



Wayne P. Allen
Principal Manager
Regulatory Support Services

Filed Electronically

January 22, 2025

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

**Subject: Rush Creek Hydroelectric Project, FERC Project No. 1389-059
Final License Application**

Dear Secretary Reese:

In accordance with Section 15(c)(1) of the Federal Power Act¹ and Sections 5.17(a) and 5.18 of the Federal Energy Regulatory Commission's (FERC) Integrated Licensing Process regulations,² Southern California Edison Company (SCE) is pleased to file the enclosed Application for License for Major Project—Existing Dam (License Application or FLA) for the Rush Creek Hydroelectric Project (Project), FERC Project No. 1389.

SCE is the licensee, owner, and operator of the Project. The Project is located on Rush Creek on the eastern slope of the Sierra Nevada in Mono County, California. The Project is approximately 4 miles southwest of the unincorporated community of June Lake and approximately 14 miles upstream from Mono Lake. The Rush Creek Powerhouse and surrounding area are located on SCE-owned lands. However, most of the Project facilities occupy federal lands within the Inyo National Forest, which is administered by the United States Forest Service. Portions of the Project are also located on land within the Ansel Adams Wilderness Area and one distribution line spans the Owens River Headwaters Wilderness Area. The Forest Service administers these wilderness areas as well. The 13.01-megawatt Project includes three dams and associated reservoirs – Rush Meadows Dam (Waugh Lake), Gem Dam (Gem Lake), and Agnew Dam (Agnew Lake); a water conveyance system; the Rush Creek Powerhouse; and ancillary facilities.

SCE operates the Project under a 30-year license that was issued on February 4, 1997 (effective February 1, 1997) and which expires on January 31, 2027.³ In filing this License Application, SCE is seeking a new, 50-year license for its continued operation and maintenance of the Project.

SCE initiated the relicensing effort by filing its Notice of Intent and Preliminary Application Document with FERC on December 16, 2021.⁴ After several years of environmental study and

¹ 16 USC § 808(c)(1)

² 18 CFR §§ 5.17–5.18

³ *So. Cal. Edison Co.*, 78 FERC ¶ 61,109 (1997)

⁴ Notice of Intent to File Application for New License and Pre-Application Document; Request for Designation as Non-Federal Representative, Project No. 1389-059, Accession Nos. 20211216-5070, 20211215-5071 (filed December 16, 2021)

consultation with federal and state resource agencies, Native American Tribes, non-governmental organizations, and interested members of the public, SCE filed its Draft License Application (DLA) with FERC on August 28, 2024.⁵ As discussed below, this FLA responds to comments filed by relicensing participants in response to the DLA.

This FLA was prepared in accordance with applicable regulatory requirements set forth in Sections 4.51 and 5.18 of FERC regulations⁶ and is comprised of five volumes as described below.

Volume I (Public)	Initial Statement General Content Requirements Exhibit A, Description of the Project Exhibit B, Statement of Operation and Resource Utilization Exhibit C, Construction History and Proposed Construction Schedule Exhibit D, Project Costs and Financing Exhibit G, Project Maps Exhibit H, General Information
Volume II (CUI//CEII)	Exhibit F, General Design Drawings and Supporting Information
Volume III (Public)	Exhibit E, Environmental Exhibit (Part 1 of 4) Supporting Document A, Technical Study Reports (Part 2 of 4) Supporting Document A, Technical Study Reports (Part 3 of 4) Supporting Document B, Draft Biological Assessment (Part 4 of 4)
Volume IV (CUI//PRIV)	Biological Resources Information (Confidential Information)
Volume V (CUI//PRIV)	Placeholder volume for Cultural and Tribal Technical Study Reports and the Draft Historic Properties Management Plan to be filed later in 2025 (Confidential Information)

Public Notice of License Application and Availability for Review

As required by Section 5.17(d)(2) of FERC's regulations,⁷ SCE will publish notice twice of the filing of this FLA in the Mammoth Times newspaper no later than 14 days after the filing date. SCE will provide FERC with proof of publication of these notices.

As required by Section 5.2(b) of FERC's regulations,⁸ public portions of the FLA are available on SCE's public relicensing website at <https://www.sce.com/regulatory/hydro-licensing/rush-creek> or on FERC's eLibrary system at <https://www.ferc.gov/ferc-online/elibrary>. In addition, the public

⁵ Draft License Application for the Rush Creek Hydroelectric Project, Project No. 1389-059, Accession Nos. 20240828-5042, 20240828-5043, 20240828-5044 (filed August 28, 2024)

⁶ 18 CFR §§ 4.51, 5.18

⁷ *Id.* § 5.17(d)(2)

⁸ *Id.* § 5.2(b)

volumes of the FLA can be viewed electronically during regular business hours at the June Lake Library located at 90 West Granite Avenue, June Lake, California 93529 or at the Lee Vining Library located at 51710 Hwy. 395 Library Bldg., Lee Vining, California 93541.

