UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

- - - - - - - - - - - - - - - - - - -x

Southern California Edison Company : Project No. 1930-090

- - - - - - - - - - - - - - - - - - -x

KERN RIVER NO. 1 HYDROELECTRIC PROJECT

Request for Comments on the PAD
and Scoping Document 1
Public Scoping Session

Daytime Scoping Meeting

Hilton Garden Inn
3625 Marriot Drive
Bakersfield, California 93308

Wednesday, August 2, 2023

The public scoping session, pursuant to notice, convened at 9:05 a.m.

P R O C E E D I N G S

MS. FEFER: Alrighty folks. Thanks so much for being here. Nice to see some familiar faces from yesterday and some new faces. I am Jess Fefer, I am the FERC Project Coordinator for this project and also environmental protection specialist in the West Branch in the Washington, DC headquarters office, focusing on outdoor environmental justice, land use and aesthetics, specifically.

I am accompanied by four FERC colleagues, whom I will have introduce themselves. We also have SCE folks here who are the operators and licensees for the Kern River I Project.

So before I get into housekeeping and today's presentation I'll just have these folks introduce themselves so I'll start with my FERC friends here.

MS. MACHOLETA: Hi, Shannon Macholetta, Fisheries biologist with the West Branch.

MS. ENG: Hi, Carli Eng with the Office of General Council. I'm an attorney on Kern River No. 3, but I'll be here to assist as necessary.

STEVE: My name is Steve, Civil Engineer with Kern No. I.

MR. EMMERING: And I'm Quinn Emmering, I'm a Wildlife Biologist with FERC, also West Branch, Division of Hydropower Licensing.

MS. FEFER: All right, and then the SCE folks want to introduce yourselves real quick?

MR. BIANCHI: Yes, I'm Ed Bianchi with Stantec. We're an environmental consulting firm, helping Edison with the relicensing.

MR. KEVERLINE: I'm Dan Keverline. I'm the Operation and Maintenance Manager for the area.

MR. MOORE: Hello. David Moore. I'm the Project Manager for Southern California Edison for the Kern I relicensing effort.

MS. FEFER: All right. Thank you everyone.

So what to expect in our meeting today, before I get into the Agenda, just some quick housekeeping items. I think everyone has signed in. If not, make sure that you go ahead and do that. We want to keep a solid record of who made it here today.

We do have some coffee and water in the back, so help yourself to that at any time. Bathrooms are just out the hall here if you take a left our and then a right you will find the bathrooms. Help yourself to that anytime you need to.

Lastly, you'll notice that we do have a Court Reporter here so he will be transcribing the meeting to make sure that we have everything that you're saying on the record. That transcription will be uploaded to our FERC

eLibrary within the next two weeks or so, and now because of that when -- when any comments are made from you all we will be handing out a mic so you can speak into the mic just to be clear for the court reporter.

And please make sure to say your name and affiliation when you do have any comment to make during our discussion period. And I do want to note as well that this transcription that will be uploaded does not take place of public comment. So if you have something that you want on public record that you want to say about this Project, make sure to also go into eLibrary and make a comment there; and I will tell you sort of when and how to do that throughout this presentation.

I think that was my schpeil of what to do. So, the primary purpose of this meeting is to go through the preliminary resource issues that were identified in Scoping Document 1 that we issued on June 29 of this year, and before we do that we will go over the licensing and the scoping process so that you all know sort of where we are now, what to expect in the licensing process and you will know when to comment and what to comment about.

We will also go over SCE's proposal, so they'll present on what their relicensing proposal entails before we get into those relicensing issues that were identified in the scoping document, and we'll open it up for comment and

discussion after that.

And to get a bit into the licensing and scoping process, first of all I think you all know who we are but we're the Federal Energy Regulatory Commission or FERC and we're a Federal agency that regulates the interstate transmission of natural gas, oil and electricity in addition to our responsibilities such as licensing and inspecting non-Federal hydro electric projects such as Kern I.

As you can see, we're in the Office of Energy Projects and there are three hydro power divisions. We are the Division of hydro power licensing. Once the licensing process is complete then the licensee starts to work with the Division of Hydropower Administration and Compliance and Division of Dam Safety and Inspection throughout that license term.

A really broad bird's eye view of our process. I'll go into detail about it in our next slide but I wanted to give you this bird's eye view. SCE has already filed their Pre Application Document as you all know on May 5th.

We are currently in the scoping phase, we're at the scoping meeting. The study and consultation phase will come right after that and that's a two to three year process; and then SCE will file their relicense application due May of 2026.

So this is a long process, right. So the point of

this slide really is just to show you that we're right in the beginning and we have a long way to go and there are going to be many places for public comment and public input throughout this process.

To get into more detail about that here, sorry it's a little bit small. I actually do have a handout that has some of these dates on it, in the back; so feel free to take that but I just kind of want to break this down into the process.

So right now, as I said we are in the scoping phase. The scoping meeting is taking place today on August 2nd. There is public comment for the scoping document, that's open right now and all public comments are due by September 5th so you know, we hope to hear from you eLibrary, and then FERC will respond to those comments in a scoping document 2 as needed, depending on those comments.

At the same time, SCE will file their proposed study plan. So this is sort of our second phase. We are going into the information gathering and consulting and studies, and you will have two opportunities to comment during that time while we're putting together the study plan determination.

So there will be a proposed study plan, you can comment on that. A revised study plan, you can comment on that and then FERC will issue the study plan determination

on March 15, 2024.

Next, now we're getting pretty far down the line here. The study seasons begin, right. So that's about two years where SCE will be conducting studies. In the first year they will submit an initial study report. You have the opportunity to comment on that. They will submit an updated study report. You have an opportunity to comment on that as well.

And then we get into actually filing the license application. So there's a preliminary license proposal that SCE will submit. You all can comment on that before they will file their license application.

So now we're in post-filing. This is where the dates are going to get a little bit more wonky and so I won't really go over the dates as much. We're getting pretty far away at this point, right. We're in 2026 now. But really I just wanted to point out here that this ready for environmental analysis.

We do have a date for it but that's at the earliest. That's going to depend on the information that we get in the application document. If we need additional information from SCE we will ask for that and depending on the amount of information we need we will give 30, 60, 90, 180 days just depending for SCE to get that information to us, and then that's when we would then submit our Ready For

Environmental Analysis and begin the NEPA process.

So I just wanted to point that out to you and that during the post-filing and the environmental review you will also have two additional times to comment.

All right, so what are we doing here today? What is the purpose of scoping? First of all, it is a federal regulation through NEPA, right. It's also through FERC regulation but more practically, you know, we're really here to hear from you all.

We're here to learn. We want to understand public perspective and concerns, identify resource issues that maybe we didn't cover in Scoping Document 1, identify some reasonable alternatives, available information relevant to the project and then identify cumulatively affected resources.

So we're really here to talk to you guys, talk to SCE, learn some things and take that back to FERC for our environmental analysis.

So at this point I'm going to hand it over to SCE to go over their project proposal and then I'll come back in to talk about some of those preliminary resource issues; so hang tight while I just switch this up.

MR. MOORE: All right. Good morning everyone. We're just going to walk through the project description and then our proposal for the relicensing of Kern River No. I.

So just some overview information initially. The Project number is 1930, so that's important if you go to the eLibrary, the FERC website and you want to search for documents associated with Kern River No. I you want to put in for docket number 1930, P-1930. Okay.

So that's key. The current license was issued in 1998. It's a 30 year license term that expires on May 31, 2028. Next slide, please. The project location is on the western slope of the Sierra Nevada Mountains in Kern County. It's approximately 15 miles east of Bakersfield and the project occupies Federal lands within the Sequoia National Forest.

SPEAKER: Okay, so some of the project features: Democrat Dam is located about 10 miles upstream of the powerhouse. I think most of us in the room were there yesterday so you can get an idea of some of the dimensions of it. It's 58 feet tall. The crest is 204 feet long.

The Project is a run of the river plant, so we discussed that in a little more detail yesterday, and it is not a high hazard dam. So the impoundment area of Democrat, I think we saw both the bottom and top of that yesterday, so there's 27 surface acres there. There's no usable storage as we discussed a little bit yesterday, too.

We just kind of slow the water down there and divert it. And it's diverted into the structure. The flow

line has a capacity of 412 cfs.

So here are some of the features that we didn't get to see yesterday on the conveyance system and just kind of see some pictures of a flume, covered conduit there and then the forebay spillway which you probably saw from the parking lot there. It was the big silver pipe coming down the hill, and it's 8.5 miles long.

