



MEETING SUMMARY NOTES*
CERRO COSSO COMMUNITY COLLEGE
BISHOP CREEK HYDROELECTRIC PROJECT
STAKEHOLDER KICKOFF MEETING
FERC PROJECT NO. 1394

DATE: March 15, 2018, 8:30 a.m. – 12:30 p.m.
LOCATION: Cerro Cosso Community College, 4090 Line Street, Bishop, CA

*These meeting notes are documentation of general discussions from the meeting held on the above-noted date. These notes are not a verbatim account of proceedings, are not meeting minutes, and do not represent any final decisions or official documentation for the project or agency.

ATTENDEES:

- Matthew Woodhall (SCE)
Martin Ostendorf (SCE)
Wayne Allen (SCE)
Nick von Gersdorff (SCE)
Cal Rossi (SCE)
Samantha Nelson (SCE)
Al Partridge (SCE)
Audry Williams (SCE)
Finlay Anderson (Kleinschmidt)
Kelly Larimer (Kleinschmidt)
Brandon Kulik (Kleinschmidt)
Brad Blood (Psomas)
Edith Read (SCE Consultant)
Mike Harty (Kearns & West)
Terra Alpaugh (Kearns & West)
Jacqueline Beidl (USFS)
Blake Engelhardt (USFS)
Todd Ellsworth (USFS)
Diana Pietrsanta (USFS)
Leeann Murphy (USFS)
Shiela Irons (USFS)
Kary Schlick (USFS)
Nora Gamino (USFS)
Nick Buckmaster (CDFW)
Steve Parmenter (CDFW)
Heidi Calvert (CDFW)
Larry Primosch (BLM)
Greg Haverstock (BLM)
Kelly Houff (FERC, by phone)

1.0 ACTION ITEMS

- 1) Change proposed dates of the June TWG Meeting TBD
2) Send out agenda for the April Oversight Meeting 3/29/18
3) Send out agenda for the TWG Meetings 5/25/19

2.0 OBJECTIVES

- a) Introduce SCE's relicensing team and stakeholder representatives
b) Provide information about the Bishop Creek relicensing project, including:

- a. Overview of the facilities and lands involved;
- b. SCE's relicensing approach and process;
- c. Opportunities for involvement from public and agencies.

3.0 SUMMARY

3.1 INTRODUCTIONS & WELCOME

Mike Harty, Kearns & West, opened the meeting, welcomed the Federal Energy Regulatory Commission (FERC) representative, Kelly Houff, who attended by phone, and introduced the agenda.

Wayne Allen, Southern California Edison (SCE), welcomed attendees and expressed his excitement for the Bishop Creek Project relicensing process –as well as several other SCE projects that will also be entering relicensing in the Eastern Sierra over the next 10 to 15 years. He articulated SCE's overarching goal as achieving excellence in safety, operations, and innovation by delivering reliable, valuable, and clean generation solutions for its customers and communities. He explained that SCE sees itself as a member of the communities it operates in; to this end, keys to success in the relicensing process include clear and transparent communication, an early understanding of stakeholder priorities, creative and balanced resolution of any conflict areas, and ultimately, stakeholder support for the license conditions.

3.2 INTRO TO THE BISHOP CREEK PROJECT

Matthew Woodhall, SCE's Project Manager, explained the unique role the Bishop Creek Project has played in both Bishop's history and that of SCE as an early provider of hydropower. After silver and gold were discovered in the area in 1900, the mining camps required more power than nearby wood or coal supplies could easily provide, so two local entrepreneurs formed the Nevada Power Mining and Milling Company and in 1904, built the Bishop Creek Project. The Town of Bishop itself was incorporated in 1903. Matt emphasized the importance of crafting a new long-term FERC license that will respect the history of the Bishop Creek Hydroelectric Project and the Bishop Community by continuing to protect existing hydropower and natural resources into the future.

Al Partridge, SCE, described the geography of the Project and introduced Project operations, reporting that the Project has a good record of maintaining the minimum flows required under the current license. Al described that SCE manages for multiple uses and works to balance upstream water needs with those downstream. In addition to power generation, considerations related to reservoir storage and dam safety are also important, as are recreational and environmental uses. Al clarified that SCE does not own the water but rather uses it on its way to other water rights holders. Los Angeles Department of Water and Power (LADWP) has rights to some of the water, and the Chandler Agreement guarantees certain flows through western Bishop for agricultural use.

SCE does not anticipate asking for any major changes to operations under the new license. Rather, they will pursue smaller adjustments intended to improve efficiency and long-term

operations and maintenance responsibilities. These could include incorporating low-flow/micro-turbines on some of the flowlines and penstocks, which would generate a small amount of additional electricity, and replacing current water wheels with computer-run steel water wheels that would increase generation.

