



Wayne P. Allen
Principal Manager
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Filed Electronically

November 22, 2024

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

**Subject: Kern River No. 3 Hydroelectric Project, FERC Project No. 2290-122;
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 Kern River No. 3 Hydroelectric Project (Project), FERC Project No. 2290.

The Project is located on the North Fork Kern River and on Salmon and Corral Creeks near the town of Kernville in Kern and Tulare Counties, California. The current license was issued on December 24, 1996, and expires on November 30, 2026.³ In filing this License Application, SCE is seeking a new, 50-year license for its continued operations and maintenance of the Project.

SCE initiated the relicensing effort by filing its Notice of Intent and Preliminary Application Document with FERC on September 22, 2021.⁴ After several years of environmental study and consultation with federal and state resource agencies, Tribes, and interested members of the public, SCE filed its Draft License Application (DLA) with FERC on July 1, 2024.⁵ As discussed below, this FLA responds to comments filed by relicensing participants in response to the DLA.

This FLA has been prepared in accordance with applicable regulatory requirements set forth in Sections 4.51 and 5.18 of FERC regulations⁶ and is comprised of four volumes as described below. Recognizing that this FLA contains numerous attachments to the various license exhibits, several of the key exhibit appendices are also listed below.

¹ 16 USC § 808(c)(1)

² 18 CFR §§ 5.17–5.18

³ *So. Cal. Edison Co.*, 77 FERC ¶ 61,313 (1996)

⁴ Notice of Intent to File and Application for New License and Pre-Application Document, Project No. 2290-122, Accession Nos. [20210922-5079](#), [20210922-5081](#), [20210922-5082](#), [20210922-5092](#), [20210922-5093](#), [20210922-5097](#), [20210922-5098](#) (filed Sep. 22, 2021)

⁵ Draft License Application for the Kern River No. 3 Hydroelectric Project, Project No. 2290-122, Accession Nos. [20240701-5180](#), [20240701-5181](#), [20240701-5182](#) (filed July 1, 2024)

⁶ 18 CFR §§ 4.51–5.18

Volume I (Public)	Initial Statement Exhibit A, <i>Description of Project</i> Exhibit B, <i>Project Operation and Resource Utilization</i> Exhibit C, <i>Construction History and Proposed Construction Schedule</i> Exhibit D, <i>Project Costs and Financing</i> Exhibit G, <i>Project Maps</i> Exhibit H, <i>Project Need and Key Information</i> (information required under 18 CFR § 5.18(c))
Volume II (Public)	Exhibit E, <i>Environmental Report</i> Appendix E.1, <i>Proposed Environmental Measures and Monitoring and Management Plans</i> (including draft resource management plans) Appendix E.2, <i>Resource Technical Memoranda</i> Appendix E.3, <i>Consultation Documentation</i> Appendix E.4, <i>Response to Comments</i> (comments received on the DLA)
Volume III (CUI//CEII)	Exhibit E, Appendix E.2, Technical Study Memoranda Exhibit F, <i>General Design Drawings and Supporting Information</i> Exhibit H, attached Single-Line Design Diagram
Volume IV (CUI//CEII//PRIV)	Cultural and Tribal Technical Study Reports Historic Properties Management Plan (HPMP)

Public Notice of License Application and Availability for Review

As required by FERC regulations, the public portions of the enclosed FLA together with other relevant information are being made publicly available for review and inspection in every county in which the Project is located.⁷

SCE also has made the public portions of the enclosed FLA available on SCE's public relicensing website at www.sce.com/kr3 or on the FERC eLibrary system, <https://elibrary.ferc.gov/eLibrary/search>, under FERC Docket No. P-2290-122. In addition, a hard copy of the public volumes of the FLA can be viewed at the Kern River No. 3 Powerhouse office via appointment. To schedule an appointment contact Stephanie Fincher-DeMillo at stephanie.fincer@sce.com.