So there's the tailrace to the powerhouse there in the picture. Inside there's four impulse turbines. They have a total capacity of 26.3 megawatts. The tailrace as you see there, it's just a small diversion pool and it goes right into the downstream powerplant.

A lot of roads and trails on the flow line. We were on a few of them yesterday. We have lots of communication lines and power lines that serve those. Several gaging stations along the way that we use to measure water going past the powerhouse and into the flow lines.

MR. BIANCHI: I just want to talk a little bit about Project operations. Inflow to the Project is controlled by the Army Corps of Engineers at Lake Isabella and its releases are really controlled by the Kern Water master. So Edison doesn't have control over the inflow to the Project at all or storage in Isabella.

The amount and timing of the diversions is a function of water releases from Isabella, water rights.

Edison has pre-1914 water rights, flowline capacities and powerhouse capacity.

I think Dan mentioned that the power or the intakes have a combined capacity of about 412 cfs which matches the water rights and it also has minimum flow requirements so not only do we have to abide by the water rights but we also have to make sure minimum flows are met through operation of the Project and from June to September 30th, it's a 50cfs minimum in stream flow or whatever is less, whatever is coming in. Or October 1st through May 31st it's 15cfs. That's the minimum flows.

I stood up here so I could talk a little bit about these curves because their too hard to sit there. So I want to talk a little bit about exceedances; that is in the chapter of the PAD. You'll see in the hydrology sections, we have this figure in a more detailed description of hydrology.

So the upper curve with the dark blue line, that's 90 percent exceedance so that means 90 percent of the time flows are at or lower than that flow so only 10 percent of the time is it above those flows. So the blue line is inflow into the Project and the dotted blue line is below the diversion.

So the differential there is that's what Edison would be taking out. And like I said, it's a maximum 412

cfs, recognizing that you always have to meet the minimum stream flow requirement.

So that's a wet year. I think flows last -- yesterday -- were they about 3600?

SPEAKER: Yes.

SPEAKER: So they were you know, representative of a wetter year. Obviously I think flows got over 7,000 didn't they this year? So this was a very extreme, I'd say it's probably in the top 10 percent if not the max seen in the Project.

So that's a wet year. The red line is 50 percent exceeded so it's kind of average what goes out there. If anybody works out in the field, you know there's never average. There's dry years and typically wet years, but that's average conditions out there and again you'll see that the flows get up to about 1200, 1500 max and the dotted line is what is below the diversion so the differential again is what's going through the intakes and going through the powerhouse.

One of the things I want to point out in terms of the hydrograph. You see there's a shift in the hydrograph? Typically you would have really spring high runoff and you have the peak flows would be a little bit to the left. April-May, maybe June.

These are shifted to the right and that's because

of the storage in Lake Isabella and the reason they do that -- if they do it for flood control but really it's an irrigation project. I mean, that's how they provide irrigation water down to lower, into Bakersfield. So they store the water as it comes in during the spring and then release it during the summer.

So that's why you see higher flows during the summer. It's really dictated by irrigation needs down in the valley, and then in the lower blue line or the lighter blue line that's a 10 percent exceeded so 10 percent of the time the flows are that or lower, 90 percent of the times they are higher than that, so that's an extreme dry year condition.

And there again you can see the influence of the project is greater in a drier year because they have the capacity to take water to their intake where if you look at a wetter year, they are still taking it -- water out of the project but in comparison it's a smaller percentage of the water. Next slide.

So project maintenance.

MR. KEVERLINE: Well, I can do it.

SPEAKER: Go ahead and do it, Dan.

MR. KEVERLINE: So these are just kind of some high-level examples of what we do to maintain the Project on a day-to-day basis. I won't read them all to you but you

know, you've got to do maintenance to keep the Project in operation so we have, you know, a bunch of crews from machinists, mechanics, operators, civil guys that do outside maintenance, electricians that take care of all of that day-to-day stuff.

SPEAKER: I'll just do the next slide. So there's, in terms of the proposed project, there's no new changes to the infrastructure being proposed. There's no changes to Project operations that are being proposed. No construction. It's really the continued operation and maintenance of the project.

A couple of changes that will occur is FERC project boundaries will be modified if needed to include facilities that are necessary for project operation and maintenance and will also -- so we did note when we did the PAD. We identified that there are a few project trails for sure that are not in the FERC project boundary and we're going to add those to the FERC project boundary.

In our studies though, we're studying them as if they were project facilities because we know ultimately that's where they'll end up and then we'll exclude any land that's not necessary for operations of the project.

Another change, the existing maintenance activities will not change with the exception of veg management and for veg management there will be a proposal

to apply herbicides to the project trails including new trails added to the FERC project boundaries.

So they already do apply herbicides and within the FERC project boundary. But we wanted to make sure that the trails that are added to the FERC project boundary, we've also analyzed those and that will be proposed for application of herbicides in the future and then apply herbicides in the forebay perimeter fence, three feet outside the perimeter fence.

That's another thing that will be added to the project. Otherwise it's pretty much status quo and then our studies will see if there's any potential effects associated with routine operation and maintenance of the project. And then we will go forward.

MR. EMMERING: I've got a quick question. This is Quinn Emmering, FERC. What's the goal of applying the herbicide to the surface of all the trails? What are you all trying to control.

MR. KIMBERLINE: So it's, kind of the root of it is employee safety on the trails. They really grow up pretty tall in that area. They're steep. So they have, so they can see the trail bed. They can walk on it safely. They can see if there are you know, snakes in the area that they don't want to step on.

A lot of it also has to do with fire protection.

We've worked with the Forest Service a little bit and they use those trails during firefighting activities and they use then for fire lines as well. Just to kind of you know, stronghold areas. Around the forebay that's kind of part of the fire-hardening program that we have going on throughout SCE.

Where there's electric equipment up there so we want to give, you know, the biggest buffer we can. And it's definitely you know, to be honest, it's a cost savings for us too because we do it manually now.

So we have you know, crews of four or five guys that spend two or three months clearing all of those trails by hand, so you know a couple of guys could go through there, spray herbicide and just do kind of a final tune up after they see how it reacts.

MR. EMMERING: So you're using glysophate?

MR. KIMBERLINE: I don't want to answer that. I'm not sure. We could get back to you on that.

MR. EMMERING: Sure.

MS. FEFER: All right. Thank you, SCE. Another question?

FERC: Yes, FERC engineer. I have some questions about the proposed maintenance on the control. You say that you're going to be doing some diversion control maintenance at the dam. Now at the forebay, I've noticed yesterday that

there is a netting on this high slope and that does not seem to be within the project boundary.

MR. KIMBERLINE: Right, yeah so that is part of the
-- what used to be the PG&E bound facility across the river from us but we didn't have anything to do with that, that project. They put that up there to stop/catch rocks from coming down and damaging their intake structure.

SPEAKER: So it's not part of this FERC project. It's a different FERC project. It's Kern Canyon. So in this project the powerhouse is in the project and then the tailrace goes right in to the impoundment that the dam there impounds so none of that is part of this FERC relicensing. It's all a part of Kern Canyon.

MS. FEFER: Yes, I'm going to actually have you use a mic just so that we capture you. You're fine. You're fine.

MR. OROZCO: USDA Forest Service. Just when you acquire the license application I'm sure that you'll be following the USDA Forest Plan in regard to Sequoia National -- sorry, Sequoia Forest Service and Management Plan -- in compliance?

MR. KEVERLINE: Yes, we work really closely with them. We have one of our representatives that has monthly meetings with the forest to make sure that we're using the

right product.

SPEAKER: Excellent. Thank you.

MR. IRWINS: Hello. I never met a mic I couldn't speak to. I would speak strongly against the herbicides. Last thing that river needs is pesticides, herbicides, anything going into it. You know, so I don't know why you would do that. Just I think it's really dangerous stuff for the river.

I'm Jimmy Irwins and I'm with the Kern River and Fly Fishing Society. We're concerned about what's in the river and we'll save some wildlife and the river. Thank you.

MS. FEFER: Anyone else?

MR. LONG: Jared Long, State Water Board. So two very big questions. So on the previous slide, the hydrology. In a high water year in the winter, it looks like the Kern I isn't taking in much water as it could on 400 cfs. Think the November to January time frame. Would you mind, I'm not local so I'm not familiar with the weather.

Is that weather related or something else?

MR. KEVERLINE: A lot of -- like Ed mentioned, the releases are not really controlled by what we need at the plant so there -- I'm not you know that closely in tune in the Ag Industry to know, but I think that there's a crop that they're watering more at a certain time that they need

those releases, so it might be the opposite of what you asked but it's most --most of it, it's all controlled by you know, ag need.