3.3 INTRO TO RELICENSING: FERC 101

Finlay Anderson, Kleinschmidt, described the relicensing process, which is initiating six and a half years ahead of license expiration. SCE will spend three and a half years studying the Project and developing a new license application with input from stakeholders; in the remaining two years, FERC will review that application, conduct National Environmental Protection Act (NEPA) analysis, and do additional stakeholder outreach.

SCE's task will be to develop a fact-based record upon which their application will be based and which FERC can then review. Based on data collected in the study period, SCE will be able to determine how their proposed operations could impact natural resources in the area. Based on those impacts, SCE can then develop protection, mitigation, and enhancement (PM&E) measures to include in the license application. The application is ultimately a package of information to help FERC determine the license term and requirements.

Finlay explained that SCE has selected the Integrated Licensing Process (ILP), which has three stages, starting with initial consultation, in which SCE works with the Technical Working Groups to identify questions about the resources. Following that, they develop and implement study plants, analyze and integrate the results into the draft application, and file the application with FERC at least two years before the license expiration. At that point, FERC reviews the application, conducts environmental review under NEPA, and issues recommendations and required conditions prior to issuing a license.

Finlay described roles in the NEPA process: FERC is the lead agency and therefore, responsible for completing NEPA analysis; the licensee is the designated non-federal representative for consultation under the Endangered Species Act (ESA), Section 106 of the National Historic Preservation Act, and Essential Fish Habitat pursuant to the Magnuson-Stevens Act. NEPA analysis will consider the proposed action (proposed changes in the license application) against the no-action alternative (status quo operations). In the case of the Bishop Creek Project, analysis will focus on minor changes to operations and maintenance (e.g. low flow turbines) and any other PM&E proposed in their application. In their license application, SCE will want to anticipate specific future operations and maintenance proposals, because the more complete NEPA analysis is at this point, the easier permitting for those actions will be in the future.

In issuing a license, FERC bases its decision on the best adapted comprehensive plan for the waterway. This involves a high level of consultation with other agencies. The proposed plan must balance competing objectives. To achieve this, SCE operations need to be as consistent as possible with other resource management plans that impact the waterway (10(a)), as well as the Fish and Wildlife Coordination Act (10(j)); there are some federal conditions (4(E)) and fish passage conditions (18) which are mandatory for the licensee. In addition to these conditions, the proposed license must be consistent with other state and federal regulatory processes.

Finlay explained that SCE has selected the ILP process because of its emphasis on early stakeholder outreach. Rather than waiting to start stakeholder outreach until after they file the PAD in a year, SCE is inviting stakeholders to join the PAD development process as part of the Technical Working Groups, so that SCE can file mutually agreeable study plans; SCE will continue check-ins with the TWGs throughout the plan implementation process. The ILP is very deadline oriented, so starting outreach early gives the team more flexibility to make sure stakeholder input is thoroughly incorporated.

FERC puts significant emphasis on public involvement, and its website outlines how to procedurally engage with the process, as well as providing a comprehensive electronic library with all FERC issuances and submissions from other parties. It can be hard to navigate, however, so SCE will also make documents accessible through the SCE' Bishop Creek website.

Attendees asked questions and provided comments on the presentation, summarized below:

- Comment (C) (FERC): If the applicant wants to be a non-federal designee, they have to request it. It is not automatic.
- Question (Q) (BLM): What was feedback from community at the public meeting? Was there significant recreational demand?
 - Response (R): The public meeting had relatively low turnout; there was not significant attendance for recreation interests. SCE would appreciate suggestions on avenues to effectively contact the local community.
- C: It seems like there is a barrier at North Lake.
 - R: Historically, there was a small dam at North Lake, but in 1982, tropical storm Olivia overtopped that dam, and it was never reconstructed; it has gone back to its natural state.
- Q: Are there any power/transmission lines that are part of the FERC license?
 - R: Primary transmission lines have been removed from the FERC license and are mostly on BLM land; only those that run between powerhouses remain in the license. That arrangement is true of most licenses.
- C (Forest Service): Recently, the Forest Service has asked for 4e conditions related to hydropower projects, and FERC has not adopted them.
 - R (Kleinschmidt): There are some specific cases where there are inconsistencies in the statutory authorities between regulating entities, which could cause a discrepancy in what gets adopted.
 - R (FERC): There are some 4e conditions that FERC does not agree with, but we will still accept.
 - R (SCE): If the 4e condition is in the license, we must follow it; generally, our understanding is, whatever 4e condition gets proposed, we will implement.

