

Wayne P. Allen Principal Manager Regulatory Support Services

## Filed Electronically

December 18, 2025

Debbie-Anne A. Reese Secretary Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426

Subject: Kern River No. 1 Hydroelectric Project, FERC Project No. 1930

**Draft License Application** 

Dear Secretary Reese:

In accordance with Section 5.16(c) of the Federal Energy Regulatory Commission (FERC or Commission) regulations, Southern California Edison (SCE) is pleased to submit the enclosed Draft Application for License for Major Project – Existing Dam for the Kern River No. 1 Hydroelectric Project (FERC Project No. 1930) (Draft License Application or DLA).

The Kern River No. 1 Hydroelectric Project (Project) is a 26.3-megawatt run-of-river project located on the lower Kern River on the western slope of the Sierra Nevada, approximately 15 miles east of the City of Bakersfield in Kern County, California. The Project occupies federal lands within the Sequoia National Forest, administered by the United States Forest Service and includes a diversion dam and impoundment, water conveyance system, powerhouse, access roads and trails, communication and power lines, gaging stations, and ancillary/support facilities.

SCE operates the Project under a 30-year license that was issued by FERC on June 16, 1998, and which expires on May 31, 2028.<sup>2</sup> SCE is pursuing a new license for the Project pursuant to the Commission's Integrated Licensing Process (ILP) as described in Part 5 of the Commission's regulations. Pursuant to sections 5.5 and 5.6 of the Commission's regulations,<sup>3</sup> SCE filed a Notice of Intent (NOI) and Pre-Application Document (PAD) for the Project on May 5, 2023.<sup>4</sup> In accordance with Section 15(c)(1) of the Federal Power Act (FPA) and FERC's implementing

<sup>1 18</sup> CFR § 5.16(c).

<sup>&</sup>lt;sup>2</sup> S. Cal. Edison Co., 83 FERC ¶ 62,241 (1998).

<sup>&</sup>lt;sup>3</sup> 18 CFR §§ 5.5 & 5.6.

Notice of Intent to File License Application and Pre-Application Document, Project No. 1930-090, Accession No. 20230505-5209 (filed May 5, 2023).

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regulations, SCE will file a Final License Application (FLA) for the Project with FERC on or prior to June 1, 2026,<sup>5</sup> to continue operation and maintenance of the Project under a new license.

The DLA is a major milestone in an intensive, multi-year relicensing effort by SCE, federal and state resource agencies, Native American Tribes, non-governmental organizations, and members of the public (collectively referred to as "stakeholders"). Since filing its NOI and PAD, SCE worked diligently with stakeholders to study the environmental and other public resources associated with the Project in an effort to inform SCE's relicensing proposal – as set forth in the DLA – and FERC's environmental review under the National Environmental Policy Act (NEPA), as well as to inform decision making under the FPA and other applicable programs. Major milestones in this ILP that inform the enclosed DLA include:

- FERC's Scoping Document 1<sup>6</sup>
- FERC's Scoping Document 2<sup>7</sup>
- SCE's Proposed Study Plan<sup>8</sup>
- SCE's Revised Study Plan<sup>9</sup>
- FERC's Study Plan Determination<sup>10</sup>
- SCE's Initial Study Report, reporting on the first year of studies<sup>11</sup>
- SCE's Initial Study Report Meeting Summary<sup>12</sup>

In addition, the DLA was prepared in accordance with FERC's ILP regulations set forth in Sections 4.51 and 5.18 of FERC's regulations, <sup>13</sup> as applicable, and is comprised of five volumes as described below:

- Volume I: Initial Statement, Exhibit A, B, C, D, G, and H (Public)
- Volume II (Part 1): Exhibit E (Public)
- Volume II (Part 2): Exhibit E Supporting Documents (Public)
- Volume III: Exhibit F (CUI//CEII), Contains Critical Energy Infrastructure Information—Do Not Release
- Volume IV: Confidential Biological Resource Information (CUI//PRIV), Contains Confidential Information—Do Not Release

<sup>&</sup>lt;sup>5</sup> 16 USC § 808(c)(1); 18 CFR § 5.17(a).

<sup>&</sup>lt;sup>6</sup> Scoping Document 1, Accession No. <u>20230629-3043</u> (issued June 29, 2023).

<sup>&</sup>lt;sup>7</sup> Scoping Document 2, Accession No. 20231017-3020 (issued October 17, 2023).

<sup>8</sup> Proposed Study Plan, Accession No. <u>20231017-5105</u> (filed October 17, 2023).

<sup>&</sup>lt;sup>9</sup> Revised Study Plan, Accession No. <u>20240213-5104</u> (filed February 13, 2024).

<sup>&</sup>lt;sup>10</sup> Study Plan Determination, Accession No. 20240314-3013 (issued March 14, 2024).

<sup>&</sup>lt;sup>11</sup> Initial Study Report, Accession No. <u>20250313-5015</u> (filed March 12, 2025).

<sup>&</sup>lt;sup>12</sup> Initial Study Report Meeting Summary, Accession No. <u>20250403-5029</u> (filed April 3, 2025).

<sup>&</sup>lt;sup>13</sup> 18 CFR §§ 4.51, 5.18.

