HYDROELECTRIC PROJECT
PROJECT NO. 2290
CALIFORNIA



Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

November 2021

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SCOPING DOCUMENT 1

1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),¹ may issue licenses for terms ranging from 30 to 50 years for the continued operation, and maintenance of non-federal hydroelectric projects. On September 22, 2021, Southern California Edison Company (SCE) filed a Pre-Application Document (PAD) and Notice of Intent (NOI) to seek a new license for the Kern River No. 3 Hydroelectric Project (Kern 3 Project or project) (FERC Project No. 2290).² The Kern 3 Project is located on the North Fork Kern River and on Salmon and Corral Creeks in Kern and Tulare Counties, California. The existing FERC project boundary encompasses a total of 234.6 acres of land, consisting of 9.4 acres of land owned by SCE and 225.2 acres of federal land in Sequoia National Forest administered by the U.S. Forest Service. The project has a total installed capacity of 40.2 megawatts (MW) and the average annual generation from 1997 to 2020 was 120,375 megawatt-hours. Section 3.0, *Proposed Action and Alternatives* provides a detailed description of the project, and figure 1 shows the project location and the primary project facilities.

The National Environmental Policy Act (NEPA) of 1969,³ the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the project as proposed and consider reasonable alternatives.⁴ We will prepare an environmental document (NEPA document) that describes and evaluates the probable effects, if any, of the licensee's proposed action and alternatives. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an environmental assessment (EA) or an environmental impact statement (EIS).

¹ 16 U.S.C. § 791(a)-825(r).

² The current license for the project was issued on December 24, 1996, with an effective date of December 1, 1996 and the license expires on November 30, 2026.

³ 42 U.S.C. §§ 4321-4370(f).

⁴ The Council on Environmental Quality (CEQ) issued a final rule on July 16, 2020, revising the regulations under 40 C.F.R. Parts 1500 – 1518 that implement NEPA (see *Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act*, 85 Fed. Reg. 43,304). The Final Rule became effective on September 14, 2020, and applies to any NEPA process begun after September 14, 2020. Commission staff intends to conduct its NEPA review in accordance with CEQ's new regulations.

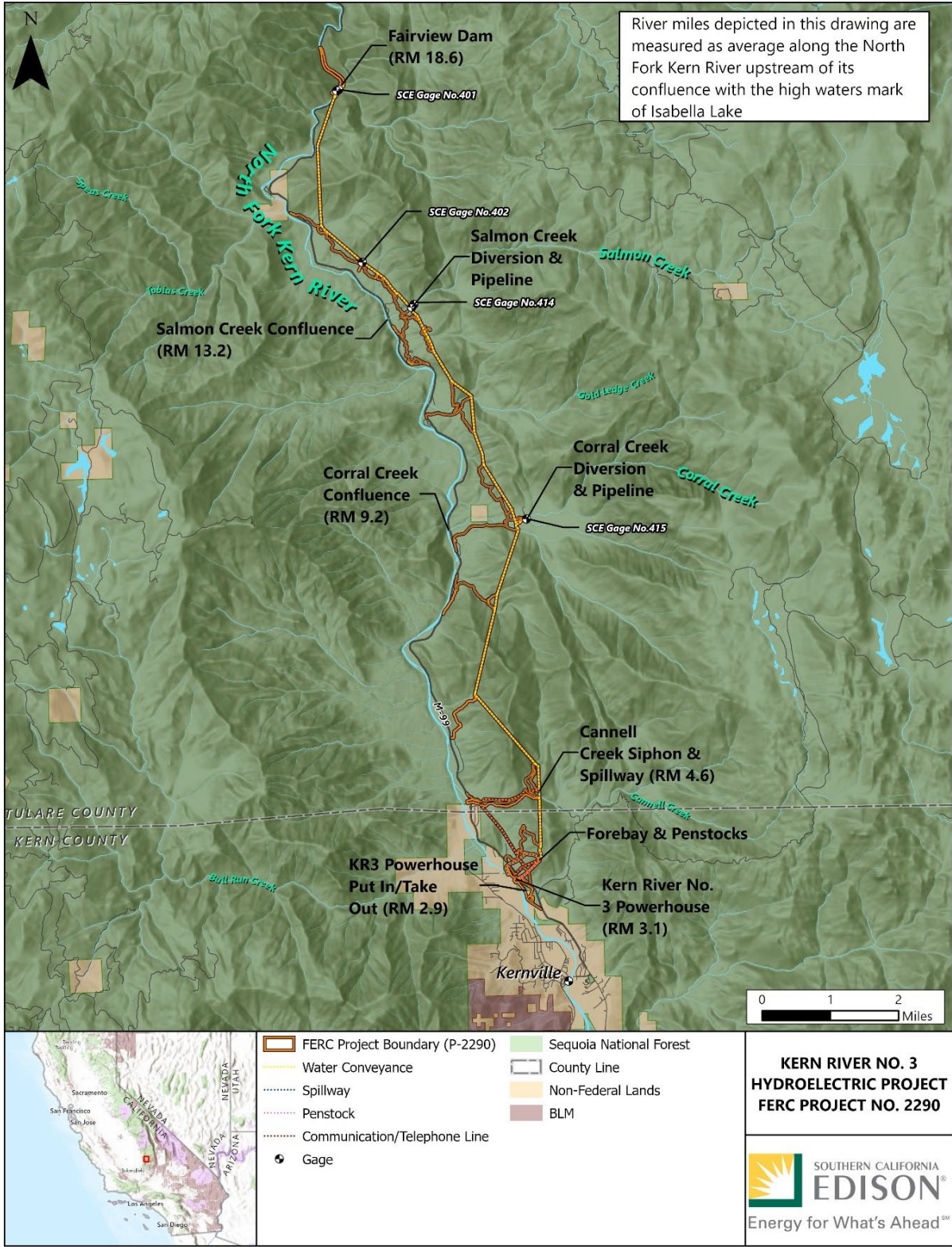


Figure 1. Location and project facilities for the Kern 3 Project (Source: SCE’s PAD).

2.0 SCOPING

This Scoping Document 1 (SD1) is intended to advise all participants as to the proposed scope of the Commission's NEPA document and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and current processing schedule for the license application; (2) a description of the licensee's proposed action and alternatives; (3) a preliminary identification of environmental issues and proposed studies; (4) a request for comments and information; and (5) a preliminary list of comprehensive plans that are applicable to the project.

2.1 PURPOSES OF SCOPING

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. In general, scoping should be conducted during the early planning stages of a project. The purposes of the scoping process are as follows:

- invite participation of federal, state, and local resource agencies; Indian tribes; non-governmental organizations (NGOs); and the public to identify significant environmental and socioeconomic issues related to the proposed project;
- determine the resource issues, depth of analysis, and significance of issues to be addressed in the NEPA document;
- identify reasonable alternatives to the proposed action that should be evaluated in the NEPA document;
- solicit, from participants, available information on the resources at issue, including existing information and study needs; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

2.2 SCOPING COMMENTS AND MEETINGS

During the preparation of the NEPA document, there will be several opportunities for agencies, Indian tribes, NGOs, and the public to provide input. These opportunities occur:

- during the public scoping process and study plan meetings, when we solicit written comments regarding the scope of the issues and analysis for the NEPA document;

- in response to the Commission’s notice that the project is ready for environmental analysis; and
- after issuance of the NEPA document when we solicit written comments on the document.

