

APPENDIX A

Relicensing Process Plan

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**Southern California Edison Company
Kern River No. 1 Hydroelectric Project
(FERC Project No. 1930)**

Relicensing Process Plan



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Acronyms

CDFW	California Department of Fish and Wildlife
CFR	Code of Federal Regulations
ESA	Endangered Species Act
FERC	Federal Energy Regulatory Commission
ILP	Integrated Licensing Process
NEPA	National Environmental Policy Act of 1969
NGO	Non-governmental organizations
NHPA	National Historic Preservation Act
NOI	Notice of Intent
PAD	Pre-Application Document
REA	Ready for Environmental Review
SCE	Southern California Edison Company
USFWS	U.S. Fish and Wildlife Service

1.0 INTRODUCTION

The following Relicensing Process Plan identifies Southern California Edison Company's (SCE) approach for relicensing the Kern River No. 1 Hydroelectric Project (Project) (Federal Energy Regulatory Commission [FERC or Commission] Project No. 1930) including Communication and Participation Protocols (Protocols) for stakeholder participation. SCE intends to use FERC's Integrated Licensing Process (ILP) to relicense the Project. The formal relicensing process is initiated upon SCE filing of the Notice of Intent (NOI) and Pre-Application Document (PAD) with FERC, required within 5 years prior to the expiration of the License (May 31, 2023).¹

The Relicensing Process Plan describes SCE's plan and schedule for pre-application activities, incorporating the time frames for pre-filing consultation and information gathering; FERC scoping; study plan development, execution, and reporting; filing of the License Application; and FERC application processing.

This document also contains Communication and Participation Protocols (Protocols) that provide guidelines for participation in the relicensing process by interested parties, including federal and state resource agencies, local governments, Native American Tribes, non-governmental organizations (NGOs), and other interested parties. These interested parties are herein referred to as stakeholders or Relicensing Participants.

2.0 RELICENSING ACTIVITIES

SCE will relicense the Project using FERC's ILP. To facilitate communication during the relicensing, SCE established a publicly accessible Internet website for the Kern River No. 1 Hydroelectric Project relicensing at www.sce.kr1. The website contains information regarding relicensing activities, including meeting notices and agendas; major filings by SCE or FERC; reference materials; and links to relevant information sources such as FERC's ILP regulations. Updates to the Relicensing Process Plan and schedule will be posted on the website. In addition, all documents filed with FERC by SCE will be available at SCE's Kern No. 3 Powerhouse, 15115 Sierra Way, Kernville.

SCE's relicensing process objectives include:

- Acquisition of a new FERC license.
- Adherence to all regulatory deadlines.
- Engagement of stakeholders in an open and transparent forum that promotes a free exchange of ideas.

¹ SCE is required to file an NOI and PAD at least five years, but not more than five and one-half years, before the existing license expires.

- Facilitation of an efficient process by developing clear meeting agendas and objectives that are focused on sharing of information and developing mutually acceptable solutions rather than communicating positions.
- Efficient completion of the study phase (development, execution, and reporting) and analytical tool development to provide sufficient time for SCE and the stakeholders to evaluate Project impacts.

An overview of the major elements of the FERC relicensing process and corresponding ILP regulatory requirements is illustrated on Figures 1a and 1b briefly discussed below.

2.1 EARLY RELICENSING ACTIVITIES

Prior to submittal of the NOI and PAD, SCE initiated the following relicensing activities:

2.1.1 Project Information Questionnaire and Responses

On July 21, 2022, SCE distributed a Project Information Questionnaire to stakeholders to solicit information on existing resources in the vicinity of the Project and to identify potential resource issues. Appendix B-1 contains the questionnaire and list of recipients. Appendix B-2 contains responses received on the questionnaire. Table 5-1 provides a summary of resource issues and areas of concern identified by stakeholders in the questionnaire responses.