Finally, as required by Section 5.17(d)(2) of FERC regulations,⁸ SCE will publish notice twice of the filing of this FLA in the Kern River Sun and the Bakersfield Californian newspapers no later than 14 days after the filing date. SCE will provide FERC with proof of publication of these notices.

⁷ *Id.* § 5.2(b)

⁸ *Id.* § 5.17(d)(2)

Privileged, Confidential, and Critical Energy Infrastructure Information

In accordance with FERC regulations governing Critical Energy Infrastructure Information (CEII),⁹ information included in Volume III contains CEII and is being filed in a separate volume for inclusion in FERC's non-public file. Volume III 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 for the maximum extent allowable under FERC regulations. As required by FERC regulation,¹⁰ each page in Volume III has been marked as "CUI//CEII—Contains Critical Energy/Electric Infrastructure Information—DO NOT RELEASE."

Members of the public requesting CEII for the Project must comply with FERC regulations and procedures for obtaining access to CEII. All public requests for CEII access should be made to FERC's CEII Coordinator.

Additionally, Volume IV of this FLA includes the Technical Study Reports for cultural and Tribal resources and the HPMP. These documents contain information regarding the location and character of sensitive cultural resources, which are not to be disclosed to the public.¹¹ Disclosure of such 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. As required FERC regulations,¹² each page in Volume IV has been marked as "CUI//CEII//PRIV Contains Confidential and Privileged Information—DO NOT RELEASE." Because this information is statutorily designated as confidential¹³ and exempt from public disclosure under the Freedom of Information Act,¹⁴ SCE respectfully requests that FERC maintain this information in its non-public file.¹⁵ Concurrently with this filing, the HPMP will be circulated to the State Historic Preservation Office, Tribes, and relevant agency representatives.

Next Steps

With the filing of the FLA now complete, SCE requests that FERC, pursuant to Section 5.19(a) of its regulations,¹⁶ issue a public notice by December 6, 2024, that notices SCE's tendering of the FLA for filing and provides a preliminary schedule for its processing of the License Application.

Although the FLA is now being filed as complete, SCE recognizes that comments on the Updated Study Report will be filed by December 10, 2024, followed by response to comments on January 9, 2025, and the Director's determination on disagreements and new and modified study requests by February 10, 2025.¹⁷

⁹ *Id.* § 388.113

¹⁰ *Id.* § 388.113(d)(1)(ii)

¹¹ *Id.* § 5.6(d)(3)(x)(C); 36 C.F.R. § 800.11(c)

¹² *Id.* § 388.112(b)(1)

¹³ 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)

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

¹⁵ 18 CFR § 388.112

¹⁶ *Id.* § 5.19(a)

¹⁷ Request to File Study Results, Attachment A, Revised Process Plan and Schedule, Kern River No. 3 Hydroelectric Project, Project No. 2290-122, Accession No. [20240201-3018](#) (issued Feb. 1, 2024).

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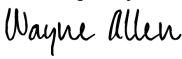
In addition, as components of the *REC-2 Recreation Facilities Use Assessment Camera Study* are still ongoing, the details associated with this study and any proposed changes will be discussed with relicensing participants following the completion of data collection efforts, which is expected to extend through most of calendar year 2025. In the event this post-FLA REC-2 study results in revisions to the Proposed Action, SCE will update accordingly.

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 Stephanie Fincher-DeMillo, SCE Project Manager, via email at stephanie.fincher@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 E (Public Information)
- Volume III: Exhibit E, Appendix E.2 applicable technical study memorandum; Exhibit F; and Exhibit H Single-Line Design Diagram (CUI//CEII—Contains Critical Energy/Electric Infrastructure Information—DO NOT RELEASE)
- Volume IV: Exhibit E, Appendix E.1 HPMP and Appendix E.2 applicable cultural and Tribal study reports (CUI//CEII—Contains Critical Energy/Electric Infrastructure Information—DO NOT RELEASE)

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