Due to on-going concerns with large gatherings related to COVID-19, we do not intend to hold in-person public scoping meetings or an environmental site review. Instead, we are soliciting written comments and recommendations on the preliminary list of issues and alternatives to be addressed in the NEPA document. In addition to written comments solicited by this SD1, Commission staff will hold two public scoping meetings using a telephone conference line. The daytime meeting will focus on concerns of resource agencies, Native American tribes, and NGOs while an evening meeting will focus on receiving comments from the public. Nevertheless, we invite all interested agencies, Native American tribes, NGOs, and individuals to attend any of these meetings to assist us in identifying the scope of environmental issues that should be analyzed in the NEPA document. Public comments will be accepted and recorded during the agency meeting and the public meeting. In addition, SCE has provided a virtual site tour of the project on its website (under *Stay Informed*) that can be accessed at: www.sce.com/regulatory/hydro-licensing/kr3. The meetings are scheduled as follows:

<p>Meeting for resource agencies, Tribes, and NGOs:</p> <p>Tuesday, December 14, 2021 9:00 a.m. - 12:00 p.m. PST</p> <p>Call in number: (415) 527-5035 Access code: 2762 739 2357 When prompted for attendee ID: Press #</p>
<p>Meeting for the general public:</p> <p>Tuesday, December 14, 2021 6:00 p.m. - 8:00 p.m. PST</p> <p>Call in number: (415) 527-5035 Access code: 2762 506 0330 When prompted for attendee ID: Press #</p>

Commission staff will be moderating the scoping meetings. The meetings will begin promptly at their respective start times listed above. After calling the phone number listed above, enter the correct access code and when prompted to enter the

attendee ID press the ‘#’ button (no ID number is required). All participants will be automatically muted upon joining the meeting.

At the start of the meeting, staff will provide further instructions regarding the meeting setup, agenda, and time period for participant comments and questions. We ask for your patience as staff present information and field comments in orderly manner. To indicate you have a question or comment, press * and 3 to virtually “raise your hand”. Oral comments will be limited to 5 minutes in duration for each participant. Both scoping meetings will be recorded by a court reporter and the transcripts will be made available on eLibrary.

Please note, that if no participants join the meetings within 15 minutes after the start time, staff will end the meeting and conference call. The meetings will end after participants have presented their oral comments or at the specified end time (listed above), whichever occurs first.

Interested stakeholders who choose not to speak or who are unable to attend the scoping meetings may provide written comments and information to the Commission as described in Section 6.0, *Request for Information and Studies*. These meetings are posted on the Commission’s calendar at <https://www.ferc.gov/news-events/events>, click on the “Scoping Meeting” link on the left side of the page.

Scoping commenters should provide information on issues and/or concerns as they pertain to the proposed continued operation and maintenance of the project. It is advised that commenters review the PAD when preparing comments. Copies of the PAD may be viewed on the Commission’s website (<http://www.ferc.gov>), using the “eLibrary” link. Enter docket number P-2290 to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov, or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. At this time, the Commission has suspended access to the Commission’s Public Reference Room, due to the proclamation declaring a National Emergency concerning COVID-19 issued by the President on March 13, 2020.

Following the scoping comment period, all issues raised will be reviewed and decisions made as to the level of analysis needed. If preliminary analysis indicates that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the NEPA document.

If we receive no substantive comments on SD1, then we will not prepare a Scoping Document 2 (SD2). Otherwise, we will issue a SD2 to address any substantive comments received. The SD2 will be issued for informational purposes only; no response will be required. The NEPA document will address recommendations and input received during the scoping process.

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA, the environmental analysis will consider the following alternatives, at a minimum: (1) the no-action alternative, (2) SCE's proposed action, and (3) the alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

Under the no-action alternative, the Kern 3 Project would continue to operate as required by the current project license (i.e., there would be no change to the existing environment). No new environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

3.1.1 Existing Project Facilities

Fairview Dam

Fairview dam and intake structure is a mass concrete overflow gravity structure located on the North Fork Kern River (River Mile 18.6). The structure is about 26 feet high with a 206-foot-long, 6.5-foot-wide overflow crest with a radiused top that is 60 feet high at its highest point at 3,632 feet above mean sea level. The downstream dam face is rounded with a 5-foot radius at the crest where the downstream slope and the crest join. The upstream face has a 12 to 1 slope. The crest of the dam also serves as a spillway and is designed for a capacity of approximately 15,000 cubic feet per second (cfs) with 8 feet of head.

Water is diverted from the river on the east abutment of the dam. There are two 300-cfs-capacity flowline intake gates with trashracks with 2-inch spacing located at the east end of the dam that divert water into a concrete-lined sediment trap (sandbox). Two fish release slide gates located near the east dam abutment can release up to 300 cfs each, depending upon head pressure behind the dam. The fish release slide gates are adjusted remotely from the project powerhouse and provide the required instream flows below the dam.

Diversions

Two smaller diversions, Salmon Creek diversion and Corral Creek diversion, divert seasonal runoff through a metal pipe to the main water conveyance system. The Salmon Creek diversion is constructed from reinforced concrete and is located on Salmon Creek, approximately 5.4 river miles downstream from Fairview dam and approximately 0.4 mile upstream of the confluence with the North Fork Kern River. The upstream face of this diversion is lined with vertical metal grating. The structure measures

approximately 61 feet across the crest and has a height of 5 feet above the streambed. There are three hand-operated gates: two drain gates that direct water into Salmon Creek, and a third gate that conveys water into the diversion pipe. From the Salmon Creek diversion, flow is diverted past a trash rack and into a 26-inch-diameter, 226-foot-long steel pipe that connects into Tunnel 9A of the project's main water conveyance line. Flow from the diversion pipe can be returned to the creek approximately 180 feet downstream from the diversion through interchangeable fixed-orifice plates to provide the 1 or 4 cfs minimum instream flow release, as described in Table 1 of Section 3.1.2 *Existing Project Operation*.

The Corral Creek diversion is a 43-foot-long, 8-foot-high, steel reinforced concrete gunite structure located on Corral Creek approximately 9.4 river miles downstream from Fairview dam and 1.1 miles upstream of the confluence with the North Fork Kern River. A 17-foot-wide spillway notch is cut into the top of the diversion. The diversion pond is formed in a rock pool. When not diverting flow, natural inflow is passed downstream through an 8-inch manually operated slide gate. When diverting flow, water is first released through interchangeable fixed-orifice plates that provide the current 0.5 or 1 cfs minimum instream flow release. Flows exceeding the minimum instream flow requirements are diverted to the flowline via a 14- to 11-inch-diameter steel pipe that runs approximately 900 feet from the diversion to a connection with a concrete flume on the project's main conveyance flowline between Tunnels No. 17 and No. 18.