2.1.2 Request for Additional Agency Information

On August 16, 2022, as a follow-up to the Project Information Questionnaire, SCE provided more specific data requests to United States Forest Service (Forest Service), United States Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW) to obtain readily available information to support development of the PAD. SCE specifically requested information on botanical, wildlife, fish, and aquatics resources from the agencies (Appendix B-4) Only the USFWS responded to the data request (Appendix B-4).

2.1.3 Stakeholder Notifications / Meetings

On August 23, 2022, SCE notified stakeholders of the early outreach activities being conducted as part of the relicensing process, including the questionnaire that was also made electronically available on the Project website, and notice that a public relicensing kick-off teleconference will be held in March/April 2023, open to all stakeholders, to discuss the relicensing process, project facilities and operations, existing resource information, and draft technical studies in advance of distribution of the PAD. In addition, SCE posted the relicensing public announcement on social networks Face Book and Next Door.

On April 25, 2023, stakeholders were notified that the public relicensing teleconference was rescheduled to June 13, 2023 (9:30 a.m.—12:00 p.m.), to allow time to review the detailed information in the PAD. The purpose of the teleconference is to acquaint

stakeholders with FERC's ILP, including key milestones and opportunities for stakeholder participation; describe Project facilities and operations; and explain the PAD contents and organization.

2.2 FORMAL RELICENSING ACTIVITIES

2.2.1 Filing of Notice of Intent and Pre-Application Document

SCE's filing of the NOI and PAD with FERC formally initiated the relicensing process for the Project and the associated regulatory deadlines specified in the ILP. In the filing, SCE requested designation as the Commission's Non-Federal representative for the purpose of consultation under Section 7 of Endangered Species Act (ESA) and authorization to initiate consultation under Section 106 of the National Historic Preservation Act (NHPA).

2.2.2 FERC Scoping

As part of formal scoping for the Project, FERC is required to hold an Initial Tribal Consultation Meeting with Federally-recognized tribes within 30 days of the filing of the NOI and PAD. Within 60 days of the filing of the NOI and PAD, FERC is required to issue a Notice of Commencement of Proceeding and Scoping Document 1. Within 30 days of the Notice of Commencement of Proceeding, FERC will conduct a public scoping meeting(s) and site visit(s). The purpose of the scoping meeting(s) is to identify environmental issues to be considered in FERC's environmental analysis conducted under the National Environmental Policy Act (NEPA). Comments on the PAD and Scoping Document 1, together with proposed studies from resource agencies and other Relicensing Participants, must be submitted to FERC within 60 days following FERC's Notice of Commencement of Proceeding.

2.2.3 Study Plan Development, Execution, and Reporting

Under the ILP, FERC has a well-defined process for development of study plans. However, SCE has enhanced the process under FERC's regulations by including Draft Technical Study Plans in the PAD. This approach is intended to provide stakeholders with a firm understanding of SCE's proposed study approach—before they prepare their own study requests for FERC's consideration, in response to FERC's issuance of the Scoping Document. In addition, following submittal of the PAD, SCE will convene a series of Technical Working Groups to further refine the Draft Technical Study Plans included in the PAD.

Within 45 days following the end of the PAD/Scoping Document 1/proposed studies comment period, SCE must file a proposed study plan with FERC. During a 90-day comment period, which begins once the proposed study plan is filed, but no later than 30 days after filing the proposed study plans, SCE must hold an initial study plan meeting for purposes of attempting to resolve any outstanding issues. Following the close of the comment period, SCE will prepare a revised study plan, as appropriate, that address stakeholder comments received and, if necessary, explain why additional study requests were not adopted. SCE's revised study plan is due within 30 days of the close of the initial comment period, followed by another 15-day stakeholder comment period.

Pursuant to 18 Code of Federal Regulations (CFR) § 5.13, FERC will then issue a Study Plan Determination, with regard to SCE's revised study plan, including any modifications deemed necessary in light of the record. If no disputes are received by a mandatory conditioning agency, the study plan is deemed approved, and implementation of the plan must proceed. In the case of a dispute, FERC initiates a Formal Dispute Resolution process and within 70 days makes a final determination of the fate of the dispute, which must be incorporated into the study plan. Any comments on the study plan that are not under dispute must be implemented by SCE according to the proposed schedule.

