



MEETING SUMMARY*
LEE VINING, FERC PROJECT NO. 1388
AQUATIC TECHNICAL WORKING GROUP
JANUARY 25, 2021, 10AM - 12PM

**These meeting notes are documentation of general discussions from the meeting held on the above-noted date and focus on stakeholder questions and comments. These notes are not a verbatim account of proceedings and do not represent any final decisions or official documentation for the project or participating agencies.*

1.0 OBJECTIVE

- To describe FERC criteria for the inclusion of study plans
- To understand TWG participants' resource management objectives, related data gaps, and (wherever possible) relevant potential study requests

2.0 ATTENDEES

Relicensing Team Members

Seth Carr, SCE
Lyle Laven, SCE
Matt Woodhall, SCE
Jillian Roach, ERM
Carissa Shoemaker, ERM
Finlay Anderson, Kleinschmidt
Kelly Larimer, Kleinschmidt
Shannon Luoma, Kleinschmidt
Heather Bowen Neff, Stillwater
Adam Cohen, Stillwater

Facilitation Team

Terra Alpaugh, Kearns & West
Mike Harty, Kearns & West

Technical Working Group Members

Nick Buckmaster, CDFW
Alyssa Marquez, CDFW
Chris Shutes, California Sport Protection Alliance (CSPA)
Ron Goode, North Fork Mono Tribe
Todd Ellsworth, USFS, Inyo National Forest
Tristan Leong, USFS
Nathan Sill, USFS, Inyo National Forest
Monique Sanchez, USFS
Chad Mellison, USFWS
Claire Landowski, Mono Lake Committee (MLC)
Greg Reis, Mono Lake Committee
Chase Hildeburn, State Water Resources Board (SWRB)

3.0 COMPILED ACTION ITEMS

- Mono Lake Committee will provide State Board studies and recommendations pertaining to restoration and geomorphic flows in the area below the LADWP diversion dam; and LADWP sediment studies around the diversion dam.

- The Relicensing Team will distribute a link to the Bishop Creek Study Plan and an updated study plan template for TWG members to fill out by Feb 17, 2021.

4.0 WELCOME & INTRODUCTIONS

Matt Woodhall, SCE Project Manager for the Lee Vining Relicensing, welcomed TWG members to the meeting and introduced the Relicensing Team (“Team”) as well as the facilitators from Kearns & West that will be supporting the Aquatics TWG. The facilitators are intended as resources for the TWG members to help to promote communication between them and the Team.

Finlay Anderson, the Team Lead, stated that the notes from the November kickoff meeting have been finalized and posted on the website. The Team reported on two follow-up items from that meeting: first, there was interest in existing instream flow studies; they do not yet have the data from those studies, but they do have the WUA curves which are informative. Second, the data is showing low dissolved oxygen in Tioga Lake in the hypolimnion in May and September; they will further characterize this in the pre-application document (PAD).

Comments and questions from TWG members are summarized below:

- Comment (C): USFS reiterated a point discussed at the November meeting: they would like a better understanding of reservoir and hydrology operations so that the new license can memorialize them in some way; currently, there are regularly late season requests for variances that need to be approved. USFS would like to eliminate that need.
 - Response (R): The Team asked that they explore how to phrase that in the form of a study plan or informational request.

5.0 TWG PURPOSE & OBJECTIVES

Finlay Anderson summarized the FERC scoping process and referred participants to the memo distributed before the meeting for additional detail. During the TWG process, the Relicensing Team will educate TWG participants about how the project operates, and TWG participants will share their priorities for the project area (i.e., management objectives) and the list of related questions they want answered. Assuming those questions have a nexus to the project, the Team will try to answer those questions through the study process. FERC will utilize that administrative record to support its environmental review under the National Environmental Protection Act (NEPA), analyzing the study results along with the license application outlining proposed operations to determine project impacts and whether issuing a new license is in the public interest.

Finlay shared that the Team is deciding whether to follow a Traditional Licensing Process (TLP) or an Integrated Licensing Process (ILP). SCE is leaning toward a TLP but wants to hear if anyone has concerns about it, since FERC will need to approve that process choice, and they will take public feedback into account in their decision.

Comments and questions from TWG members are summarized below:

- C (USFS): Given COVID uncertainties, we may not want to lock ourselves into a more “strict” ITP format with harder deadlines/required meetings. For now, I would recommend Traditional as appropriate for this project.