Water Conveyance System

A 13-mile-long water conveyance system runs along the eastern hillslope above the North Fork Kern River. Water from the intake at Fairview dam is directed through the sandbox, and then into a series of buried concrete-lined tunnels, open and covered above-ground flumes, and a steel siphon before connecting to a regulating pressure flume, forebay, and penstocks as described below.

Sandbox

A 449-foot-long, 89-foot-wide, (divided into two 43-foot-wide compartments) reinforced concrete sandbox with a depth between 10 to 20 feet is located downstream of Fairview dam at the head of the water conveyance system along the east bank of the river. There is a short section of flume that connects the dam intakes and the sandbox. At the downstream end of the sandbox, there are two fish screens to prevent fish from entering the water conveyance system. The sandbox acts as a settling basin, where abrasive sediments settle out at the deepest points to be returned to the river, as required by the current license. To operate the sandbox, two additional sets of gates exist for each compartment, one upstream and one downstream, which are used to control flows into and out of the sandbox.

Tunnels, Flumes, and Adits

There are 24 below-ground tunnel segments totaling 60,270-feet-long, numbered sequentially north to south. The tunnel segments vary in length from several hundred feet to over 1 mile. The tunnel segments range in size from 8.5 feet wide by 8 feet high to 9.5 feet wide by 8 feet high. Water flow in the tunnel does not achieve a depth of greater than 7.5 feet. Tunnel portal access points (adits) are situated at various tunnel or tunnel/flume junctions along the flowline. The above-ground sections of the conveyance system (flumes) are located between tunnel segments. The flumes are constructed of reinforced concrete and are 8.5 feet wide and 8.25 feet high. The majority of the 4,600-foot-long concrete flumes are enclosed; however, there is about 1,000 feet of uncovered, or open-topped flume segments. The water conveyance system descends between 1.5 to 2 vertical feet for every 1,000 horizontal feet.

Cannell Creek Siphon and Spillway

The Cannell Creek Siphon is situated about 1 mile upstream from the forebay. The siphon is made of riveted steel pipe and is supported on concrete piers that are anchored to bedrock as it crosses above Cannell Creek. The total length of the siphon, which is situated between Tunnel No. 22 and Tunnel No. 23, is 1,146 feet. The diameter of the pipe measures 9.5 feet at the upstream tunnel connection and 8 feet at the lowest point.

The upstream section of the siphon is connected to a small concrete reservoir that serves to regulate flow into the siphon. Water from the conveyance flowline may be released from the concrete reservoir into a 45-foot long concrete spillway and approximately 470-foot long, rock-lined spillway channel down to Cannell Creek. These water releases may occur if excess tunnel pressure needs to be reduced or water in the flowline need to be drained. The confluence of Cannell Creek and the NFKR is approximately 1 river mile downstream from the spillway.

Pressure Flume and Forebay

The end of the water conveyance system is located after Tunnel No. 23 and consists of an 1,100-foot-long reinforced concrete pipe, referred to as the pressure flume, and a forebay, a 61-foot-long, 20-foot-wide, and 30-foot-high concrete box. The pressure flume and forebay are situated on the hill above the powerhouse and regulate the flow into the penstocks. Under operating conditions, water from the pressure flume and forebay is directed through the two 24-inch slide gates into either of the two penstocks leading to the powerhouse.

Spillway

A spillway gate is located on the west side of the flowline between the end of the pressure flume and the forebay. If flow into the penstocks and powerhouse needs to be restricted or if the gates are closed at the forebay, excess water can be redirected into a bedrock lined spillway (or into the Cannell Creek spillway discussed above). The spillway channel runs west adjacent to the two penstocks along the hill slope until it rejoins with the North Fork Kern River about 700 feet upstream from the powerhouse. The spillway channel is about one half-mile-long with an elevation change of about 815 feet.

Penstocks and Release Valve

The penstocks are comprised of two metal pipes, each approximately 2,500 feet long, extending from the forebay to the powerhouse, with a varying diameter of 84 inches in diameter at the forebay tapering down to 60 inches in diameter where they meet the powerhouse. The average static head is 821 feet between the forebay and penstocks. The last 160 feet of pipe (downhill nearest the powerhouse) is buried under earth fill.

Cooler water from the conveyance flowline is provided to the Kern River Fish Hatchery (hatchery) via an intake pipe immediately downstream of the powerhouse tailrace along the left bank of the North Fork Kern River. Cooler water from the tailrace mixes with the water in the river before it naturally flows over the intake pipe into the hatchery. The release valve is arranged such that water may be taken from either of the two penstocks by means of the penstock tie header located inside the powerhouse.

Powerhouse and Appurtenant Facilities

The 130-foot-long, 88-foot-wide, reinforced concrete project powerhouse is located along the North Fork Kern River, about 2 miles north of the town of Kernville. The powerhouse stands approximately 57.5 feet above the uphill grade and extends another 40 feet below. The powerhouse contains the two original Francis reaction-type turbines rated at 57,400 horsepower (hp) total and two generators with a total normal operating capacity of 36.8 MW. The total installed capacity of the powerhouse is 40.2 MW. Diverted water is returned directly to the North Fork Kern River via a tailrace comprised of a 90-foot-long, 20-foot-high, and 18-inch-thick concrete wing wall attached to the powerhouse. There are no project transmission lines. Electricity generated by the project enters SCE's bulk electric grid on the 66-kilovolt bus at the project substation located inside the powerhouse.

Gaging Stations

SCE maintains two recording gaging stations that monitor and record water flow for project compliance. SCE also maintains and inspects two other non-recording gaging stations associated with the small diversions. These gages are inspected monthly to observe, and log flow conditions based on the fixed-orifice release plate in place.

Access Roads

The project boundary includes 33 roads (totaling over 18 miles) that SCE uses to access project facilities to conduct ongoing operations and maintenance activities. The majority of the roads are on federal lands, with only a short segment (about 0.5 mile) of the powerhouse Access Road located on SCE-owned lands. SCE is responsible for the maintenance and upkeep of the project roads.

Project Recreation Site

A put-in/take-out is located approximately 250 yards downstream of the project powerhouse and consists of a dirt boat launch ramp, graded parking area, and two signs designating the launch site. The site is on lands owned by SCE and accessible to rafting outfitters and the general public.

3.1.2 Existing Project Operation

The project is operated in compliance with existing regulatory requirements, agreements, and water rights to generate power.

Water Management

Water for power is diverted primarily from the North Fork Kern River and the project is operated as a run-of-river facility. Therefore, the amount and timing of flow diverted for power at Fairview dam is a function of inflow from the North Fork Kern River upstream of the project, current license requirements for minimum instream flow (MIF), seasonal whitewater flow releases, flowline capacities, and other operational agreements. The powerhouse operates when sufficient water is available at the primary intake at Fairview dam and the two small diversions that supply additional water to the water conveyance system (Salmon Creek and Corral Creek diversions). Normal operating flow capacity of the water conveyance is 585-605 cfs. SCE is required to maintain continuous minimum flows or natural flows, whichever is less, as measured by SCE gage 401 below Fairview dam. The current license requires the following seasonal MIF releases from Fairview dam:

October:	80 cfs	April through June:	100 cfs
November through February:	40 cfs	July through August:	130 cfs
March:	70 cfs	September:	100 cfs

Additionally, SCE provides 35 cfs year-round to California Department of Fish and Wildlife’s Kern River Planting Base Hatchery via the project conveyance system and the powerhouse tailrace. SCE includes an additional buffer of 5 to 10 cfs in the hatchery flow to count for the diurnal flow fluctuations. SCE is also required to maintain MIFs below Salmon Creek and Corral Creek Diversions, as outlined in the Table 1 below.