During study implementation, SCE must file an initial study report (after the first season of study) and updated study report (after the second season of study) with FERC describing overall progress in implementation of the study plans, including data collected to date, any deviations in technical approaches or schedules, and a proposed schedule for completion of the remaining study plan components. The reports must also include a description of any proposed modifications to the approved studies or new studies proposed by SCE. FERC may amend the approved study plans, as appropriate, after reviewing comments by stakeholders received during a public meeting or filed in writing. However, any modification of the approved study plan, or additions of new studies must meet strict criteria prior to being considered.

2.2.4 Filing of License Application

SCE must file a Preliminary Licensing Proposal or Draft Application with FERC no later than 150 days before the Final Application is filed. Stakeholder comments on the Draft Application are due within 90 days of filing and will be addressed by SCE in the Final Application. The Final Application must be filed with FERC by May 31, 2026, two years before the license expiration date.

2.2.5 FERC Application Processing

After a relicensing application is filed, FERC typically takes about two years (sometimes longer) to complete its environmental review, complete consultations required under federal law, obtain certifications and other reviews from applicable state and federal agencies, and make a decision on the relicensing application.

Upon receipt of the Final Application, FERC issues a tendering notice, and subsequently, a Notice of Acceptance and Notice of Ready for Environmental Review (REA). Preliminary terms and conditions from the resource agencies and requests for intervention are due to FERC no later than 60 days following the REA. The remainder of the time is allocated to FERC's environmental review process, document preparation, and finalization of resource agencies' mandatory terms and conditions. During this time, FERC will issue a draft and final NEPA document (either an Environmental Assessment or an Environmental Impact Statement) evaluating Project-related impacts and proposed new license conditions.

Terms and conditions from resource agencies with mandatory conditioning authority will be included in the environmental document and new license, as appropriate.

3.0 RELICENSING SCHEDULE

The proposed Relicensing Process Plan schedule for the Project was developed consistent with the regulations provided in Title 18 CFR Part 5 – Integrated License Application Process. Figures 1a and 1b provide an overview of key activities in the ILP. SCE’s proposed schedule presented in Table 1 provides each of the major relicensing activities in the ILP, the associated CFR reference, the party responsible for implementation of the activity, and the deadline for each activity.

The proposed process schedule is based on SCE filing of the NOI and PAD on May 31, 2023. The deadlines presented in the schedule identify the specific date that each activity must be completed to comply with federal regulations. However, relicensing activities may be completed early, prior to the specific deadline. The current process schedule includes timeframes for Formal Dispute Resolution even though any study disputes may be resolved through informal dispute resolution. Therefore, the process schedule is subject to change during the relicensing process. SCE will revise the Relicensing Process Plan and schedule for the Project, as needed, and post the updated version on the SCE relicensing website.

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TABLES

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Table 1. Proposed Relicensing Process Schedule for the Kern River No. 1 Hydroelectric Project (FERC Project No. 1930).¹