3.4 RESOURCE AREAS

The resource areas presented at the meeting reflect how the team plans to group resources for the purpose of Technical Working Groups (TWGs): land management and recreation, cultural/historical, terrestrial, riparian/botanical, and aquatics. Kelly Larimer, Kleinschmidt,

explained that in assessing project resources, they start broadly by looking at the project vicinity but ultimately, narrow down to specifically what lies within the project boundary.

The project vicinity is rich in recreational resources including 12 campgrounds and extensive hiking, climbing, and fishing areas. Study plans will include use and needs studies to examine what recreation exists at present and help inform predictions about future use trends.

Audry Williams, SCE, summarized cultural resources, which include both prehistoric archeological sites and artifacts and historical sites and architectural and engineered structures. As part of the 1994 relicensing, they inventoried the Project to identify cultural resources, which included multiple prehistoric and historic archeological sites, established the Bishop Creek Hydroelectric System Historic District, and included a Historic Properties Management Plan to manage these resources. For the new relicensing, there will need to be an assessment of additional (pre)historic resources that have been identified since 1994, whether changes in project operations could impact them, and whether mitigation measures are necessary. Tribal consultations is also an important part of the process.

Brad Blood, Psomas, described the ten years of survey data and collection of Forest Service, CDFW, and other literature the group has assembled to better understand the area's terrestrial resources. He urged the group to review the resource list and identify anything they see missing. Brad described the wide range of plant and animal species that exist in the Project area, a complex habitat pattern resulting from diverse elevations and terrain.

Edith Read, an SCE consultant, described the depth of information on botanical/riparian and aquatic resources in the area – a result of SCE monitoring that has been ongoing since the 1990s. They have biological survey reports as well as detailed information on riparian growth and relationships between groundwater depth and stream flow/stage. Sensitive, as well as any threatened and endangered species, will need to be updated based on new information.

Attendees asked questions and provided comments on the presentation, summarized below:

- Q: Was the data Edith mentioned annually collected?
 - R: For license requirements, the SCE team did baseline studies from 1991-1993; then, the conducted studies every five years. Biological studies were project specific and done on different intervals.
- C: On the land management map, there needs to be lines to separate national forest boundaries. The current maps is confusing around the Longley area.
- Q: Given last year's high flow, how was the reach managed? Were there any issues?
 - R: On this reach, SCE was able to manage without any significant operational issues.

3.5 TECHNICAL WORK GROUP OVERVIEW

The goal of the TWGs is to get early consensus on a list of studies that needs to be conducted to fill information gaps and develop study plans that will inform the NEPA process. Following the FERC criteria, each study plan will require a clear nexus to the project and justification for why the study is important; it will detail methods and time and scope.

Each TWG will have a lead representative from the consultant team, responsible for organizing and maintaining communications, leading the meetings, and synthesizing the group’s discussions. Subject matter experts from agencies, NGOs, or other invested parties will provide expertise in their field. The oversight team (which will meet by phone) will provide check-ins on TWG progress. Finlay Anderson, Kleinschmidt, emphasized the importance of adhering to the schedule and designating alternates within each organization. He committed to sending TWG participants a draft PAD section, including existing environment and current mitigation measures for that resource area, in advance of the first work group meetings. The Forest Service identified June 6 and 7 as problematic dates.

3.6 TECHNICAL WORK GROUPS BREAKOUT SESSION

Attendees were offered the opportunity to visit with TWG resource area leads, share their ideas, and sign up for specific TWGs. TWG interest, as well as summaries of topics discussed, are included below.

1. Aquatics Technical Work Group, Lead: Brandon Kulik

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a. CDFW input:

i. Instream flows:

1. Interest in seasonally varying flows in “lower” Bishop Creek (*i.e.* below station 4-5-6) that mimic the natural hydrograph.
2. Determine if significant geomorphic channel changes (*i.e.* *downcutting, meanders, etc.*) has occurred that render the former IFIM results inaccurate relative to the current stream channel.
 - a. New modeling* if significant changes are detected, to determine if there are potential benefits to modifying the existing minimum flow in select stream segments. [**The TWG should consult to weigh whether or not IFIM is the best approach to make flow decisions in Bishop Creek to be discussed/included in a study plan. Consider the potential for new methods if applicable.*]
 - b. Evaluation species would still include trout.
3. Interest in sediment and woody debris transport throughout river system via periodic strategic channel forming flow releases
4. Possibility to revisit minimum flows in “upper” drainage with an eye to potentially scaling down some flows