Privileged, Confidential, and Critical Energy Infrastructure Information

In accordance with FERC regulations governing Critical Energy Infrastructure Information (CEII),⁹ information included in Volume II contains CEII and is being filed in a separate volume for inclusion in FERC's non-public file. Volume II includes sensitive and detailed engineering information that, if used incorrectly, may compromise the safety of the Project and those responsible for its proper operation. As such, SCE respectfully requests that FERC maintain this information in its non-public file as CEII.¹⁰ Each page in Volume II has been marked as "CUI//CEII—Contains Critical Energy Infrastructure Information—DO NOT RELEASE."

Volume IV contains information regarding the location(s) of special-status biological resources. The disclosure of this information could be harmful to these resources. Volume IV is being filed with FERC in a separate volume for inclusion in FERC's non-public file as privileged and confidential information.¹¹ As required by FERC regulations,¹² each page in Volume IV has been marked as "CUI//PRIV—Contains Confidential Information—DO NOT RELEASE." Because this information is statutorily designated as confidential and exempt from public disclosure under the Freedom of Information Act, SCE respectfully requests that FERC maintain this information in its non-public file.

Volume V is a placeholder volume which will include the Technical Study Reports for cultural and Tribal resources and the Historic Properties Management Plan once they are complete. These documents contain information regarding the location and character of sensitive cultural resources, which are not to be disclosed to the public.¹³ Disclosure of such information could be harmful to these resources. Documents that will be included within Volume 5 will be filed in FERC's non-public file as privileged and confidential information. As required by FERC regulations,¹⁴ each page in Volume V will be marked as "CUI//PRIV—Contains Confidential Information—DO NOT RELEASE." Because this information is statutorily designated as confidential¹⁵ and exempt from public disclosure under the Freedom of Information Act,¹⁶ SCE respectfully requests that FERC maintain this information in its non-public file.¹⁷

⁹ *Id.* § 388.113

¹⁰ *Id.* § 388.113(d)(1)(ii)

¹¹ *Id.* § 388.112

¹² *Id.* § 388.112(b)(1)

¹³ *Id.* § 5.6(d)(3)(x)(C); 36 CFR § 800.11(c)

¹⁴ *Id.* § 388.112(b)(1)

¹⁵ 54 USC § 307103 (requiring federal agencies to withhold from disclosure to the public information about the location, character, or ownership of a historic property if the agency determines that disclosure may cause a significant invasion of privacy, risk harm to the historic property, or impede the use of a traditional religious site by practitioners); 36 CFR §§ 800.6(a)(5), 800.11(c) (2023) (same)

¹⁶ 5 USC § 552(b)(3) (exempting from public disclosure matters that are "specifically exempted from disclosure by statute")

¹⁷ 18 CFR § 388.112

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Next Steps

With the filing of the FLA now complete, SCE requests that FERC, pursuant to Section 5.19(a) of its regulations,¹⁸ issue a public notice with 14 days of this filing, that acknowledges SCE's tendering of the FLA for filing and provides a preliminary schedule for its processing of the License Application.

Conclusion

SCE appreciates the tremendous effort and commitment of FERC staff and relicensing participants for their significant work to-date in the relicensing process, and looks forward to continuing work as the formal, post-filing relicensing proceeding moves forward.

Should you have any questions regarding this filing, please contact Matthew Woodhall, SCE Relicensing Project Manager, by phone at (909) 362-1764 or via e-mail at matthew.woodhall@sce.com.

Sincerely,

DocuSigned by:

106CF18A73D445F...
Wayne P. Allen
Principal Manager

Cc: Distribution List

Enclosures:

- Volume I: Initial Statement, Exhibit A, B, C, D, G, and H (Public Information)
- Volume II: Exhibit F (Critical Energy Infrastructure Information) – DO NOT RELEASE
- Volume III: Exhibit E (Public Information)
- Volume IV: Biological Resources Information (Confidential Information) – DO NOT RELEASE
- Volume V: Placeholder for Cultural and Tribal Resources Information (Confidential Information) – DO NOT RELEASE

¹⁸ *Id.* § 5.19(a)

DISTRIBUTION LIST

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Yosemite-Mono Lake Paiute Indian Community	David Andrews, Representative	P.O. Box 163523 Sacramento, CA 95816	nayanake@comcast.net
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American Whitewater	Theresa Simsiman, Regional Coordinator		Theresa@americanwhitewater.org
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California Sportfishing Protection Alliance	Chris Shutes, FERC Projects Director	1608 Francisco Street Berkeley, CA 94703	blancapaloma@msn.com
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California Trout	Sandra Jacobson, Sierra Headwaters Projects		Sjacobson@caltrout.org
California Trout	Marrina Nation		mnation@caltrout.org
Cardinal Village Resort		321 Cardinal Road Bishop, CA 93514	info@cardinalvillageresort.com
Double Eagle Resort	Ralph Lockhart, Owner	P.O. Box 731 B-736 June Lake, CA 93529	rlockhart@doubleeagle.com

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East Shore Silver Lake Improvement Association (ESSLIA)	Don Goffinet, Treasurer	801 Allardice Way Stanford, CA 94305	goff@stanford.edu
Friends of Silver Lake (FOSL)	Ann Marie Mahoney	8 Cresta Del Sol San Clemente, CA	annmarie.mahoney@icloud.com
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Eastern Sierra Packers Association; Frontier Pack Train (Summer)		P.O. Box 656 June Lake, CA 93529	frontierpacktrain@gmail.com
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