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> Volume V: Confidential Cultural and Tribal Resource Information (CUI//PRIV), Contains Confidential Information—Do Not Release

Volume III of the DLA contains Critical Energy Infrastructure Information (CEII). <sup>14</sup> This information contains sensitive and detailed engineering information that, if used incorrectly, may compromise the safety of the Project and those responsible for its proper operation. Volume III was e-filed with FERC under the "CEII tab" and is marked as "CUI//CEII–Contains Critical Energy Infrastructure Information–DO NOT RELEASE" in accordance with instructions issued by FERC. <sup>15</sup> Because CEII is statutorily designated as exempt from public disclosure under the Freedom of Information Act (FOIA), <sup>16</sup> SCE requests that Volume III be maintained in a non-public file and withheld from public disclosure in accordance with applicable regulations.

Volume IV of the DLA contains information regarding the location(s) of special-status biological resources. The disclosure of this information could be harmful to these resources. Pursuant to Commission regulation, <sup>17</sup> SCE requests confidential treatment of this information. Volume IV is being e-filed with FERC under the "privileged tab" and is marked as "CUI//PRIV–Contains Confidential Information–DO NOT RELEASE" in accordance with Commission regulation. <sup>18</sup> SCE requests that Volume IV be maintained in a non-public file and withheld from public disclosure in accordance with applicable regulations.

To present the complete structure of the license application, Volume V of the DLA is being filed as a placeholder for confidential cultural and tribal resources information that is still in development or undergoing review. In the FLA, Volume V will contain Draft Technical Study Reports for cultural and Tribal resources and the Draft Historic Properties Management Plan, all of which will contain information regarding sensitive cultural resources and therefore qualifies as confidential information under 36 CFR § 800.11(c)(1). Disclosure of such information could be harmful to these resources.

As outlined in Section 5.18 of FERC's regulations, <sup>19</sup> the DLA discusses SCE's proposal for continued operation and maintenance of the Project. Exhibit E includes SCE's preliminary proposal for protection, mitigation, and enhancement (PM&E) measures to address Project effects (provided in Appendix E.1). Exhibit E also includes the results of resource studies completed to-date in support of the relicensing proceeding (Appendix E.2). Any remaining study results will be included as part of the Updated Study Report and filed with FERC no later than March 16, 2026, and will be included in the FLA.

In accordance with section 5.16(e) of the Commission's regulations, <sup>20</sup> SCE seeks comments on the enclosed DLA from Commission staff, federal and state resource agencies, Tribes, and other relicensing participants. All comments on the DLA must be filed within 90 days (i.e., by April 1,

<sup>19</sup> 18 CFR § 5.18.

<sup>&</sup>lt;sup>14</sup> *Id.* § 388.113.

<sup>&</sup>lt;sup>15</sup> *Id.* § 388.113.

<sup>&</sup>lt;sup>16</sup> 16 USC § 824o-1(d)(1)(A).

<sup>&</sup>lt;sup>17</sup> 18 CFR § 388.112.

<sup>&</sup>lt;sup>18</sup> <u>Id.</u>

<sup>&</sup>lt;sup>20</sup> 18 CFR § 5.16(e).

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2026).<sup>21</sup> To ensure broad distribution of the DLA, SCE is distributing an electronic copy of this DLA to the relicensing participants identified in the attached distribution list. In addition, public portions of the DLA are available to any person interested in the Project's relicensing through SCE's public relicensing website at <a href="https://elibrary.fegulatory/regulatory-information/hydro-licensing/kr1">www.sce.com/regulatory-information/hydro-licensing/kr1</a> or from FERC's eLibrary at <a href="https://elibrary.ferc.gov/eLibrary/search">https://elibrary.ferc.gov/eLibrary/search</a> under FERC Docket No. P-1930-090. In addition, the DLA can be viewed electronically during normal business hours at the Kern River Valley Branch Library located at 7054 Lake Isabella Boulevard, Lake Isabella, California 93240 or the Beale Memorial Library located at 701 Truxton Avenue, Bakersfield, CA 93301.

SCE appreciates the continuing participation in this relicensing process by Commission staff, resource agencies, Tribes, and all relicensing participants and looks forward to receiving comments on the enclosed DLA as the relicensing effort moves towards the post-filing phase before the Commission. If you have any questions regarding this filing, please contact Meg Richardson, SCE Relicensing Project Manager at (626) 238-2902 / mary.m.richardson@sce.com; or Kadi Whiteside, SCE Relicensing Deputy Project Manager at (626) 807-3641 / karen.whiteside@sce.com.

Sincerely,



Wayne P. Allen Principal Manager

Cc: Distribution List

## **Enclosures:**

- Volume I: Initial Statement, Exhibit A, B, C, D, G, and H (Public)
- Volume II (Part 1): Exhibit E (Public)
- Volume II (Part 2): Exhibit E Supporting Documents (Public)
- Volume III: Exhibit F (CUI//CEII), Contains Critical Energy Infrastructure Information—Do Not Release
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<sup>&</sup>lt;sup>21</sup> 18 CFR § 5.16(e).

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## **DISTRIBUTION LIST**

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American Whitewater	Theresa Lorejo-Simsiman, California Stewardship Director	12155 Tributary Point Drive, #48 Gold River, CA 95670	theresa@americanwhitewater.org
American Whitewater	Jeffrey Venturino	4850 Eight Mile Road Camino, CA 95709	jeffventurino@americanwhitewater.org
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Energy Systems Engineering	Karl Hemmila	10861 E Calle Desierto Tucson, AZ 85748	KHemmila@ESEngrs.com
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Friends of the River	Ronald Martin Stork	1418 20th Street, Suite 100 Sacramento, CA 95811-5206	rstork@friendsoftheriver.org

Organization	Name/Title	Mailing Address	Email Address
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Kern Audubon Society	Michael Lahorque, President	P.O. Box 3581 Bakersfield, CA 93385-3581	
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Organization	Name/Title	Mailing Address	Email Address
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