MR. LONG: Right.

MR. KEVERLINE: So you know, we're kind of at the nature of what downstream water users require for that time of year.

MR. LONG: Understood and then sort of related. How far in advance do you know the release? Like how far in advance is it scheduled if you know the answer to that question?

MR. KEVERLINE: So we do get a release schedule about once a month, every two months from the city that's -- we kind of joke that it's accurate the day that it comes out and then everything kind of goes crazy for a month. They true those numbers up and then fix everything that was you know, kind of sideways for the month and then reissue another release schedule for the next month.

So we get a general idea of what, what the need is, depending on the year, they like to -- they call it "put a hole in the lake" for the runoff to come down so that might be times where we see more releases where they're trying to draw down so it should be higher releases when it should be lower, so the inflow is not really matching the outflow, which they call 'powerflow' in their industry.

So there's just a lot of interesting nuances where it's your run of the river plant that has you know, a big reservoir upstream of you but the releases aren't really you know the same as they would be without that impoundment.

MR. LONG: Thank you.

MS. FEFER: Any other comments or questions for SCE?

Okay, so bear with me here we will bring back up. All right so, now we are in the part of the meeting where we will kind of go over the preliminary resource issues that were identified based on the PAD in scoping document 1 that was issued on June 29th of this year.

This is just sort of a list of the categories of the issues so I won't go through and read all of those but I will get into a little bit more detail about each of them.

So Geology and Soils Resources. Sorry if this just feels like I'm reading off the top, because that's exactly what's about to happen. So we're looking at effects of continued project operation on turbidity and suspended sediment loads, potential effect of vein corrosion within the bypass reach, effects of hill slope within the bypass reach, and potential effects of sediment movement on or within the project shorelines and streambanks along the Democrat Impoundment.

This is exactly what's written in the scoping

document one. Do we have any comments or anything that you would like to add?

And we'll have time for comments in the end so think of something as I go through this. Don't worry, there will be a moment.

Water resources. We're looking at effects of continued project operation on hydrology of the lower Kern River in the Project bypass reach and downstream of the powerhouse and then affects of continued project operation on water quality in the bypass reach and downstream of the powerhouse.

Feel free to just speak up if you have any comments as I am going through these, all right.

Aquatic resources; effects of continued project operation on fish habitat and fish resources in the project's impoundment, bypass reach and downstream of the powerhouse. Effects of continued project operation on Western pearl shell mussel in the project area and effects of project water diversions and in stream flow on fish habitat in the project bypass reach.

MR. ERRANS: Jim Errans from Fly Fishers. If we're going to have a fishery below that den we have to have constantly flowing water so I would think the water master has control and you guys have to work on something with the water master.

On another project on the dam you control a part but we're not going there with this discussion, but you get and -- that used to be a bass fishery below the dam. We all know that. Until you flushed out the sediment that killed all the bass and I don't know if the Department is going to restock that fishery below the dam or not because of the of hard-head fish species below the dam that would prevent restocking but you know, people from Bakersfield used to -- fisherman particularly -- go out there to fish for bass.

So if you're going to do that we're going to have to have a constant flow so I don't buy this stuff about you haven't gotten power with the water master. I mean, you should get involved with the water master and figure it out. I mean, there's enough water up there for years now and I would think part of the requirements is a constant flow of water.

That's my opinion from a fishing point of view. Thank you.

MS. FEFER: Any other comments on aquatic resources. More aquatic resources, sorry. Effects of fish entrainment on Democrat Dam on fish resources and effects of Democrat Dam on upstream and downstream passage.

All right, terrestrial So effects of continued operation and maintenance of the project including use of project roads and trails that could potentially introduce

and spread nonnative invasive plant species including the potential effects of invasive plants and native plant communities, special status species and wildlife habitat.

Effects of continued operation and maintenance that could potentially promote suitable conditions for the spread of nonnative invasive wildlife species, including the American bullfrog, Asian Clam and crayfish species and their potential effects on native aquatic, semi-aquatic and terrestrial wildlife.

Effects of the timing and magnitude of flows resulting from continued operation of the project and project maintenance activities on wetlands and riparian habitat along the Kern River including the bypass reach.

Effects of continued operation and maintenance activities including vegetation management, herbicide use on native vegetation and wildlife, plant species and the special status species identified in the PAD, including the Sequoia National Forest of conservation concern and nesting migratory bird species.

Effects of project facilities that present potential entrapment, hazards to wildlife including open air flumes and then effects of continued project operation and -- oh wait. I'm getting ahead of myself. Any comments on terrestrial resources?

So threatened and endangered species, effects of

continued project operation and maintenance activities on species designated as Federally threatened, endangered, or proposed or candidates for listing and designated critical habitat proposed and final under the Endangered Species Act and here is a list of species under ESA. I won't read all this out. Any comments on threatened and endangered species?

All right. Recreation resources. Look at effects of continued project operation and maintenance on the recreation resources, adequacy of existing recreation facilities to meet current and future recreation and demand and effects of project operation and maintenance on effects of white water use and boating use in the project bypass reach. Any comments on recreation?

Okay, land use and aesthetics. Effects of continued operation and maintenance on land use, effects of continued operation and maintenance on the aesthetic quality of the project area. So visual resources there. Any comments on those?

Cultural and tribal resources. Effects of continued operation and maintenance on historic or archeological resources and traditional cultural properties that may be eligible for inclusion in the National Register of Historic Places or in other areas or places of religious, cultural, and traditional importance to Indian tribes. Any comments?

All right. Two more to go. Socioeconomics. Effects of continued project operation and flow diversions on agriculture and other consumption uses in the North Fork Kern River Watershed. Effects in any reduction in the amount of water available for irrigation on agricultural production in Kern County and effects of any reduction in the amount of water available for future water supply deliveries for the city of Bakersfield.

Environmental justice. Effects of project operation and maintenance that are identified in environmental justice communities. As I mentioned earlier, we also identified cumulative effects. Cumulative effects is the impact on the environment that results from incremental impacted action when added to other past, present or foreseeable future actions.

You know, so one entity might take an action that might not be that big of a deal but with all of the actions taken prior and all the actions that will be taken in the foreseeable future, we want to analyze that and so we've identified water and aquatic resources that could be cumulatively affected by the continued operation and maintenance of the Kern River I Project. Any thoughts or comments on those?

Okay, so those are the resource issues that were identified in scoping document I. You all have access to

that information as well. So what we're sort of requesting from you all if you'd like to comment in eLibrary is you know, in our FC1 we have a list of comprehensive plans on file with the Commission that are relevant to the Kern River I Project.

As part of the scoping, we request that agencies review the list and file a new or updated comprehensive plans using instructions that are the scoping document 1. Something to think about.

We also ask that any agency that wishes to be added to the official mailing list do so and there are instructions for that in the scoping document as well and then any of course significant environmental issues that should be addressed in the EA is what we'd love to hear about.

Now how do you do that? I talked about eLibrary and commenting. So obviously this QR code probably isn't going to work very well for you, you might be too far away but we have this printed on a handout in the back so you can use the QR code to really easily get to where you can leave public comments.

And so we've gone through sort of the date that those are due but you can leave a public comment at any time though so you can go into eLibrary and you can file comments. You can also subscribe to the project using that

P-1930 that David talked about so that you can get updates automatically in your email related to any filings or issuances.

And then eLibrary, if you're not subscribed you can always go into eLibrary and look at all past issuances that you're interested in using this docket number that I have on the screen here and also on the handout in the back. That also has an upcoming comment dates so that might be helpful to grab.

So again, this is a reminder the most upcoming comment period, those comments are due on September 5th. Technically I think it's September 2nd but it falls on a weekend so we're pushing it to September 5th. So just keep that in mind. We'd love to hear from you.

And then the next comment period. I'll just remind you. I know I already sort of went through the study process but I just wanted to highlight this again is that, you know, the next step after this scoping is going to be getting into those sort of research study plans and so you'll have, it won't be until next year but you'll be able to comment on those proposals as they come out and then the study plan determination should occur on March 15th of next year. So you'll have two different times that you can comment on that.

MR. EMMERING: When is the -- this is Quinn

Emmering, FERC. When is the meeting again? Do we know? Anybody know off the top of their head? So there's the study plan meeting?

MS. FEFER: Yes. I don't know off the top of my head.

SPEAKER: I think it's -- it's in the --

MS. FEFER: Oh, it was.

SPEAKER: It will be after October 17th. I think it's after -- a month after or so.