FERC 18 CFR §	Relicensing Activity	Responsible Party	Activity Time Frame	Deadline²
<i>Initiation of Relicensing Process</i>				
5.5 5.5(d)	Filing of Notice of Intent (NOI)	SCE	Five to five and one half years prior to existing license expiration. Filed concurrent with Pre-application Document.	5/31/2023
5.5(e)	Request to be non-Federal representative under Section 7 of the Endangered Species Act (ESA)	SCE	Provide simultaneously with filing of NOI.	5/31/2023
5.5(e)	Request to be non-Federal representative under Section 106 of the National Historic Preservation Act (NHPA)	SCE	Provide simultaneously with filing of NOI.	5/31/2023
5.6 5.6(a)	Filing of Pre-application Document (PAD)	SCE	Five to five and one half years prior to existing license expiration. Filed concurrent with NOI.	5/31/2023
<i>FERC Scoping</i>				
5.7	Initial Tribal Consultation Meeting	FERC	Within 30 days following filing of NOI/PAD.	6/30/2023
5.8 5.8(a)	Notice of Commencement of Proceeding and Scoping Document	FERC	Within 60 days of filing NOI/PAD.	7/31/2023
5.8(a)(b) 5.8(b)(iv)	Issue notice of NOI/PAD and request for comments	FERC	Included in notice of commencement of proceeding.	7/31/2023
5.8(b)(2)	Decision regarding licensee request to initiate informal consultation under Section 7 of the ESA, or Section 106 of the NHPA	FERC	Included in notice of commencement of proceeding.	7/31/2023
5.8(c)	Issue Scoping Document 1 (SD1)	FERC	Concurrent with notice of commencement of proceeding.	7/31/2023
5.8(b)(3)(viii)	Conduct public scoping meeting and site visit	FERC	Within 30 days of the notice of commencement of proceeding.	8/30/2023
5.9(a)	File comments on NOI/PAD and SD1, and provide study requests	Relicensing Participants	Within 60 days following the notice of commencement of proceeding.	9/29/2023
5.10	Issue Scoping Document 2 (if necessary)	FERC	Within 45 days following the deadline for filing of comments on SD1.	11/13/2023

FERC 18 CFR §	Relicensing Activity	Responsible Party	Activity Time Frame	Deadline ²
Study Plan Development				
5.11 5.12	Proposed Study Plan and Study Requests			
5.11(a)	File Proposed Study Plan	SCE	Within 45 days following the deadline for filing of comments on the PAD and providing study plan requests.	11/13/2023
5.11(e)	File proposal for conducting study plan meeting(s) during 90-day Proposed Study Plan review period.	SCE	Concurrent with Proposed Study Plan	11/13/2023
5.11(e)	Conduct initial study plan meeting	SCE	No later than 30 days after the deadline date for filing the Proposed Study Plan.	12/13/2023
5.12	File comments on Proposed Study Plan or submit revised study requests	Relicensing Participants	Must be filed within 90 days after the Proposed Study Plan is filed.	2/12/2024
5.13	Revised Study Plan and Study Plan Determination			
5.13(a)	File Revised Study Plan	SCE	Within 30 days following the deadline for filing comments on the Proposed Study Plan.	3/13/2024
5.13(b)	File comments on Revised Study Plan	Relicensing Participants	Within 15 days following filing of the Revised Study Plan.	3/28/2024
5.13(c)	Issue Study Plan Determination	FERC	Within 30 days following filing of the Revised Study Plan.	4/12/2024
5.13(d) 5.14(a)	File notice of study dispute	Mandatory Conditioning Agencies	Within 20 days of the Study Plan Determination.	5/2/2024
5.13(d)	Study Plan approved, if no notice of study dispute is filed	FERC	Twenty days following the notice of study dispute filing period.	5/22/2024
5.14	Formal Study Dispute Resolution Process			
5.14(d)	Convene Dispute Resolution Panel, if notice of Study Plan dispute is filed	FERC	Within 20 days of the notice of study dispute.	5/22/2024
5.14(i)	File with Commission and serve upon panel members comments and information regarding dispute	SCE	No later than 25 days following the notice of study dispute.	5/27/2024
5.14(k)	Issue findings and recommendations regarding the study plan dispute to Director of the Office of Energy Projects	Dispute Resolution Panel	No later than 50 days following the notice of study dispute.	6/21/2024