- C (CSPA): Need for ILP may depend on willingness of SCE to provide information up-front, e.g., in providing hydrology and operations model within the PAD. NGOs tend to disfavor TLP because it offers less opportunity for non-agency participants.

6.0 DISCUSSION OF RESOURCE MANAGEMENT OBJECTIVES

Finlay Anderson described the FERC criteria for study requests; he explained that studies are intended to inform operations and provide the natural resource agencies with the information they need to make management decisions about the resources in the project area. The Team wants to avoid studies that are “solely academic,” i.e., providing information that will not impact how the Project is operated and managed.

To that end, the Team needs to understand stakeholder’s objectives/desired future conditions for the project area as well as any information/data they think is missing. Those will inform the necessary studies. TWG participants provided feedback on their objectives and missing information in the following areas: hydrology & operations, geology & soils, fish & aquatics, and water quality. Their feedback is organized by topic below.

Hydrology & Operations

- Q (MLC): There are State Board studies of the area below the LADWP diversion dam and independent scientific recommendations that DWP increase peak flows in the springtime to benefit restoration efforts in that reach. How does this process consider studies that have already been done and recommendations that already exist?
 - R (Relicensing Team): The Team asked MLC to share those studies but also pointed out that anything downstream of the LADWP diversion dam is not part of the SCE project. In FERC’s NEPA analysis of the new license proposal, they will look at what the project effects will be on a given resource with current operations as the baseline. So if MLC wants to discuss restoration goals below the diversion dam, they will need to explain the nexus to the project.
 - C (CSPA): MLC can submit the studies to SCE and recommend that they be considered for analysis in the PAD. In regard to the nexus issue, LADWP cannot release more water than is provided by the hydropower operation upstream (beyond a very small amount of storage); therefore, they do not have means to increase releases to create a geomorphic flow. There is a clear project effect on LADWP’s ability to provide flows for restoration, so the licensing process should take this issue into account. SCE has a choice of whether it will consider these kinds of impacts or make a hardline determination that anything downstream is not a project effect.
 - R (SCE): It sounds like this is a timing issue in that SCE does not create or divert any water within the system. SCE manages the lake level to a certain elevation. The lake occasionally must spill, and spills cannot be used for hydropower.
 - R (MLC): Yes, the issue is the dampening of peak flow. Anytime flows exceed 250 cfs LADWP shuts off their diversion, so flows bypass the diversion entirely and provide geomorphic benefits. In middle water year types, however, SCE stores peak flows rather than allowing them to proceed downstream. Ensuring peak flows make it downstream could be achieved via year-to-year discussions, but it might be better to address those needs as part of this process. It is unclear whether and how much LADWP has communicated to SCE about these objectives.

- C (CDFW): SCE does not have water rights in the system, so they are managing the reservoir to meet recreational needs and LADWP water rights. The TWG should encourage the development of an operations model. Flood flows through the project's bedrock streambed will not achieve the same benefits as they do below the LADWP dam in the alluvial areas.
- R (Team): It would help to understand the scope of an operations model and how it supports management objectives, including USFS desired conditions. The TWG will need to help define the study question more precisely.
- C (CSPA): It is important to have an operations model to answer a host of questions. In other relicensings, the applicant has put together a hydrology data set and released it along with the PAD to inform discussions throughout the relicensing process. An operations model informs stakeholders' understanding of how the project functions and fits into the local east-side grid; for instance, if it is important to be able to turn the powerhouse off and on easily, then TWG participants should understand that, so that their requests do not compromise that ability. To this end, the operations model should include daily and sub-daily data. This will enable TWG participants to assess whether the relicensing is in the public interest or not. CSPA suggests breaking off hydrology and operations from the aquatics conversations and accelerating it.

Geology & Soils

- C (USFS): The Lee Vining watershed has a large component of metamorphic rock. There is mass wasting on Tioga Road, which is an ongoing problem every year when they reopen the road. It is not necessarily part of operations but something to be aware of.
- C (USFS): The new Forest Plan outlines desired conditions for soils, not necessarily for geology but for erosion. There are some must dos as well as desired conditions for plants. The Team should look at the Forest Service Surveys for the west side of the Inyo National Forest (available on the NRCS website). For the Hoover Wilderness area, there may not be a soil survey but if it exists, it would be in the NRCD soil datamart.
- Q (CDFW): How much sediment would normally be moving out of the project area? That could exist or it might be a data gap. The relicensing might want to consider a sediment transport mechanism.
 - C (USFS): I think he is asking for a sediment budget.
 - C (MLC): DWP has some studies of the diversion dam, where they are required to bypass sediment. Will send studies along.
- C (USFS): During the last relicensing, Psomas did a lot of monitoring geologies and geomorphic and riparian habitat. Very good info to use.