MS. FEFER: Should I go for it?

SPEAKER: Yes, that's fine. Just want to make sure that you highlight that.

MS. FEFER: I don't think I put it in that one.

SPEAKER: Well I'll look it up.

MS. FEFER: Yes, I don't have that off the top of my head but it was between when the proposal comes out and when you're commenting there will be a meeting.

SPEAKER: Could you clarify to the group study requests and when they're due and the format that they should be received?

MS. FEFER: Yes, that is an excellent -- whatever it's called--

SPEAKER: Segue.

MS. FEFER: Segue. Thank you. Yes, so the relicensing studies we will be sort of requesting along with

the scoping documents for any comments for SD1 that you also put in any requests for study and those, any information or study request must contain what's listed on this slide and then the next slide and again those comments and study requests are due September 5th.

What we need in the study requests. Some of these are really straightforward. Some of these folks tend to have you know less of an easy time with so I will read these through to highlight really the ones that you should focus on in terms of folks sometimes have a hard time with and then we have to go back.

So describe the goals and objective of each study proposal and the information to be obtained. That's pretty straightforward. If applicable please explain the relevant resource management goals of the agencies or Indian tribes of jurisdiction over the resource to be studied.

If you're commenting and you're not a resource agency, explain any relevant public interest consideration in regard to the proposed study.

Number 4 is an important one but sometimes gets looked over. Describe existing information concerning the subject of the study proposal and the need for additional information. So if you want a study to be done, we need to see that there isn't that information. Where is that information gap and why do you need that information?

Additionally, we need to see and we need you to explain any nexus between project operation and effects on the resource to be studied and how the study results would inform the development of the license requirements.

Number 6 is also an important one that we need some detail about that sometimes gets brushed over where we want you to explain any proposed study methodology. How do you want SCE to conduct this study? And let's see. So this would include any data collection analysis techniques or objectively fortified information and schedule, including an appropriate duration.

And of course the methods -- the methods need to be consistent with general scientific practice. Okay, we do want you to put in how do you want this study to be done. And then describe considerations of level of effort and cost. So this is something else that sometimes gets looked over. So be sure to give us that. What will this entail in terms of effort and cost?

So that's the study criteria that we're looking for. That would be due with the scoping comments in September. And that is the end of our presentation and so now we can just open it up to any additional comments or questions.

MR. ERANS: I'm back again, thank you. I'm Jim Erans with Kern River Fly Fishers. So one of the things that

I would like SCE to tell us is the cost/benefit analysis of all of this.

If I'm right and what you told me is right, this project provides electricity to 1,000 units so you've got millions of dollars tied up in this dam and all luck, right.

So what does it really cost to produce whatever it is -- megawatt, whatever unit it is and is it really worth it to have that dam do it? So I think that's a fundamental question that I would ask in any project. So, are we getting our money's worth is basically the question right?

So the other thing about the flows, you know there's a lot of sensitivity and the people in Bakersfield continue to flow the water through Bakersfield so you all down by the water today, there's a lot of water. You know we saw a lot of water yesterday. You can actually catch fish by the river in Bakersfield today. We have one of our members who went out and got a photo of him catching a fish.

Wouldn't that be nice if the people of Bakersfield were able to do that every day? But you have to have a continued flow of water. So the impact of the dam on that continued flow needs to be talked about. You know, the sensitivity and making it better or whatever. I wish more people were here to talk about it but you know, they're not here in the morning. There's work, etc. And they don't like

to go to these meetings, I guess.

Anyway so that's a couple of them, cost benefit, minimum flow and who really controls it all is one thing. I don't think I have much of anything else but I, one thing that I'd like to do is thank everybody that's here from SCE, from FERC and the people in the audience, you know.

This is kind of the way to do things. I've been doing this for a while, find out that we can never agree about anything. Or some things you do but it's important to walk away with some type of mutual decision so we will come to that.

Thanks to everybody for taking the trip, SCE for providing information. Other people in the audience who are interested in this. It's an important thing.

Conservation is an important thing. It really is so you've got to conserve all of these things. So the older you get the more you appreciate what we have so I think that's the goal. What can we really do to make this a better place? Well thanks.

MS. CARTER: My name is Lea Carter and I represent the Kern Gateway Trail Committee and our goal is to develop a hiking trail for public use from the mountain to the canyon to Democrat Dam.

And we're hoping that during this scoping process and site review that we can include the possibility in

developing the trail. What the feasibility of that should be.

MS. FEFER: Any more questions?

MR. MOORE: Yes, I have a clarification. David Moore with Southern California Edison. To answer your question, Quinn, in the Appendix A of the PAD which has the relicensing schedule we have the initial study plan meeting scheduled for December 13th so around probably the beginning of December.

MR. EMMERING: Okay. December 13th.

MS. FEFER: Okay. Thank you.

MR. EMMERING: Is that still tentative? Because I know we had a little wiggle room. Okay.

MR. BIANCHI: Let me clarify. Appendix A of the PAD schedule has been superseded by the scoping document schedule. We did the schedule based on license expiration and really submittal of the PAD at the regulatory deadline which was May 31st.

FERC went and looked at it and based upon when the submittal of the PAD which was May 5th so everything's been moved up a little bit so I suggest you go to scoping document 1 and see if it's in there, the date of the meeting and if not we can clarify that. But don't -- don't use our PAD Appendix A as the reference for the dates.

We will go to FERC scoping document 1. Because

that also changed the time when we were going to -- comments were submitted. They were like at the end of September. Now they're September 5th so we want to make sure to use FERC's scoping document and we'll adjust our -- our schedule obviously based upon that.

Sorry, David.

MR. MOORE: No, that's fine so it does say in our schedule in Appendix A that the meeting will be held no later than 30 days after deadline date for filing the proposed study plan.

MS. HENRY: Hi. Lois Henry with SJV Water. I was just wondering, I came in late. Sorry.

MR. EMMERING: I'm sorry, this is Quinn with FERC. S -- what?

MS. HENRY: SJV Water.

MR. EMMERING: What does that stand for?

MS. HENRY: San Joaquin Valley.

MR. EMMERING: Okay, thank you.

MS. HENRY: I'm not a very creative person. I write about water in San Joaquin Valley.

MR. EMMERING: Just for the record, that's all.

MS. HENRY: It's an online news publication. SJV Water.org. So I came in late so I'm wondering if I can get a copy of the slides. You've probably already covered that. I also need your names, hopefully it's this card with your

names and titles.

And also I was wondering if you did sort of a just a where does KR1 fit into the matrix of Southern California Edison's Power portfolio. Like how much does it produce? How does it rank in comparison with the other sources that SCE produces and where does the power go?

MR. KEVERLINE: Okay, I'll work backwards because that's the one I know I'll remember. So it generates about a little over 26 megawatts, which we talked about yesterday. That's about 26,000 homes from, this is kind of old data, the 26,000, $1,000 -- or 1,000 homes per megawatt was kind of a rule of thumb.

MS. FEFER: 26,000 megawatts per year?

MR. KEVERLINE: No, so total megawatt hours per year I wouldn't be able to figure that out for you. We could probably draw some information somewhere that might be in the --

MR. BIANCHI: I think it's in the PAD if I have the right scale. I think it's 117,000 is the low up to 346 -- don't quote me on that but 346,000 megawatt hours.

MR. MOORE: That information is in the pre application document.

SPEAKER: I can provide specific numbers.

MR. MOORE: Total generation from 2018 to 2022 ranged from 119,548 megawatt hours to 173,613 megawatt

hours.

MS. FEFER: Okay, 2018 t0 2022.

SPEAKER: 22.

MS. FEFER: 119K to 173K?

SPEAKER: Yes.

MS. FEFER: MWH?

MS. HENRY: Wonderful. Thank you.

MS. FEFER: And in terms of -- I can get you the slides but also you want to look over scoping document I and that has a lot of information as do the slides.

MR. KEVERLINE: Then you had a question on the ranking in our portfolio of all of SCE. So hydro-wise, Kern I Project is considered a medium hydro.

So you have Big Creek -- are you familiar with the Big Creek System? So you have Big Creek, Fair Leaf -- that's large hydro; Kern I, Kern III medium hydro and then you would roll down to like the Kuwea Projects. The Three River Projects, those are small hydro.

We do an internal ranking of our portfolios against other generators so it would be like PG&E and Ips, Kern I historically ranks in the first quartile among our peers and ourselves so it's a beneficial project to SCE for sure.

SPEAKER: Where does the tower go?