Table 1. Minimum Instream Flows for Salmon and Corral Creek Diversions.

Diversion	Dates	Minimum Instream Flow
Salmon Creek	February through June 30	4 cfs
Salmon Creek	July 1 through January 31	1 cfs
Corral Creek	February through June 30	1 cfs
Corral Creek	July 1 through January 31	0.5 cfs

The diversions are manually operated, and SCE may elect to “turn-out” the diversions in lower flow months and let natural flows continue downstream. However, if large rainfall is predicted, SCE will “turn-in” the diversion to capture and divert additional flow once the MIFs have been met. The diversions are configured so that the required instream flows are provided before any additional flow is diverted to the conveyance flowline.

During peak runoff in the spring and summer, a flow schedule was designed to enhance whitewater recreation opportunities in the Fairview dam bypass reach, as per Article 422 of the current license (amended January 30, 2019) (Table 2).

Table 2. Whitewater Recreation Flow Releases Schedule.

Dates	Boating Days	River Flow Fairview Dam (cfs)	Minimum Whitewater Release (cfs)
April 1 up to the weekend prior to Memorial Day Weekend	Fridays and Weekends	1,000 to 1,300	700
		More than 1,700	1,400

Weekend prior to Memorial Day Weekend until July 4	Daily	1,000 to 1,300 More than 1,700	700 1,400
July 5 up to July 31	Weekends	1,000 to 1,300 More than 1,700	700 1,400

Depending upon the availability of water in the conveyance system, SCE may elect to utilize none, one, or both of the generating units. For example, during low-flow periods (e.g., November through April), SCE may elect to operate only one unit and take the other off-line to conduct routine maintenance or may elect to remove both generating units from service.

The powerhouse is operated as a baseload facility.⁵ All energy, minus that necessary to operate the plant auxiliaries, is transmitted to the SCE transmission system. The amount of energy necessary to operate the plant auxiliaries is normally 15-20 megawatt-hours (MWh) per month.

The current license also requires SCE to operate the project such that flow reductions below Fairview dam do not exceed 30 percent of the existing flow per half hour.

3.2 SCE’S PROPOSAL

3.2.1 Proposed Project Facilities and Operations

The proposed action is to continue to operate and maintain the project as required by the existing license. No new or upgraded facilities, structural changes, or operational changes to the project are proposed by SCE at this time.

3.2.2 Proposed Environmental Measures

SCE does not currently propose any new environmental measures.

3.3 DAM SAFETY

It is important to note that dam safety constraints may exist and should be taken into consideration in the development of proposals and alternatives considered in the

⁵ Baseload facilities are those power plants that generate dependable power consistently to meet demand.

pending proceeding. For example, proposed modifications to the dam structure, such as the addition of flashboards or fish passage facilities, could impact the integrity of the dam structure. As the proposal and alternatives are developed, the applicant must evaluate the effects and ensure that the project would meet the Commission's dam safety criteria found in Part 12 of the Commission's regulations and the Engineering Guidelines (<http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp>).

3.4 ALTERNATIVES TO THE PROPOSED ACTION

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement measures identified by the Commission, agencies, Indian tribes, NGOs, and the public.

3.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

At present, we propose to eliminate the following alternatives from detailed study in the NEPA document.

3.5.1 Federal Government Takeover

In accordance with § 16.14 of the Commission's regulations, a federal department or agency may file a recommendation that the United States exercise its right to take over a hydroelectric power project with a license that is subject to Sections 14 and 15 of the FPA.⁶ We do not consider federal takeover to be a reasonable alternative. Federal takeover of the project would require congressional approval. While that fact alone would not preclude further consideration of this alternative, there is currently no evidence showing that federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate, and no federal agency has expressed interest in operating the project.

3.5.2 Non-power License

A non-power license is a temporary license the Commission would terminate whenever it determines that another governmental agency is authorized and willing to assume regulatory authority and supervision over the lands and facilities covered by the non-power license. At this time, no governmental agency has suggested a willingness or ability to take over the project. No party has sought a non-power license, and we have no basis for concluding that the Kern 3 Project should no longer be used to produce power.

⁶ 16 U.S.C. §§ 791(a)-825(r).

Thus, we do not consider a non-power license a reasonable alternative to relicensing the project.

3.5.3 Project Decommissioning

As the Commission has previously held, decommissioning is not a reasonable alternative to relicensing in most cases.⁷ Decommissioning can be accomplished in different ways depending on the project, its environment, and the particular resource needs.⁸ For these reasons, the Commission does not speculate about possible decommissioning measures at the time of relicensing, but rather waits until an applicant actually proposes to decommission a project, or a participant in a relicensing proceeding demonstrates that there are serious resource concerns that cannot be addressed with appropriate license measures and that make decommissioning a reasonable alternative.⁹ SCE does not propose decommissioning, nor does the record to date demonstrate there are serious resource concerns that cannot be mitigated if the project is relicensed; as such, there is no reason, at this time, to include decommissioning as a reasonable alternative to be evaluated and studied as part of staff's NEPA analysis.

⁷ See, e.g., *Eagle Crest Energy Co.*, 153 FERC ¶ 61,058, at P 67 (2015); *Public Utility District No. 1 of Pend Oreille County*, 112 FERC ¶ 61,055, at P 82 (2005); *Midwest Hydro, Inc.*, 111 FERC ¶ 61,327, at PP 35-38 (2005).

⁸ In the unlikely event that the Commission denies relicensing a project or a licensee decides to surrender an existing project, the Commission must approve a surrender “upon such conditions with respect to the disposition of such works as may be determined by the Commission.” 18 C.F.R. § 6.2 (2020). This can include simply shutting down the power operations, removing all or parts of the project (including the dam), or restoring the site to its pre-project condition.

⁹ See generally *Project Decommissioning at Relicensing*; Policy Statement, FERC Stats. & Regs., Regulations Preambles (1991-1996), ¶ 31,011 (1994); see also *City of Tacoma, Washington*, 110 FERC ¶ 61,140 (2005) (finding that unless and until the Commission has a specific decommissioning proposal, any further environmental analysis of the effects of project decommissioning would be both premature and speculative).

4.0 SCOPE OF RESOURCE ISSUES

4.1 RESOURCE ISSUES

In this section, we present a preliminary list of potential environmental issues to be addressed in the NEPA document.¹⁰ We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's public record for the Kern 3 Project. This list is not intended to be exhaustive or final, but contains the issues raised to date. After the scoping process is complete, we will review the list and determine the appropriate level of analysis needed to address each issue in the NEPA document.