Fish and Aquatics

- C (CDFW): CDFW's fish data suggests a significant shift in the system from brook to brown trout. Since brown trout are a more voracious predator, this would be a concern if it were happening more widely. Brown trout are also two to three times more difficult to catch than brook trout, so the shift could depress overall angler success in the area. This change could be the result of overall warming of the water or because the study was conducted in the drought, but it was a significant shift they would like to know more about.
- C (CDFW): CDFW has found *Didymo* in the project area; they would like to know the distribution and potential to spread to other watersheds, since it can depress trout production in streams.
 - R (Team): The *Didymo* is currently restricted to the reach below Saddlebag Dam.
 - R (CDFW): That is where it has been identified, but there have not been systematic surveys. It would be important to identify recreation users of that reach because *didymo* is spread by people wading in the infected reach and then visiting other areas. It is

difficult to identify the project nexus, because the reasons for the infestation (e.g., nutrient concentrations, reservoir storage) are unclear.

- C (CDFW): This area is one of the most productive trout fisheries in the State, so the health of the aquatic life is very important to the local community.
- C (CDFW): Could be useful to understand the extent and density of the didymo under different flow regimes and seasons, in order to understand if operations are impacting the extent and density of invasive species.
- C (USFS): The new Forest Plan outlines the vegetation and aquatic species USFS wants measured and the water temperatures that are required to maintain species integrity. Those standards should be incorporated as the guiding framework for conditions under the new licensing.
- C (North Fork Mono Tribe): When you say rainbow trout are non-native because you raised them and planted them, it makes them susceptible to a different form of policy compliance, all of course to benefit your ideals, rather what agency you are. It makes it easy for you to not see them as native, and yet unless you are Indigenous, you are not native, but you are still a species here just like the trout. No need to discuss, just pointing out that when you say “non-native” for a species that is native then it minimizes how we view the species.

Water Quality

- C (USFS): USFS did a wilderness lake ANC study that included some of the Hoover Wilderness lakes about 10-15 years ago in the mid-2000s looking at susceptibility to acid deposition. It was an internal Forest Service study, but it is published and summarized.
- C (SWRB): From a preliminary perspective, studies similar to the ones being done for Bishop Creek are likely sufficient, but the Board does not know yet whether there will be additional specific parameters that need to be considered.
- C (USFS): The USFS has had robust conversations lately about using e.coli rather than fecal coliform as an indicator. If there is a nexus with the project, USFS will want SCE to use e.coli.
- C (USFS): Can we acknowledge the significant recreation management context of this project and how that recreation relates to other studies (e.g., water quality, fish studies)? The project is surrounded by recreation opportunities that create potential nexuses with the project and bring up management considerations.

7.0 SCHEDULE & NEXT STEPS

The Relicensing Team proposed coming to the next meeting with a list of potential study titles. To facilitate that effort, they requested that TWG participants fill out and submit the study plan template for areas of interest. USFS suggested that it could be helpful to look at the studies being conducted for the Bishop Creek Relicensing; while there will be some site-specific studies, there are likely many studies with similar rationale and methodology that could be transferred over. In response, the Relicensing Team agreed to (a) share the final Bishop Creek Study Plan as approved by FERC for reference and (b) modify the study plan template to pinpoint areas where there are significantly different interests and/or rationale that need to be identified. Once the updated template is distributed, TWG participants are asked to give feedback by Feb 17, 2021.

8.0 UPCOMING TWG MEETINGS

Aquatics 2	February 22, 2021 10am
Terrestrial 2	February 24, 2021 10am
Cultural and Tribal 2	February 24, 2021 1:30pm
Recreation and Land Use 2	February 25, 2021 10am
Aquatics 3	March 29, 2021 10am
Terrestrial 3	March 31, 2021 10am
Cultural and Tribal 3	March 31, 2021 1:30pm
Recreation and Land Use 3	April 1, 2021 10am