MR. KEVERLINE: It goes into the grid, so the

grid is you know, everything. It leaves that project and goes to -- the lines travel to you know the Tahachabe area and then down you know the lower central valley where it can be distributed everywhere, wherever the power is needed.

We essentially send it out into the lines and then grid control dictates where that power is needed each day. So it could go to any of the homes in the Kern to, even down into L.A. if needed.

SPEAKER: Thank you.

MS. FEFER: Are there any questions? Comments?

MR. MOORE: I'll just add, another resource that's available is our relicensing website for Kern I and it's at www.SCE.com/KR1 and at that site we have overview information about the process. There is a link that you can click and be registered for our contact list so when we do email distributions you will be sent an email regarding upcoming meetings and so forth.

There's also a link to the FERC eLibrary where you can register to be notified for issuance -- submittal and issuances associated with the Kern I Project.

MS. FEFER: Anything else?

MR. EMMERING: This is Quinn Emmering with FERC. The scoping document 1 has the study planning meeting listed for November 16th, a Thursday but that might, it could be earlier.

That's kind of in there and it's SCE's decision to schedule.

MS. FEFER: Other comments, questions? Okay well, hearing none, thank you very much for coming and your interest in this project. This is, you know very helpful for FERC and for SCE as we're moving forward and definitely you know get those comments on the public record for the eLibrary which again we have the QR code and the handout to make it super easy to access that along with the most upcoming comment dates.

We also have some additional handouts in the back. Also I think for you that mosied in a little bit late, don't forget to sign into the sign-in sheet in the back, because we want to make sure that we have a record of who was here.

All right, so thank you so much for coming and very good to meet y'all.

[Thereupon, at 10:03 a.m., the scoping meeting concluded.]

CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceeding before the FEDERAL ENERGY REGULATORY COMMISSION in the Matter of:

Name of Proceeding:

Southern California Edison Company

Project No. 1930-090

Place: Bakersfield, California

Date: Wednesday, August 2, 2023

was held as herein appears, and that this is the original transcript thereof for the file of the Federal Energy Regulatory Commission, and is a full correct transcription of the proceedings.

Dan Hawkins

Official Reporter

UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

- - - - - - - - - - - - - - - - x

Southern California Edison Company : Project No. 1930-090

- - - - - - - - - - - - - - - - - - - -x

KERN RIVER NO. 1 HYDROELECTRIC PROJECT

Request for Comments on the PAD

and Scoping Document 1

Public Scoping Session

Evening Scoping Meeting

Hilton Garden Inn

3625 Marriot Drive

Bakersfield, California 93308

Wednesday, August 2, 2023

The public scoping session, pursuant to notice, convened at 6 p.m.

P R O C E E D I N G S

MS. FEFER: So welcome back to those of you who are back here this morning and welcome. So we are here as you know for the Kern River I Project I Scoping Meeting, referred to here and now as Kern I.

I think everyone knows that I am Jess Fefer. I am the FERC Coordinator for this project and also environmental protection specialist focusing on outdoor rec and visual resources, environmental justice and land use.

So with me here today are four other FERC Staff and some other representatives from SCE who are the owners and applicants of the Kern I Project so I'll give a moment for them to introduce themselves.

SHANNON: Shannon Acholeta Fish Biologist with FERC.

MS. ENG: Hi, Cari Eng, Attorney for KR3.

MR. EMMERING: And I m Quinn Emmering, Wildlife Biologist with FERC.

STEVE: My name is Steve. Civil Engineer.

MR. BIANCHI: I'm Ed Bianchi with Stantec. We're an environmental consulting firm, helping Edison on the relicensing.

MR. KIMBERLINE: Dan Kimberline SCE O&M Manager.

MR. MOORE: Good evening, David Moore. I'm the Project Manager for Kern No. I relicensing for Southern

California.

MS. FEFER: All right. Wonderful. Thank you. So Agenda for the meeting today, actually before I get into the Agenda I should cover some housekeeping items, if you haven't signed in in the back already there's a sign-in sheet. We want to make sure to keep track of everyone that came so please make sure to sign in before you go.

Also, you notice we have a court reporter here who's going to transcribe the meeting so that it is reported and that will be uploaded on FERC's eLibrary within two weeks.

And when you do want to comment, we want to ask that you please state your name and affiliation so that the court reporter can get that accurately.

That said, that will not take the place of public comments. So if you make comments in here, you still want to make comments in eLibrary and we'll talk about sort of when and how you can do that from this meeting.

So for today, we're just going to briefly go through the licensing and scoping process. SCE will sort of share their proposal with us and then we will get into the resource issues that were identified in scoping document 1. Hear from you about those and have some comments and discussion.

So, I think you know who FERC is but we are all

with the Division of Hydro power Licensing and so you know, this is a part of the process where you will see us but there are other hydro divisions, compliance and safety that will work with the applicants after the licensing process.

So just to broad sort of brush-stroke overview of the process for y'all. Obviously SCE has already filed their Pre Application Document. We are now in the scoping process. In the next -- for the next you know two years or so, three years we will be going through the study phases and information gathering and consulting before SCE files their relicensing application.

Once we get to that point, we're in sort of the post filing and so the dates are sort of a little bit more wonky but I'm going to, just because of the timing which I'll get into a little bit in the moment but just wanted to sort of give you a broad overview of sort of the process.

And this is a more detailed view of the process that will give you sort of the dates or you can comment and where we'd like to hear from you all. So first of all we are currently in the scoping period.

So today is August 2nd an we're at the scoping meeting. And then stakeholders, you all are able to comment until September 5th related to scoping document 1, the PAD and study requests.

And then as needed, FERC will issue scoping

document 2 in response to those comments. SCE will also file the proposed study plan in response to those comments in the study request once we get into those study phases there.

So during the study phases you will also have two chances to comment. We will have the sort of -- the proposed study plan will be filed by SCE and you'll have a chance to comment on that and then you'll also have a chance to comment on the revised study plan before FERC issues the study plan determination and then that gives us to March 15th of 24.

So we're getting a little bit further away here but we've got the study seasons 2024 to 2026. You'll also have a chance to comment there. So I think you see my point. You'll have many chances to comment. We'd love to here from you so you can comment twice throughout hat study season, two different seasons.

And then we're about to where the preliminary license proposal is filed. You'll have a chance to comment on that before the license application is filed. As I mentioned that sort of post-filing the dates are a little bit more wonky. That is because once the license application is filed, the next step is for FERC to issue the ready for environmental analysis.

And that, at the earliest will happen June 30, 2026 but most often, we're looking for some additional

information so depending on the level of additional information that we need from SCE, we give 30, 60, 90, 180 days to get that information and so that's why the rest of these days are sort of pushed back a little bit.

But this is all the earliest possible that these pieces would happen. This slide is also just to show you that you know, even post-filing while FERC is working on the Environmental analysis you will have opportunities to comment on that as well.

Okay, so I think most of you understand the purpose of scoping and what we're doing here but really it's a Federal requirement for one, for both FERC and NEPA but most importantly we really like to understand public perspectives and concerns about the project and need help identifying those issues, identifying reasonable alternatives, available information and those cumulatively affected resources.

And that gets us to SCE's proposal so let me -- bear with me while I pull this up. And then the SCE will share with us what they're thinking.

MR. MOORE: All right. Thank you, Jess. So we've put together a short presentation to present our proposal. So if we could go ahead and go to the next slide. So Kern River No. 1 Hydroelectric Project, the FERC License, or the FERC Project Number I should say is 1930 and that's critical

so if you go on eLibrary and you're searching for documents associated with the project you want to make sure you put the docket number P-1930.

Also on the website for the Kern I relicensing we do have a link where you can sign up to get notification from elibrary as well as sign up to become part of our -- on our contact list so that when we do email distributions you're on the distribution list.

The current license was issued in June of 1998 for a 30-year term and that current license expires on May 31, 2028. Next slide.

The Kern I project is located on the western slope of the Sierra Nevada Mountains in Kern County. It's approximately about 15 miles east of Bakersfield and the project occupies Federal land within the Sequoia National Forest.

MR. KEVERLINE: Okay, looks like it's my turn. So just kind of an overview of some of the project facilities. Up there you guys will see the Democrat Dam. The project run is operated run of the river. No consumptive rights. There's small consumptive rights, but it's just a pass-through project. The dam is about 10 miles above the powerhouse.

Some facts and figures on it. It's 58-foot high, 204 feet long and it's not a high hazard dam. So the Democrat Dam impoundment starts at the river takeout and

goes all the way down so that's about 27 surface acres, 247 acre-feet. It does not have any usable storage for generation and it's just diverted into the intake structure and the flowline has a capacity of 412 cubic feet per second.