4.1.1 Geologic and Soils Resources

- Effects of continued project operation on turbidity and suspended sediment loads.

4.1.2 Water Resources

- Effects of continued project operation on hydrology of the North Fork Kern River in the project bypassed reaches and downstream of the powerhouse.
- Effects of continued project operation on water temperature and dissolved oxygen in the project bypassed reaches and downstream of the powerhouse.

4.1.3 Aquatic Resources

- Effects of continued project operation on fish habitat and fish resources in the project impoundment, bypassed reaches, and downstream of the powerhouse.
- Effects of continued project operation on western pearlshell mussel in the project area.
- Effects of project water diversions and instream flow on fish habitat in the project bypassed reaches.
- Effects of project flow fluctuations on fish resources during project start-up and shut-down below Fairview dam and the powerhouse.
- Effects of Fairview dam sandbox flushing on aquatic habitat and aquatic resources in the North Fork Kern River bypassed reach.

¹⁰ Per CEQ's final rule (July 16, 2020), Commission staff will consider and evaluate effects that are reasonably foreseeable and have a reasonably close causal relationship (proximate cause) to the proposed action.

- Effects of fish entrainment at Fairview dam, Salmon Creek diversion, and Corral Creek diversion on fish resources in the project area.
- Effects of Fairview dam, Salmon Creek diversion dam, and Corral Creek diversion dam on upstream and downstream fish passage.

4.1.4 Terrestrial Resources

- Effects of continued project operations on instream flows and aquatic habitat in the North Fork Kern River and Salmon and Corral Creeks, including project bypassed reaches, on aquatic and semi-aquatic amphibians and reptiles, including the foothill yellow-legged frog (*Rana boylei*) and western pond turtle (*Actinemys marmorata*).
- Effects of continued project operation and maintenance on wetlands, riparian habitat, and sensitive natural communities: Great Valley Cottonwood Riparian Forest and Southern Interior Cypress Forest.
- Effects of continued project operation and maintenance activities including project-related recreation, vegetation management, and herbicide use on native vegetation and special-status plant species including those identified in SCE's PAD¹¹ as well as the Springville clarkia (*Clarkia springvillensis*) and Bakersfield cactus (*Opuntia basilaris*).
- Effects of continued project operation, maintenance activities, and project-related recreation on the introduction and spread of non-native, invasive plant species (NNIP) including potential effects of NNIP on native plant communities, special-status species, and wildlife habitat.
- Effects of continued project operation and maintenance activities including project-related recreation, vegetation management, and herbicide use on special-status wildlife species including those identified in SCE's PAD¹² as well as Forest Service Species of Conservation Concern and nesting migratory birds.¹³

¹¹ Section 5.4.4 of the PAD identified eight special-status plant species known to occur in the vicinity of the project.

¹² Section 5.5.4 of the PAD identified 30 special-status wildlife species known to occur or potentially occurring in the vicinity of the project.

¹³ Migratory birds include any species protected under the Migratory Bird Treaty Act (50 CFR 10.13).

4.1.5 Threatened and Endangered Species

- Effects of continued project operation and maintenance on the federally endangered Southern Sierra Nevada Distinct Population Segment (DPS) of fisher (*Pekania pennanti*), California condor (*Gymnogyps californianus*), least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), and the Northern California DPS of mountain yellow-legged frog (*Rana muscosa*), the federally threatened California red-legged frog (*Rana draytonii*), the Western DPS of yellow-billed cuckoo (*Coccyzus americanus*), and delta smelt (*Hypomesus transpacificus*), and a candidate for listing under the Endangered Species Act, the monarch butterfly (*Danaus plexippus*).¹⁴

4.1.6 Recreation Resources

- Effects of continued project operation and maintenance on recreation resources.

4.1.7 Land Use and Aesthetic Resources

- Effects of continued project operation and maintenance on land use.
- Effects of continued project operation and maintenance on aesthetic resources.

4.1.8 Cultural and Tribal Resources

- Effects of continued project operation and maintenance on historic or archaeological resources, and traditional cultural properties that may be eligible for inclusion in the National Register of Historic Places, or on other areas or places of religious, cultural, and traditional importance to Indian tribes.

4.1.9 Socioeconomics

- Effects of continued project operations and flow diversions on agriculture and other consumptive uses in North Fork Kern River watershed.

¹⁴ Although not included in the official list of federally threatened and endangered species (filed November 19, 2021), SCE's PAD indicates that the yellow-billed cuckoo potentially occurs in the project vicinity.

5.0 PROPOSED STUDIES

Depending upon the findings of studies completed by SCE and the recommendations of the consulted entities, SCE will consider, and may propose certain other measures to enhance environmental resources affected by the project as part of the proposed action. SCE’s initial study proposals are identified by resource area in Table 3. Detailed information on SCE’s initial study proposals can be found in the PAD. Further studies may need to be added to this list based on comments provided to the Commission and SCE from interested participants, including Indian tribes.

Table 3. SCE’s initial study proposals for the Kern 3 Project. (Source: SCE’s PAD Volume II, Appendix E)

PROPOSED STUDIES
Water Resources
Study WR-1: Water Temperature and Dissolved Oxygen – SCE proposes to continuously monitor temperature and dissolved oxygen during the summer months by installing loggers within all three project bypass reaches, above Fairview dam, and downstream of the project powerhouse.
Study WR-2: Hydrology – SCE proposes to: (1) compile hydrologic gage data from SCE, U.S. Geological Survey, and/or U.S. Army Corp of Engineers; (2) verify gage data through a quality assurance process at the hourly level; and (3) summarize gage data for use in resource evaluations.
Terrestrial Resources
Study BIO-1: Foothill Yellow-legged Frog (FYLF) – SCE proposes to: (1) evaluate habitat suitability for all FYLF life stages within project-affected stream reaches; (2) determine whether any life stage of FYLF is present within project-affected stream reaches using eDNA sampling; and (3) conduct visual encounter surveys for FYLF and other amphibian or aquatic reptile species within suitable habitats within project-affected stream reaches.
Study BIO-2: Western Pond Turtle and Special-status Salamanders – SCE proposes to: (1) identify and map potential nesting/breeding habitat for western pond turtle and special-status salamanders within the project area; (2) conduct visual encounter surveys for western pond turtles and special-status salamanders within identified nesting/breeding habitats; and (3) resurvey previously documented locations of western pond turtles and salamanders within the project area.