FERC 18 CFR §	Relicensing Activity	Responsible Party	Activity Time Frame	Deadline ²
5.14(l)	Issue written determination on study plan dispute	FERC	No later than 70 days from the date of filing of the notice of study dispute.	7/11/2024
Conduct Studies				
5.15(a)	Conduct First Year Studies (for study plans not under dispute)	SCE	April 2024–April 2025	4/12/2025
5.15(b) 5.15(c)(1)	File Initial Study Report	SCE	Within one year after Commission approval of the study plan.	4/12/2025
5.15(c)(2)	Conduct Initial Study Report Meeting	SCE	Within 15 days of filing the Initial Study Report.	4/27/2025
5.15(c)(3)	File Initial Study Report Meeting Summary, including any study modifications or new studies	SCE	Within 15 days following the Initial Study Report Meeting.	5/12/2025
5.15(c)(4)	File disagreement with Initial Study Report Meeting Summary	FERC and Relicensing Participants	Within 30 days following the filing of the Initial Study Report Meeting Summary.	6/11/2025
5.15(c)(7)	If no disagreements are filed, approve Initial Study Report Meeting Summary and any proposed study plan amendments	FERC	Thirty days following the filing of the Initial Study Report Meeting Summary.	6/11/2025
5.15(c)(5)	If disagreements are filed, file responses to disagreement with Initial Study Report Meeting Summary	FERC, SCE and Relicensing Participants	Within 30 days of the filing of a disagreement with Initial Study Report Meeting Summary	7/11/2025
5.15(c)(6)	Resolve disagreement and amend approved study plan	FERC	Within 30 days following the due date for responses to disagreement.	8/11/2025
5.15(f)	Conduct Second Year Studies (for study plans not under dispute)	SCE	April 2025–April 2026	4/12/2026
5.15(f)	File Updated Study Report	SCE	Within two years after Commission approval of the study plan.	4/12/2026
5.15(c)(2)	Conduct Updated Study Report Meeting	SCE	Within 15 days of filing the Updated Study Report.	4/27/2026
5.15(c)(3)	File Updated Study Report Meeting Summary, including any study modifications or new studies	SCE	Within 15 days following the Updated Study Report Meeting.	5/12/2026
5.15(c)(4)	File disagreement with Updated Study Report Meeting Summary	FERC and Relicensing Participants	Within 30 days following the filing of the Updated Study Report Meeting Summary.	6/11/2026