So once the water enters the conveyance system it has about 8 miles of travel down to the powerhouse. Along the way it goes through various flumes and covered conduits. You see a picture of the forebay spill shute on the far right. The penstocks are completely buried underground until they surface with the powerhouse. We don't have any photos of that.

Inside the powerhouse there's four generators, total capacity a little over 26 megawatts. The tailrace just upstream of the power house essentially goes from there and it goes up to the downstream powerhouse that's not Edison-owned.

Some other project facilities or just various roads and trails we use for maintenance. There's lots of communication of the power lines and several gauging stations in the river and in the flow line that we use to measure the water that we're diverting.

SPEAKER: Okay I'm going to go ahead and stand up so I can wave my hands I guess. I just want to talk a little bit about project operations. as Dan mentioned it's around

the river which means the majority -- the water that comes in goes out. There's a small amount of incidental consumptive use right at the powerhouse but that's a tiny little bit of water.

Most of the water comes in the project comes out to the tail race. There's no usable storage. So it's one of the river. It's controlled by the operations of Army Corps of Engineers at Lake Isabella and that's not a project facility. And the Kern Water Master controls the releases into the project.

So inflow of the project is controlled by the Kern River water master and so the amount and the timing of the diversions are a function of the amount of releases inflowing into the project.

The project water rights flow line capacity, powerhouse capacity as Dan mentioned, the capacity of the intakes, combined capacity is 412 CFS. And then there's minimum flow requirements which are from June 1st to September 30th. It's 50 CFS release or inflow, whichever is less. Between October 1st and May 31st, it's 15 CFS or inflow whichever is less.

So it does operate in terms of consistent with those water rights, releases coming into the project, what the capacity of the project is, and then they always have to meet their minimum of in-stream flow requirements.

Here's a little graph to just summarize the hydrology. There is section 3.3 of the pre-application document that explains or presents more details on the hydrology. But if you kind of look at it there's the blue, solid blue line. That's inflow in the project.

It's a 90% exceedance which means 90% of the time the flows are there or less. So were only 10% is higher than that. and then in the dotted line is below the diversion. so that basically, the differential is what water Edison is diverting into their intake. The red line is an av 50% or average flow. again the solid line is inflow into the project.

The dotted line is below the project and you can see the influence of the project is greater when you have lower flows in the project. I should say that most people know in the hydrology you never get average, you get drier years and you get wetter years. so averages, it's a good statistic, but you don't often see it come in nature.

The lower line, the lighter blue line is 10% exceedance so 10% of the time the flows are that or lower. Yes 90% of the time the flows are higher so that represents a really dry year condition and in there you can see again the flows are a lot lower coming into the project. The project obviously takes water, has a greater influence on it when you have less water coming in.

The only thing I'd like to point out is that there's a shift in the hydrograph with Lake Isabella and the storage associated with Lake Isabella. Typically you would get Lake runoff early in the spring, early summer.

You see a little shift over to the right a little bit later in the year when you get peak flows and that's just a consequence of Lake Isabella storage and releases associated with ag productions so it's really operated to provide big flows during the summertime to provide agriculture down below the project and in Bakersfield.

SPEAKER: Excellent. Do you want, Dan, to do the last and then I'll finish it up?

DAN: Sure and these are just examples of some maintenance activities that we do at the project. really the more interesting part is that we do most of the maintenance on the project ourselves with the crews that we staff so we have mechanics, machinists, electricians, operators, heavy equipment operators.

And we try to do most of the work in house so you know these are just small samples of those activities that they do.

SPEAKER: And then just to finish it off there's no proposed changes in the operation or maintenance of the project or there's relatively small changes to the maintenance activities but none of the project operations.

There's no new facilities proposed so there's no new construction associated with the project.

There's a few things that we're going to propose to change. One is the FERC project boundary. There are some project trails right now, at least we've identified them as as necessary for operation and maintenance of the project, and almost exclusively used by Edison so those are project trails that are currently not in the FERC project boundary. So we're going to add the FERC project boundary in that or add those to the FERC project boundaries so that they're incorporated under the jurisdiction of FERC.

We also have those already identified so our studies are already doing all the complimentary studies along those trails so we can get conditions that are appropriate associated to what a new FERC license would be.

The other thing, existing maintenance activities will not change with a few exceptions. One is there is a proposal right now to apply herbicides to the surface of all the project trails and that's to improve maintenance along those trails and also apply herbicide along the forest perimeter fence and within 3.5 ft outside the perimeter fence and I think that's both for control of vegetation.

There's also control of fire. and also in terms of worker safety and you keep the trails clear and they can see their footing and make sure they're not stepping on

rattlesnakes Etc. So that's the, I'll say minor changes to the project right now that Edison is proposing.

MS. FEFER: Thank you. Alrighty. Thank you for sharing that. any questions -- yeah I'm actually going to have you help out the court reporter and state your name please.

MR. DUXBURY: I'm a 16-year resident of Kernville. I'm on the board of both Kern River Boaters and we have about 1700 members, and Kern River Fly Fishers Council which is the oldest angling community based around the Kern River drainage. I have a question, is that okay?

SPEAKERS: Yes.

MR. DUXBURY: First, David, you were talking about that the water Master controls the flow. Do you have some kind of deal with the water rights holders to provide like 3 to 400 during the late fall and into the -- through the winter you know to keep the turbines going?

MR. MOORE: We have entered into storage agreements with the water users on the dam.

MR. KEVERLINE: I don't know if that's where the question was going, but we do have -- so whatever the inflow at the North Fork is like later in the year when the flow is lower we match that. Usually the water master matches that and they call it power flow so that that just kind of holds the lake at one level, if that makes sense. and that's part

of our rights.

So we would say if the inflows 200 CFS we will not be taking 400. We will be at 200 instream flow. Does that make sense?

MR. DUXBURY:: Not that last part. Can you try that one more time? I get that there's an inflow.

MR. KEVERLINE: Yes, so if our, you know, we're in the month it's at 50 CFS is what we have to release for the fish flow, it'll be 200 minus the 50 is what we can divert.

MR. DUXBURY:: Roger that. So you don't--that's a water right? Is that what you're saying? You don't pay for water?

MR. MOORE: No. Well, there's some payments made, right?

SPEAKER: Well, there's a Headwater Bank.

MR. DUXBURY:: Right.

MR. KEVERLINE: Well, that's not, I know about that. That's not what I'm talking about.

And then Dave was talking about the water banking, is what we call it which is if the city wants to, the water master wants to store water for later use then they will pass an amount of lost generation for whatever they store the lake. And then they store that for another time whenever they need it.

MR. DUXBURY:: Thank you and then -- just one --

Ed, I think you've been in this game quite a while? The hydro licensing --

MR. BIANCHI: Since 1985.

MR. DUXBURY:: There you go, okay. How frequently does a project come forward with a new license application -- I'm sorry a real licensing application, and then propose zero new environmental or recreational conditions?

MR. BIANCHI: Going into the proceeding?

MR. DUXBURY:: Yes.

MR. BIANCHI: Quite common. It's more common than not that they go into a proceeding and what they use to describe what the existing conditions are and then they're going to do studies. And as part of their studies now they're going to go look if there's any potential impacts associated with the project and then they would look at that and work with the stakeholders to come up with modified conditions.

So it's quite common at least once that I've been involved in. I think this is number 19 for me, that there's not new conditions proposed right off the bat. Because there's not a basis for it and we're trying to look at the studies and seeing what's appropriate also in consultation with the stakeholders and the resource agencies.

MR. DUXBURY:: Can I ask FERC the same question -- how often --

ENGINEER: it's pretty -- he's right -- it's pretty common. Because like he said we're still in the early stages, still figuring everything out, still figuring out what are the issues, what needs to be done, the studies to provide all the information on that,we'll get recommendations from various agencies and so, yeah.

MR. DUXBURY:: Thank you.

MS. FEFER: Thank you. All right. Excellent. So sort of the next piece of this will be to go through the preliminary resource issues that were identified and scoping document one.

Sorry this might be a little dry, I'm just going through exactly what we have in the scoping document but here is just a list of preliminary resources and now I will take a moment to go through those and see if there are any comments about those.

So to start geology and soils. We're looking at the effects of continued project operation on turbidity and suspended sediment flows, potential affected bank erosion within the bypass reach, affected hill slope within the bypass reach and potential effects of sentiment movement on or within the project shorelines and stream banks along the Democrat impoundment.