<p>Study BIO-3: General Wildlife Resources – SCE proposes to: (1) conduct literature review to identify and map known locations and potential suitable habitats for special-status wildlife including Forest Service Species of Conservation Concern; (2) perform pedestrian surveys for identified species in known or potentially suitable habitats, as determined by the literature review; (3) install and periodically review trail cameras at locations likely to capture wildlife activity; and (4) document other wildlife species observed during field surveys.</p>
<p>Study BOT-1: General Botanical Resources – SCE proposes to: (1) conduct floristic field surveys in the vicinity of project facilities to document special-status plants including Forest Service Species of Conservation Concern and non-native, invasive plants with high ecological impact; (2) map sensitive natural communities; and (3) ground-truth Forest Service vegetation mapping.</p>
<p>Recreation and Land Use</p>
<p>Study REC-1: Whitewater Boating Resource Evaluation – SCE proposes to conduct a phased study. Phase 1 would conduct a desktop review of existing whitewater information and hydrology analysis assessment to further refine whitewater boating flow ranges. Phase 2 would develop a whitewater boating survey and focus group to obtain information on boating preferences in the Fairview dam bypass reach.</p>
<p>Study REC-2: Recreation Facilities Use Assessment – SCE proposes to: (1) characterize visitor use, through the use of a visitor intercept survey (questionnaire), at recreation resources within the project boundary and along the Fairview dam bypass Reach and (2) utilize the results of the survey to determine if use at individual recreation sites are induced by the project.</p>
<p>Cultural Resources</p>
<p>Study CUL-1: Cultural Resources – SCE proposes to: (1) search records to compile additional information from available repositories; (2) conduct a pedestrian survey within the area of potential effects (APE) in areas that have not been surveyed or should be resurveyed, to identify and record any new sites; and (3) record and document all sites and built environment resources within the APE.</p>
<p>Study TRI-1: Tribal Resources – SCE proposes to: (1) conduct background archival research of the study area; (2) identify and document tribal resources within or immediately adjacent to the APE; (3) conduct a Native American ethnographic/ ethnohistoric survey of the APE; and (4) conduct interviews with knowledgeable tribal informants.</p>

6.0 REQUEST FOR INFORMATION AND STUDIES

We are asking federal, state, and local resource agencies, Indian tribes, NGOs, and the public to file with the Commission any information that will assist us in conducting an accurate and thorough analysis of the project-specific and cumulative effects associated with relicensing the Kern 3 Project. The types of information we request includes, but are not limited to:

- information, quantitative data, or professional opinions that may help define the scope of the analysis, and that helps identify significant environmental issues;
- identification of, and information from, any EA, EIS, or similar environmental study/report (previous, on-going, or planned) relevant to the proposed relicensing of the Kern 3 Project;
- existing information and any data that would help characterize environmental conditions, habitats, and effects of the project on environmental and socioeconomic resources;
- the identification of any federal, state, local resource plans, or documentation showing why any resources should be excluded from further study or consideration; and
- study requests by federal and state agencies, local agencies, Indian tribes, NGOs, and the public that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the NEPA document for the project.

All requests for studies filed with the Commission must meet the criteria found in Appendix B, *Study Plan Criteria*.

The requested information, comments, and study requests should be submitted to the Commission **no later than January 20, 2022**. All filings must clearly identify the following on the first page: **Kern River No. 3 Hydroelectric Project (P-2290-122)**. Scoping comments may be filed electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website <https://ferconline.ferc.gov/FERCOOnline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may

also be paper-filed. To paper-file, mail an original and five copies. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Register online at <https://ferconline.ferc.gov/FERCOOnline.aspx> to be notified via email of new filings and issuances related to these or other pending projects. For assistance, please contact FERC Online Support [mailto: ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov).

Any questions concerning the scoping process or how to file written comments with the Commission should be directed to Quinn Emmering, the Commission's relicensing coordinator for the Kern 3 Project, at (202) 502-6382 or quinn.emmering@ferc.gov. Additional information about the Commission's licensing process and the Kern 3 Project may be obtained from the Commission's website, www.ferc.gov.

7.0 CURRENT PROCESSING SCHEDULE

The decision on whether to prepare an EA or EIS will be determined after the license application is filed and we fully understand the scope of effects and measures under consideration. The NEPA document will be distributed to all persons and entities on the Commission's service and mailing lists for the Kern 3 Project. The NEPA document will include our recommendations for operating procedures, as well as environmental protection and enhancement measures that should be part of any license issued by the Commission. The comment period will be specified in the notice of availability of the NEPA document.

The major milestones, with pre-filing target dates, are as follows:

<u>Major Milestone</u>	<u>Date</u>
Stakeholder Comments on SD1 due	January 20, 2022
FERC Issues SD2 (if necessary)	March 6, 2022
SCE Files Proposed Study Plan	March 6, 2022
FERC Issues Study Plan Determination	August 3, 2022
SCE Conducts Studies	Spring/Summer 2022/2023
SCE's Final License Application Due	November 30, 2024

A process plan, which has a complete list of relicensing milestones for the Kern 3 Project is attached as Appendix A.

8.0 COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. section 803(a)(2)(A), requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by a project. Commission staff have preliminarily identified and reviewed the plans listed below that may be relevant to the Kern 3 Project. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 CFR 2.19 of the Commission's regulations. Please follow the instructions for filing a plan at <https://cms.ferc.gov/media/list-comprehensive-plans>.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the Kern 3 Project.

Federal Plans

Bureau of Land Management. 2014. Bakersfield Field Office Resource Management Plan. Department of the Interior. Bakersfield, California. December.

Federal United States Forest Service. 1988. Sequoia National Forest Land and Management Plan. Department of Agriculture, Forest Service, Sequoia National Forest. March.

United States Forest Service. No Date. Comprehensive Management Plan—North and South Forks of the Kern Wild and Scenic River. U.S. Department of Agriculture, Forest Service, Pacific Southwest Region, Sequoia and Inyo National Forests.

National Park Service. 1933. *The Nationwide Rivers Inventory*. Department of the Interior, Washington, D.C.

California Plans

California Department of Fish and Game. 2003. *Strategic Plan for Trout Management: A Plan for 2004 and Beyond*. Sacramento, California. November 2003.

California Department of Fish and Wildlife. 2008. *California Aquatic Invasive Species Management Plan*. Sacramento, California. January 18, 2008.

California Department of Parks and Recreation. 1998. *Public Opinions and Attitudes on Outdoor Recreation in California*. Sacramento, California. March 1998.

California State Water Resources Control Board. 2018. *Water quality control plan for the Tulare Lake Basin*. Sacramento, California. Revised May 2018 (with Approved Amendments).

9.0 MAILING LIST

The list below is the Commission’s official mailing list for the Kern River No. 3 Hydroelectric Project (FERC No. 2290). If you want to receive future mailings for the project and are not included in the list below, please send your request by email to efiling@ferc.gov or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written and emailed requests to be added to the mailing list must clearly identify the following on the first page: **Kern River No. 3 Hydroelectric Project No. 2290-122**. You may use the same method if requesting removal from the mailing list below.