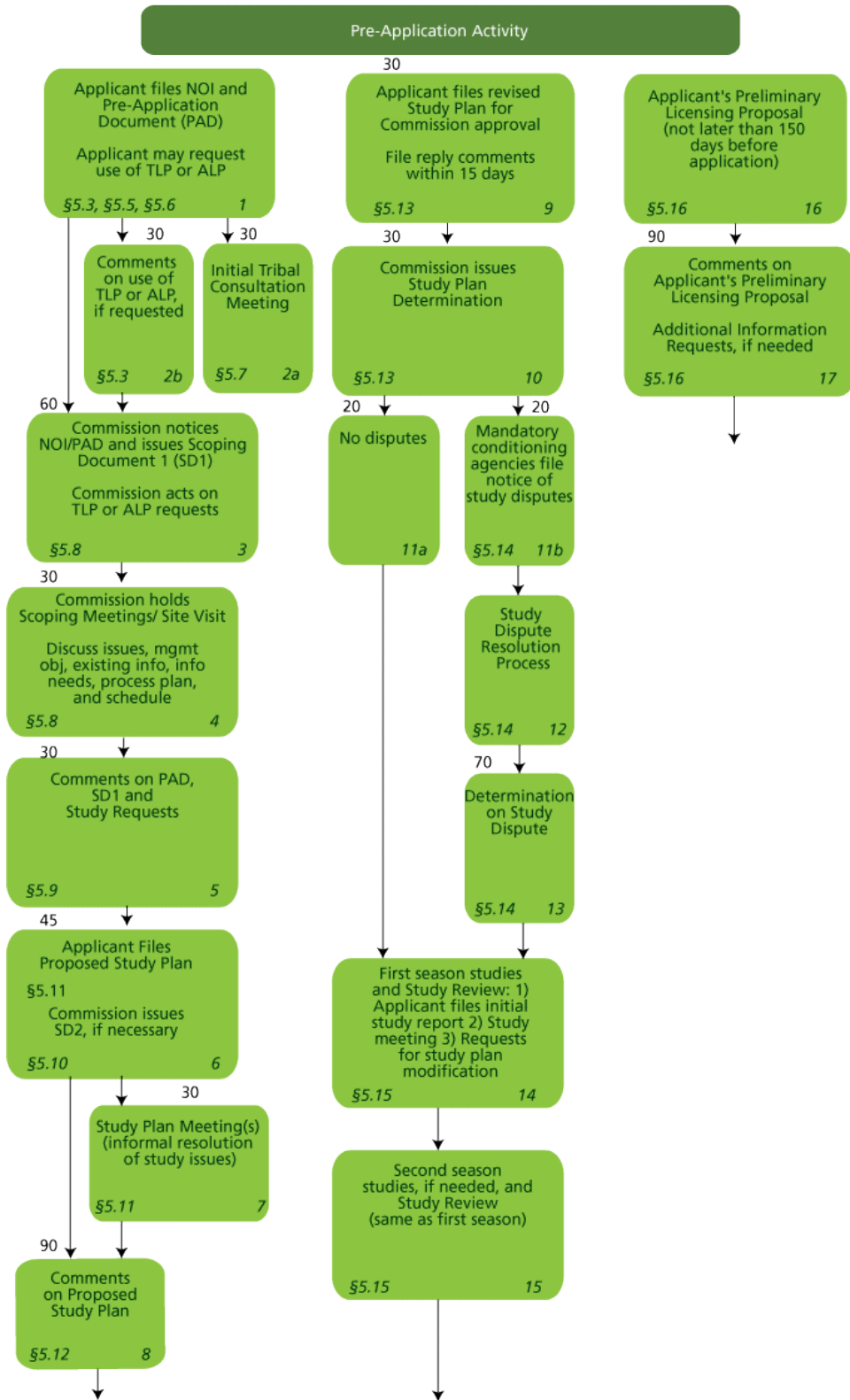
FERC 18 CFR §	Relicensing Activity	Responsible Party	Activity Time Frame	Deadline²
5.15(c)(7)	If no disagreements are filed, approve Updated Study Report Meeting Summary and any proposed study plan amendments	FERC	Thirty days following the filing of the Updated Study Report Meeting Summary.	6/11/2026
5.15(c)(5)	If disagreements are filed, file responses to disagreement with Updated Study Report Meeting Summary	FERC, SCE and Relicensing Participants	Within 30 days of the filing of a disagreement with Updated Study Report Meeting Summary.	7/13/2026
5.15(c)(6)	Resolve disagreement and amend approved study plan	FERC	Within 30 days following the due date for responses to disagreement.	8/12/2026
<i>Filing of License Application</i>				
5.16(a)	File Preliminary Licensing Proposal or Draft Application	SCE	No later than 150 days prior to the deadline for filing a new license application.	1/1/2026
5.16(e)	File comments on Preliminary Licensing Proposal or Draft License Application	FERC and Relicensing Participants	Within 90 days of the filing date of the Preliminary Licensing Proposal or Draft Application.	4/1/2026
5.17(a)	File License Application	SCE	No later than 24 months before the existing license expires.	5/31/2026

Notes:

- 1 Bold text represents key milestone activities in the relicensing process.
- 2 According to 18 CFR § 385.2007(a)(2), if a filing date falls on a Saturday, Sunday, or federal legal public holiday, the deadline for filing becomes the next business day. The schedule includes this consideration.