Any comments or questions on that?

(Simultaneous discussion - audience)

SPEAKER: I apologize. This is going to be my longest comment. I'll try to keep it quick. I want to comment on the impacts of the project on highway 178 in particular. Between here and Isabella. You guys all drove it yesterday.

It's called Canyon. The project conveys about 1.5 million pounds of water a minute hundreds of feet over the road, and in August 2013 conveyance and emergency spillway failed during a storm and added 17, 18 and Moore overflowed while Edison continued pumping water through, adding fuel to the fire so to speak and created a huge, two landslides all the way across 178 closing it.

It's the main artery between the river and the valley to the outside world, closing it for more than about 2 weeks.

Cal-Tran sent Edison a bill for a half million dollars. You got out of that somehow. But FERC increased the project's hazard rating from low to significant, so adding two points to that to the comments so hazard ratings that are significant in FERC's parlance does not envision potential for the loss of a single life from a failure like this. And I think that's as out of touch with the reality as FERC's original judgment that this was a low hazard project.

Cars drive fast on 178. There's lots of them. It's only by luck that those landslides didn't kill anybody.

Edison admits that it didn't anticipate this kind of failure of its system and there's no reason to think that this or some similar noted failure could happen again.

Conveying millions of pounds of water high above the unsuspecting public on a major highway is inherently dangerous to human life. This project's hazard rating should be increased to high in the public interest.

My second point from this incident concerns the continued closures of the 178 from time to time in the 10 years since that incident. Maybe you don't own that but we had a long closure this year because we had a wet winter. But besides that long closure, I'm not blaming you guys for it, it's in a different location. But all too frequently that road is closed for shorter periods of time for small rock slides and myself and others think most of them are near at the 17, 18 and the forebay.

Right in that area very frequently the Canyon gets closed for a few hours or maybe a day but is frequent and it is disturbing to us who live in that remote area. we suspect that Hillside stabilization you were ordered to undertake was not fully successful.

So I would ask that an independent engineer as a preliminary matter analyze Cal-Trans 178 closure and repair data just to see if there's a disproportionate amount of closures under those structures. If not, end of story but if

there is, reevaluate that hillside for further stabilization measures and then which obviously Edison should be directed to perform before issuing a new license.

MS. FEFER: All right. Any other comments or questions about geology?

SPEAKER: I've got a question. Why do you suspect-- And the issues --

SPEAKER: Just by nature you can see the damage in the road and look at the Facebook reports and it's right there. People always take pictures of the rocks, where they are, yeah.

ENGINEER: Okay. I figured that was the reason.

MR. BIANCHI: I would just like to mention that we do have a land two study, erosion and sedimentation, and one of the components of that study is to look at erosion out of the hillside so look at whether it's natural or if it's project related.

So we're going to go to hole sites and look at sediment input into the river and that would be 178 also. So I suggest you look at that particular study. So we're there to try to address both the historical incidents and also with the current conditions are and we'll have our engineers or water specialists take a look at -- and that's part of the study, land two.

MS. FEFER: Alrighty. Water Resources. We'll look

at the effects of continued project operation on hydrology of the lower Kern River and the project bypass reach and downstream of the powerhouse and we'll look at effects of project operation on water quality and the project bypass reach and downstream of the powerhouse.

Any comments or questions about water resources?

All right I'll move on to aquatic.

Looking at the effects of continued project operation on fish habitat and fish resources in the project impoundment, bypass reach, and downstream of the powerhouse. Effects of continued project operation on Western Pearl shell mussels in the project area and effects of project water diversions and in-stream flow on fish habitat in the project bypass reach.

Continuing on with aquatics, look at the effects of fishing treatment at Democrat Dam on fish resources in the project area and effects of Democrat Dam on upstream and downstream fish passage. Any comments or questions about aquatic resources?

MR. DUXBURY: Brett Duxbury again. Thank you Jess. According to the rank and file of the Kern River Fly Fisheries Club there used to be a bass fishery in the section of the river. It was awesome. Folks could pop up after work and enjoy a few hours of fishing. It seems that the sediment management plan dreamed up by Edison destroyed

that fishery.

I understand the plan was approved by all the agencies, but just like FERC's safety rating, agencies don't get things right all the time. And sometimes they make huge mistakes. We can't afford another one here. You need to make Edison haul away their sediment and not just float it downstream.

You need to provide radically increased minimum flows in that fishery and reestablish a viable fishery and always being skeptical of Edison's objections supposedly based on environment. They are quite adept at using those as a fig leaf To protect their take of water from the river, like they do at the hatchery up here.

MS. DUXBURY:: Is this on? Yes. Liz Duxbury from Kern River Boaters and I just want to follow up on the comment about the flows and the Stream.

In particular some of the work we looked at with the North Fork and the environmental conditions recommended by -- and how you evaluate stream flows and particularly environmental stream flows that at 15 cfs, lower MIF and even the 50 CFS just really seem like they really are not in line with any sort of environmental flow regime, so I want to make sure that that's captured in some of the studies.

That we're ready to look into that and look at what an environmental flow regime on this stretch would

really look like from, like what I said, from what we looked at before I suspect that would involve a lot higher in flows because you know these numbers are down in what CDFW terms as "severe degradation ranges", which and just looking at it from the -- you know you're driving past, 15 CFS in the river -- it barely looks like a river. It's buried under the rocks. There's nothing there. It really doesn't seem like it's going to keep fish alive, let alone any sensitive or you know endangered type fish.

So that's something I want to make sure that we are covering in the study and we're looking into what environmental flow ranging would look like, which has those increased base flows but then also sometimes a variability of the flows over time that more closely mimics what a natural stream looks like.

MS. FEFER: Just want to flip that out and leave it with the audience. Thank you. Alrighty. Any other comments about aquatic resources? All right we'll move on to terrestrial.

So we'll look at effects of continued operation and maintenance of the project including the use of project roads and trails that could potentially introduce and spread nonnative invasive plant species including the potential effects on invasive plants on native plant communities, special status species, and wildlife habitat.

We will look at effects of continued operation and maintenance of the project that could potentially promote suitable conditions for the spread of nonnative and invasive wildlife species including the American bullfrog, Asian clam, and crayfish species and their potential effects on Native aquatic and semi aquatic terrestrial wildlife.

Continuing on with terrestrial, we will look at the effects of timing and magnitude of flows resulting from continued operation of the project and project maintenance activities on wetlands and recreational habitat along the Kern River including the bypass reach.

We will look at effects of project operation including vegetation management and herbicide use on Native vegetation and Wildlife, game species, and the special status species identified in SCE's PAD including Sequoia National Forest species of conservation concern and nesting migratory bird species.

We'll look at effects of project facilities that present potential entrapment hazards for wildlife including open air flows. Comments or questions regarding terrestrial resources?

All right. briefly we'll look at threatened and endangered species so we'll look at effects of continued project operation and maintenance activities on species designated as federally threatened, endangered, proposed or

candidates for listing and designated critical habitat under The Endangered Species Act. And here is a list of those species which I won't read off for you, but any comments on that?

All right. We'll move on to recreational resources. We'll look at effects of continued project operation and maintenance on recreation resources, adequacy of existing recreation facilities to the current and future recreation demand, and the effects of project operation and maintenance on recreational white water boating use in the project bypass reach. does anyone have any comments?

SPEAKER: Yes.

MS. FEFER: Go for it.

MS. DUXBURY:: Okay I'm going to go first. Liz Duxbury again, Kern River boaters. The main comment there I want to make is just going through the PAD I noticed, the pull out in the back of the clause "the whole of the bypassed reach" I think "it was violent and unridable."

I want to just kind of contradict that because I don't think that's the case. There is some hard white water in there but you can do it right now at 4 or 5,000 CFS, but there's also that ridge bar section in the middle that is significantly lower in difficulty and is something we've run frequently over the years.

It is something that is runable and I think a

bigger factor and a reason that there's not quite as many boaters there is really that we just don't know what is in the flow at any time. There's no way to find what the instantaneous or hourly gauge data is online like when you kind of want to check other stretches. There's a line that you can call into and might be updated if you sit there and listen to the message for a while but I think providing some gauge information would really be something that could help access to that region.

And the other factor that you also did not mention in that PAD is that well it doesn't seem that a lot of usage is happening because there's no manifest. And to that I just want to point out that you know permits aren't required down here on that lower section of the Kern. Manifests aren't required. There are no manifests available. There are no manifest boxes or collection sites or anything.