Register online at <https://ferconline.ferc.gov/FERCOOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support at FERCOOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Official Mailing List for the Kern River No. 3 Hydroelectric Project

Brett Duxbury Co-Director Kern River Boaters PO Box 1938 Kernville, CA 93238	Chuck Richards Kern River Outfitters 15729 Sierra Way Kernville, CA 93238
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Theresa L. Lorejo-Simsiman Stewardship Director American Whitewater 12155 Tributary Point Drive, #48 Gold River, CA 95670	Lanny Borthick President Kernville Chamber of Commerce PO Box 397 Kernville, CA 93238
Julie Gantenbein Staff Attorney American Whitewater 2140 Shattuck Avenue, Ste. 801 Berkeley, CA 94704-1229	James Ahrens KRFF 8536 Kern Canyon Road, 201 Bakersfield, CA 93306

<p>California Electricity Oversight Board v. Sellers of Long-Term Contracts to the California Department of Water Resources Legal Department 455 Golden Gate Ave, Ste 11000 San Francisco, CA 94102-7004</p>	<p>Stephen M. Bowes National Park Service 333 Bush St. Ste 500 San Francisco, CA 94104-2828</p>
<p>Julie Gantenbein Staff Attorney Friends of the River 2140 Shattuck Avenue, Ste 801 Berkeley, CA 94704-1229</p>	<p>FERC Case Administration Southern California Edison Company 2244 Walnut Grove Ave Rosemead, CA 91770</p>
<p>Ronald Martin Stork Friends of the River 1418 20th St, Suite 100 Sacramento, CA 95811-5206</p>	<p>Kelly Henderson Attorney Southern California Edison Company PO Box 800 Rosemead, CA 91770</p>
<p>Wayne P. Allen Principal Manager Southern California Edison Company PO Box 100 Rosemead, CA 91770</p>	<p>Mary M. Richardson Senior Advisor Regulatory Affairs & Compliance Southern California Edison Company 1515 Walnut Grove Ave Rosemead, CA 91770</p>
<p>Martin Ostendorf Compliance Manager Southern California Edison Company 54170 Mtn Spruce Road PO Box 100 Big Creek, CA 93605</p>	<p>Mary Schickling Senior Specialist Southern California Edison Company 1 Pebbly Beach Road Avalon, CA 90704</p>
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<p>Cornelio Artienda Senior Advisor Southern California Edison Company 1515 Walnut Grove Ave Rosemead, CA 91770</p>	<p>Kerry O'Hara Assistant Regional Solicitor US Department of the Interior 2800 Cottage Way, RM E-1712 Sacramento, CA 95825-1946</p>
<p>Executive Director Advisory Council on Historic Preservation 401 F Street NW, Suite 308 Washington, DC 20001</p>	<p>Rick Kuyper US Fish and Wildlife Service 2800 Cottage Way, Room W-2605 Sacramento, CA 95825</p>

<p>Alison Lipscomb Bureau of Land Management 3801 Pegasus Drive Bakersfield, CA 93308</p>	<p>Dawn Alvarez, RHAT Regional Hydropower Program Manager US Forest Service 1323 Club Drive Vallejo, CA 94592</p>
<p>Lilian Jonas National Park Service PO Box 915 Red Bluff, CA 96080</p>	<p>Monique Sanchez Hydropower Coordinator US Forest Service 1980 Old Mission Drive, Solvang, CA 93463</p>
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<p>Kyle Lane US Forest Service - Sequoia National Forest 11380 Kernville Road PO Box 9 Kernville, CA 93238</p>	<p>Joseph Martin Natural Resource Specialist US Forest Service - Sequoia National Forest 11380 Kernville Road PO Box 9 Kernville, CA 93238</p>
<p>Stephen Elgart US Forest Service - Sequoia National Forest 11380 Kernville Road PO Box 9 Kernville, CA 93238</p>	<p>Stacy Lundgren US Forest Service - Sequoia National Forest 11380 Kernville Road PO Box 9 Kernville, CA 93238</p>

<p>Tim Kelly US Forest Service - Sequoia National Forest 11380 Kernville Road PO Box 9 Kernville, CA 93238</p>	<p>George Nokes Regional Manager California Department of Fish and Wildlife 1130 East Shaw Avenue Fresno, CA 93710</p>
<p>State Historic Preservation Officer Office of Historic Preservation PO Box 942896 Sacramento, CA 94296-0001</p>	<p>Abimael Leon California Department of Fish and Wildlife 1130 East Shaw Avenue Fresno, CA 93710</p>
<p>William Crooks Executive Officer California Regional Water Resource Control Board 1685 E. Street Fresno, CA 93706-2007</p>	<p>Brian Beal California Department of Fish and Wildlife 1130 East Shaw Avenue Fresno, CA 93710</p>
<p>Andrea Sellers California State Water Resource Control Board PO Box 100 1001 I Street Sacramento, CA 95814</p>	<p>Dale Stanton California Department of Fish and Wildlife 1130 East Shaw Avenue Fresno, CA 93710</p>
<p>Parker Thaler California State Water Resource Control Board PO Box 100 1001 I Street Sacramento, CA 95814</p>	<p>Eric Jones California Department of Fish and Wildlife 1130 East Shaw Avenue Fresno, CA 93710</p>
<p>Ann Marie Ore California State Water Resources Control Board PO Box 100 1001 I Street Sacramento, CA 95814</p>	<p>Kern River Hatchery California Department of Fish and Wildlife 14415 Sierra Way Kernville, CA 93238</p>
<p>James Rambeau Chairperson Big Pine Paiute Tribe of Owens Valley PO Box 700 Big Pine, CA 93513</p>	<p>David Laughing Horse Robinson Chairman Kawaiisu Tribe PO Box 1547 Kernville, CA 93238</p>
<p>Jacqueline "Danelle" Gutierrez THPO Big Pine Paiute Tribe of Owens Valley PO Box 700 Big Pine, CA 93513</p>	<p>Julie Tunner Secretary Kern Valley Indian Community PO Box 1010 Lake Isabella, CA 93240</p>

<p>Sally Manning Environmental Director Big Pine Paiute Tribe of Owens Valley PO Box 700 Big Pine, CA 93513</p>	<p>Brandy Kendricks Kern Valley Indian Community 30741 Foxridge Court Tehachapi, CA 93561</p>
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<p>Carl Dahlberg Chairman Fort Independence Community of Paiute Indians PO Box 67 Independence, CA 93526</p>	<p>Richard Button Chairperson Lone Pine Paiute-Shoshone Tribe PO Box 747 Lone Pine, CA 93545</p>
<p>Sean Scruggs THPO Fort Independence Community of Paiute Indians PO Box 67 Independence, CA 93526</p>	<p>Kathy Bancroft THPO Lone Pine Paiute-Shoshone Tribe PO Box 40 Lone Pine, CA 93545</p>
<p>Robert Robinson Kern Valley Indian Community PO Box 1010 Lake Isabella, CA 93240</p>	<p>Cultural Department Santa Rosa Rancheria Tachi Yokut 16998 Kent Ave Leemore, CA 93245</p>
<p>Cathy Day Kawaiisu Band of Kern Valley Indians PO Box 1210 Weldon, CA 93283</p>	<p>Colin Rambo Cultural Resources Tech Tejon Indian Tribe PO Box 640 Arvin, CA 93203</p>
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<p>Robert Gomez Chairman Tubatulaba Tribe of Kern Valley PO Box 226 Lake Isabella, CA 93240</p>	<p>Neil Peyron Chairman Tule River Indian Tribe PO Box 589 Porterville, CA 93258</p>