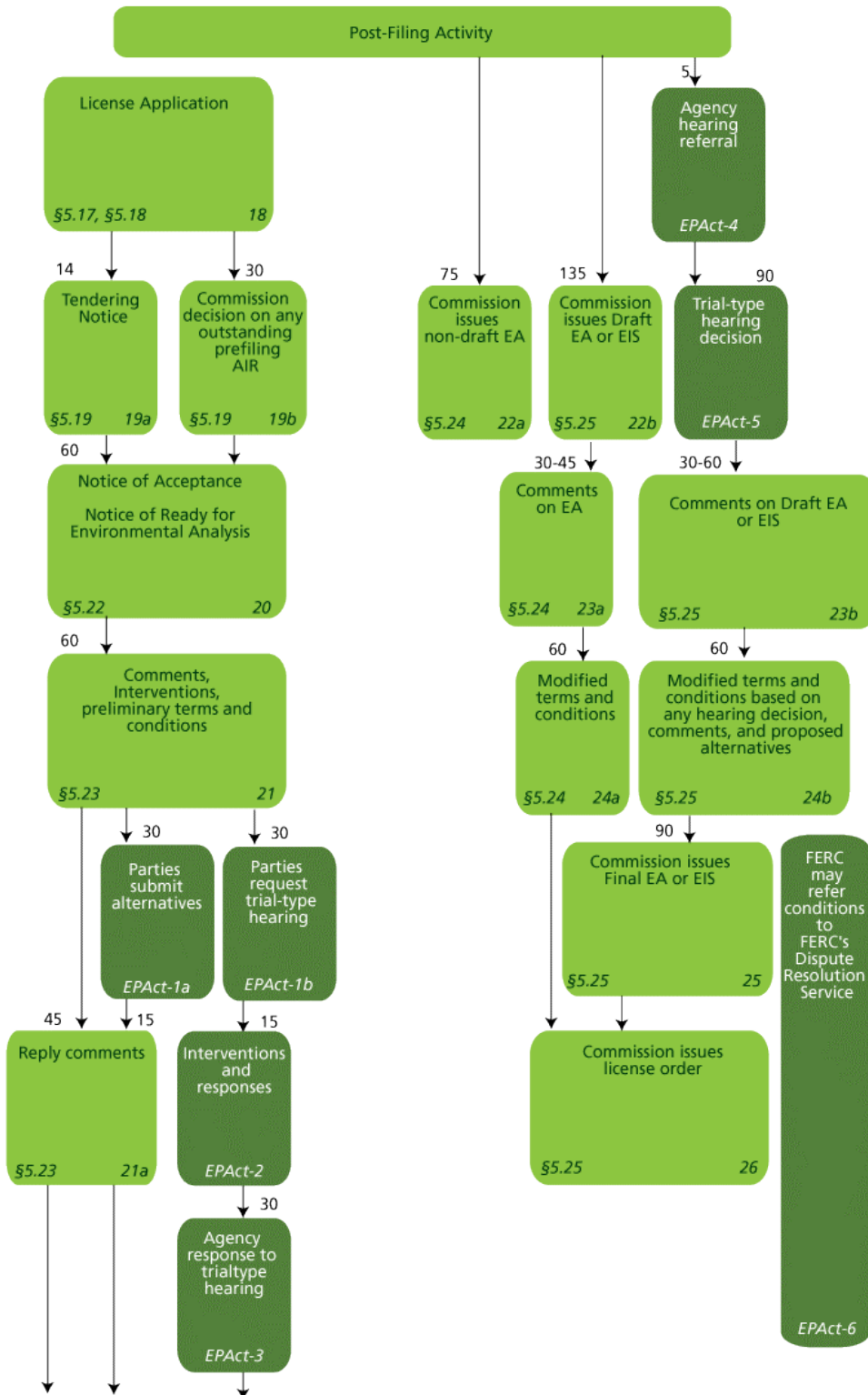
FIGURES

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Source: <https://www.ferc.gov/media/3508>

Figure 1a. FERC Integrated Licensing Process—Pre-Application Activity (5 to 5.5 Years Prior to License Expiration).



Source: <https://www.ferc.gov/media/4010>

Figure 1b. FERC Integrated Licensing Process—Post-Filing Activity (2 Years Prior to License Expiration)