And really even the permit system hasn't been enforced very much recently. I'm not sure that's a really good way to quantify the number of users using that section in any given year or anytime. I think those are things worth noting. We should get both current usage and what might come up in the future usage of that site.

MR. DUXBURY:: Brett Duxbury. Yes. I would just Echo what Liz was saying because those middle sections, is

not all hard-core white water runs in the diverted reach. There is a strictly class 3 section from Lucas Creek to New Beach which is about 3 miles long. We take classes of boaters down there all the time and right above it is sort of a four and anywhere you put on.

Then you get a little harder four for about a mile up right before, right after the Toilet Bowl. So there these are the names that, we did not make up these names. [Laughter]

Anyway, we have a video of these sections that we will submit later in the process. But I would just like to express something that's really frustrating about it. It's 2023, flow information for every other segment of that river is available online, even at the current Canyon project and it took a complaint of mine to get that about different information, the Canyon information just to get them to put the flow gauges online at Clearview Dam, which has been incredibly helpful for our community.

And instead of going online I have to sit through a 3 minute phone message that is barely intelligible. have you guys ever called that thing? You got to try it. 760-537-6356. It is hard -- it is hard to hear what the message is saying and you have to wait 3 minutes to find out what the flow below Democrat is.

Again it's frustrating that SCE never gives more than its

license demands.

And so we need instantaneous online flow information below Democrat Dam to safely and actually use it more. Because that is a big impediment. So yes provide that and --

MR. BIANCHI: And if I could just point out, is in the draft study plans that were part of the PAD there is a Rec 3 boating study where we do the three phases of it and we have consultations so take a look at that and make sure that it addresses your concern but we are doing that, a full whitewater boating study in terms of starting out with recognizance and discussions with the Whitewater Community, boating community so.

MS. FEFER: All right any other comments or questions? Okay moving on to land use and aesthetics. We're looking at the effects of continued project operation and maintenance on land use and the effects of continued land use and Effects of continued operation and maintenance on the acetic quality of the project area. Any comments?

SPEAKER: All right for people who have driven the canyon which you all have done recently. You know the lower Kern is incredible to look at when there's a lot of flow but that hasn't been the case in the drier years or frankly at any time when this project is running close to fish flow which is a paltry 15 CFS flows at a time, well the

project is taking 400.

When it's down near fish flow you see stagnant pools, lots of algae in the stagnant pools, and where there is living water it's narrow, slotted, and it's obscured through a bunch of Road blast in there unfortunately. There was a Facebook video last year of this helicopter flying over the diverted area and you can barely make out any patches of water. It looked more like a rock quarry than a river.

According to Cal-Trans 2 to 3 million people drive that canyon in one way each year. Those people deserve something better to look at than a dead river.

And so I asked that you carefully study the Aesthetics. not with easily manipulated survey data but with a science-based controlled closed study and then radically raise minimum flows accordingly to keep this looking like a healthy river all year long. raising those flows would also improve water quality of the fishery, preparation, etc.

These are issues that all get divided up, but take a holistic look, increase those flows, it would help a lot of things. Thank you.

MS. FEFER: Any other comments or questions? All right. Cultural and tribal resources. Will look at effects of continued operation and maintenance on historic and archaeological resources and traditional cultural properties

that may be eligible for inclusion in the National register for historic places or in other areas or places of religious, cultural, and traditional importance to Indian tribes. Any comments or questions?

Okay. Socioeconomics. We will look at effects of continued project operation and flow diversions on agricultural and other consumptive uses in the North Fork Kern River watershed, effects of any reduction in the amount of water available for irrigation on agricultural production in Kern County and effects of any reduction in the amount of water available for future water supply deliveries to the city of Bakersfield.

Any comments about socioeconomic resources?

Environmental justice. We'll look at effects of project operation and maintenance in identified environmental justice communities.

SPEAKER: As a preliminary matter from FERC, I thought you were supposed to analyze for economic justice communities as well? Is that not the case?

MS. FEFER: I think that plays into socioeconomic and environmental justice so that the data that we use does get into the economics to study environmental justice.

SPEAKER: Thank you. Well this comment would have played but you'll probably find during this proceeding that the day users of the dewatered stretch of river

disproportionally come from communities suffering economically and environmentally. There are limited opportunities for quality outdoor recreation around here at the prices of visiting this river, which is about 10 dollars for a family, I believe currently and the river offers improved air quality as Bakersfield has horrific air quality and it offers them an opportunity for them to get away from the dessert littered with industry and surrounded by Big Agriculture to a nicer setting if there's adequate water.

It falls at the project's effects on river, aesthetics, water quality and the fishery, disproportionately falls on these affected communities and you should strive for a more, a radically more equitable distribution -- I'm sorry. A radically more equitable balance on the use of flows between the public and the powerhouse.

Heck, make a mistake on the public side for once, instead of Edison's side. That's for the agency. Thank you.

MS. FEFER: Any other comments on environmental justice? Okay. And as promised I said I would talk about cumulative effects as well.

So just to go over that a cumulative effect is the impact on the environment that results from the incremental impact of the action when added to other past, present foreseeable actions. So just to clarify that and

we've identified water and aquatic resources that could be cumulatively affected by the continued operation and maintenance of the Kern 1 project. Any comments about those? All right. So that was sort of our preliminary identification of resource issues in SD1 and now I'm sort of getting into the scoping and what we're sort of requesting from you all as the stakeholders here and you know, in Section 7 of scoping document 1 includes a list of the comprehensive plans on file with the Commission that are relevant to the Kern I Project.

As part of the scoping, we request that agencies review the list and file a new or updated comprehensive plans using instructions that are provided in SD1.

We also ask that any entity that wishes to be added to the official mailing list do so by following instructions I think it's in section 8 of SD1 and then also we're looking for significant environmental issues that should be addressed in the EA.

And sort of the way to get that is yes, comments today, that's excellent but also to comment on FERC online and you know, this is probably too far away for you to actually use the QR code but we do have a printout in the back so you can easily access that as needed.

So we really just want to encourage you to stay involved in the relicensing process by submitting electronic

comments int his way. So we do have, like I said, brochures and information about how to do that in the back.

The scoping comments sort of for SD1 for the study requests are going to be due on September 5th of this year. So we're still soliciting those comments so you still have time.

And then just to get into the comment periods afterwards for the proposed study plan. So the proposed study plan is due on October 17th and then stakeholders are able to comment, request or modify proposed studies, that will be due on January 15th. Before that there will be a public meeting, I think we landed on preliminarily it's in Mid-November, scheduled for mid-November right now if that's incorrect, stop me.

SPEAKER: That's correct.

MS. FEFER: All right. So you'll have a chance for a public meeting before that first comment period. And then SCE will submit a revised study plan and you'll have a chance to comment on that before FERC files or issues a study-plan determination on March 15, 2024 and as I mentioned, you know part of that scoping process we're looking for study requests, right.

So exactly what are we looking for there? Some of this is really straightforward but some of this is you know, people often miss so we just kind of want to make sure it's

clear. Of course, describe the goals and objective of each study proposal and information to be obtained if applicable.

Explain the relevant management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied.

If the requestor is not a resource agency, explain any relevant public interest considerations in regard to the proposed study. And then describe -- this one's pretty important. People sometimes miss this. Describe existing information concerning the subject of the study proposal and the need for additional information. So we're looking for you to identify those gaps. You know why do we need this additional study or modification to a study in order to get the information that you're looking for?

Additionally, we ask you to explain any nexus between project operation and effects on the resource to be studied and how the study results would inform the development of the license requirements.

Again, one that can be missed sometimes is really explaining any proposed study methodology. So this includes any preferred data collection analysis techniques or objectively quantified information and a schedule, including appropriate field seasons and we just need to make sure this is consistent with generally accepted scientific practices.

So that's an important piece to try not to miss.

And then lastly another important piece to make sure not to miss is to describe consideration for the level of effort and the cost for the study and the data collection, okay.

And you can also, we have this information publicly as well. And that is all we have for the presentation so I can really open it up for questions and any additional comments at this time.

SPEAKER: No.

MS. FEFER: All right. That does it, then. Thank you so much for being here.

[Thereupon, at 6:52 p.m., the scoping meeting concluded.]

CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceeding before the FEDERAL ENERGY REGULATORY COMMISSION in the Matter of:

Name of Proceeding:

Southern California Edison Company

Project No. 1930-090

Place: Bakersfield, California

Date: Wednesday, August 2, 2023

was held as herein appears, and that this is the original transcript thereof for the file of the Federal Energy Regulatory Commission, and is a full correct transcription of the proceedings.

Dan Hawkins

Official Reporter