<p>Darrel Garci Vice Chair Tubatulabal Tribe PO Box 226 Lake Isabella, CA 93240</p>	<p>Kenneth Woodrow Chairperson Wuksache Indian Tribe/Eshom Valley Band 1179 Rock Haven Court Salinas, CA 93906</p>
<p>Kern County Admin and Courts Building 1415 Truxtun Bakersfield, CA 93301-5215</p>	<p>Charles H William Engineer North Kern Water Storage District PO Box 81435 Bakersfield, CA 93380</p>
<p>Bryan Batdorf Kernville Chamber of Commerce 119 Spruce Ave, Box 1558 Kernville, CA 93238</p>	<p>Board of Supervisors Tulare County 2800 W. Burrel Ave Visalia, CA 93291</p>
<p>Lenny Borthick President Kernville Chamber of Commerce 119 Spruce Ave, Box 1558 Kernville, CA 93238</p>	<p>Dana Munn Kern River Master Water Association of Kern County-Kern River Watermaster PO Box 1168 Wasco, CA 93280-8068</p>
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<p>James Aherns Kern River Fly Fishers PO Box 686 Bakersfield, CA 93302</p>	<p>Karl Hemmila Energy Systems Engineering 10861 E Calle Desierto Tucson, AZ 85748</p>
<p>Matt Volpert Kern River Outfitters 6602 Wofford Blvd Wofford Heights, CA 93285</p>	<p>Eric Girardin HDR Inc. 2379 Gateway Oaks Drive Sacramento, California 95818</p>
<p>Katharine "Kat" Edmonson Kern Valley River Council PO Box 497 Kernville, CA 93238</p>	<p>Thomas Livingstone Kayaket PO Box 189 Silverton, CO 81433</p>

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<p>Rhonda Stallone Mountain and River Adventures 15775 Sierra Way Kernville, CA 93238</p>	<p>Louis Medina Kern Community Foundation 3300 Truxtun Avenue, Suite 220 Bakersfield, CA 93301</p>
<p>Evan Moore Sierra South Mountain Sports PO Box 1909 Kernville, CA 93238</p>	<p>Liz Duxbury Kern River Boaters 1311 Avenida de la Estrella San Clemente, CA 92672</p>
<p>Steven Merrow Sierra South Mountain Sports 11300 Kernville Rd Kernville, CA 93238</p>	<p>Eric Giddens Kern River Brewing Company 13415 Sierra Way Kernville, CA 93238</p>
<p>Tom Moore Sierra South Mountain Sports PO Box 1909 11300 Kernville Road Kernville, CA 93238</p>	<p>Robert Krase Spallina & Krase 132 E Morton Ave Porterville, CA 93257-2424</p>
<p>Chris Brown Whitewater Voyages 11252 Kernville Road Kernville, CA 93238</p>	

APPENDIX A

PROCESS PLAN AND SCHEDULE KERN RIVER NO. 3 HYDROELECTRIC PROJECT NO. 2290

Shaded milestones are unnecessary if there are no study disputes. If the due date falls on a weekend or holiday, the due date is the following business day. Early filings or issuances will not result in changes to these deadlines.

Responsible Entity	Milestone	Date	FERC Regulation
SCE	Filed NOI and PAD	9/22/2021	5.5, 5.6
FERC	Consultation Meetings with Tribes	10/22/2021	5.7
FERC	Issue Notice of Commencement of Proceeding and SD1	11/21/2021	5.8
All Stakeholders	File Comments on PAD/SD1 and Study Requests	1/20/2022	5.9
FERC	Issue SD2 (if necessary)	3/6/2022	5.10
SCE	File Proposed Study Plan	3/6/2022	5.11(a)
All Stakeholders	Study Plan Meeting	4/5/2022	5.11(e)
All Stakeholders	File Comments on SCE's Proposed Study Plan Due	6/4/2022	5.12
SCE	File Revised Study Plan	7/4/2022	5.13(a)
All Stakeholders	File Comments on SCE's Revised Study Plan	7/19/2022	5.13(b)
FERC	Issue Study Plan Determination	8/3/2022	5.13(c)
Mandatory Conditioning Agencies	File Any Study Disputes	8/23/2022	5.14(a)
Dispute Panel	Select Third Dispute Resolution Panel Member	9/7/2022	5.14(d)
Dispute Panel	Convene Dispute Resolution Panel	9/12/2022	5.14(d)(3)

Responsible Entity	Milestone	Date	FERC Regulation
SCE	File Comments on Study Disputes	9/17/2022	5.14(i)
Dispute Panel	Dispute Resolution Panel Technical Conference	9/22/2022	5.14(j)
Dispute Panel	Issue Dispute Resolution Panel Findings	10/12/2022	5.14(k)
FERC	Issue Director's Study Dispute Determination	11/1/2022	5.14(l)
SCE	Conduct First Study Season	8/3/2022	5.15(a)
SCE	File Initial Study Report	8/3/2023	5.15(c)(1)
All Stakeholders	Initial Study Report Meeting	8/18/2023	5.15(c)(2)
SCE	File Initial Study Report Meeting Summary	9/2/2023	5.15(c)(3)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	10/2/2023	5.15(c)(4)
All Stakeholders	File Responses to Disagreements/Amendment Requests	11/1/2023	5.15(c)(5)
FERC	Issue Director's Determination on Disagreements/Amendments	12/1/2023	5.15(c)(6)
SCE	Conduct Second Study Season	Spring/ Summer 2023	5.15(a)
SCE	File Updated Study Report	8/2/2024	5.15(f)
All Stakeholders	Updated Study Report Meeting	8/17/2024	5.15(f)
SCE	File Updated Study Report Meeting Summary	9/1/2024	5.15(f)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	10/1/2024	5.15(f)
All Stakeholders	File Responses to Disagreements/Amendment Requests	10/31/2024	5.15(f)
FERC	Issue Director's Determination on Disagreements/Amendments	11/30/2024	5.15(f)

Responsible Entity	Milestone	Date	FERC Regulation
SCE	File Preliminary Licensing Proposal (or Draft License Application)	7/3/2024	5.16(a)-(c)
All Stakeholders	File Comments on Preliminary Licensing Proposal (or Draft License Application)	10/1/2024	5.16(e)
SCE	File Final License Application	11/30/2024	5.17
SCE	Issue Public Notice of Final License Application Filing	12/14/2024	5.17(d)(2)

APPENDIX B
STUDY PLAN CRITERIA
18 CFR Section 5.9(b)

Any information or study request must contain the following:

1. Describe the goals and objectives of each study proposal and the information to be obtained;
2. If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied;
3. If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study;
4. Describe existing information concerning the subject of the study proposal, and the need for additional information;
5. Explain any nexus between project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements;
6. Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate filed season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge; and
7. Describe considerations of level of effort and cost, as applicable, and why proposed alternative studies would not be sufficient to meet the stated information needs.

For more information, see the Guide to Understanding and Applying the Integrated Licensing Process Study Criteria on the Commission's web site (<https://www.ferc.gov/sites/default/files/2020-04/AGuidetoUnderstandingandApplyingtheIntegratedLicensingProcessStudyCriteria.pdf>).