- ii. Fish entrainment potential (there is limited knowledge of fish entrainment):
 1. CDFW presumes that some entrainment may be occurring.
 2. Angling mortality may be obscuring/confounding entrainment losses.
 3. A specific area of concern is on potential effects on brown trout recruitment (*N. Buckmaster, pers. comm. March 21, 2018*)
- iii. Other discussion items focused on protected species:
 1. Owens sucker - CDFW has some confidence that these fish are in the project area, specifically South Lake. Spawning season is June.
 2. Owens speckled dace - Have been identified as being in the Owens drainage in general, but not necessarily the Project area.
 3. Action Item: CDFW will review records in-house to locate better documentation of fish presence throughout system (Sabrina and South Lake of particular interest). Records for these species are maintained in the regional offices but are not digitized so the licensee/consultants may need to visit the office to cull through and copy applicable records (*N. Buckmaster, pers. comm. March 21, 2018*)
 - a. A presence-absence fish survey may be desirable in South Lake relative to these species. The TWG should discuss and scope this further.
- b. US Forest Service Input:
 - i. Instream flow:
 1. Echoed CDFW overall
 2. Added macroinvertebrate habitat suitability criteria to the list of instream flow evaluation parameters, depending on the specific type of habitat concern that is defined relative to flow targets.

2. *Land & Recreation Technical Work Group, Lead: Kelly Larimer*

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- a. Data/Information Exchange List:
 - i. FERC Form 80 Report (2014)– Kelly to send to group

- ii. National Forest Service Visitation Report (2011 online, 2016 –final report pending)
- iii. Applicable Land Management, Recreation Plans & Reports (Let Kelly know if there are particular plans or reports she should obtain)
- b. Capital Projects – Facility Upgrades of Interest to USFS:
 - i. Lake Sabrina – address trail access issues, parking, public safety issues with people crossing the spillway to access the trail, exclusion/barriers and or signage for public safety and wayfinding; improvements to parking at the trailhead and boat launch itself
 - ii. Plant 3 – formalize stream crossing (bridge), parking, and trail access to Little Egypt climbing area
 - 1. Formalizing would likely then warrant trash and vault toilet; signage etc.
 - 2. O&M of bridge and parking on SCE property would need to be addressed.
 - iii. South Lake – parking area needs upgrades; boat launch improvements developed trail to water
 - iv. Big Trees waste water treatment plant – concerns about location close to the stream, aging facilities, damage to evaporation/percolation ponds and blow out from Birch fire
 - v. General improvements (not site specific) – off road parking impacts close to the stream; resource impacts from recreation; trail improvements; upgrades to vault toilets and other facilities; formalize or close user-defined trails/access areas
- c. Potential Relicensing Studies:
 - i. Facilities Assessment for recreation sites directly associated with the Bishop Project (TBD) – pre-screening and site tour to be scheduled in May or June (TBD)
 - ii. Recreation Use and Needs Study
- d. General Discussion Items:
 - i. Funding of Facility Improvements:
 - 1. Sources – State funding, USFS (use fees, SUPS for concessionaires)
 - ii. O&M of Recreation Facilities:
 - 1. USFS is interested in leveraging O&M funds from SCE. Kelly explained that because SCE doesn't own or operate recreation facilities, they wouldn't be held by FERC to provide O&M funding.
 - iii. USFS recommended reaching out to the Eastern Sierra Outdoor Recreation Group (need to verify name). USFS coordinates with them on their recreation management plans and activities. NOTE: Get contact info from USFS. Are there other information sources they recommend?

3. *Terrestrial Technical Work Group, Lead: Brad Blood*

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a. Data Sources/Management Plans:

- i. Kary asked the location of data gathered by Psomas and Edith read Associates. Brad explained that all the reports were written to support specific projects and that they were provided to the Forest, U.S. Fish and Wildlife Service, and CDFW as required. Brad reviewed the types of project and explained that plant communities and presence/absence surveys were performed at various facilities on support of projects. The level of detail in the reports depended on the purpose. He also explained that these surveys did not include field surveys between Facilities along the entirety of Bishop Creek because SCE's activities are confined to discrete locations.
- ii. Heidi will go to CDFW's in-house specialists for the various terrestrial species and gather information on known terrestrial resources and locations.
- iii. Heidi will locate various Management Plans, such as the Aquatic Species Management Plan and provide to Relicensing Team.
- iv. Leeann said the new Management Plan for the Forest is not yet approved, but can provide us a list of the new management species (now called "*Species of Conservation Concern*").
 1. Old Management plan is still in force until the new one is adopted, which will likely be during this Relicensing.
 2. Management actions under the new plan are not available for distribution now.
 3. Brad thought it would be best to start working with the list from the current Forest Management Plan and the list from the Forest Management Plan under consideration for adoption and delete species in the future.
- v. Kary asked if any bat surveys had been performed. Brad said that an acoustic and visual survey was performed for the South Lake Intake Rehabilitation Project. A survey was done to determine if any bats had taken up temporary or permanent residence in the adit of the exposed intake. He also said that none were found and the report is available as part of the existing literature. Brad was not aware of any other bat surveys. He also mentioned that several bats are known from the area, including the Silver-haired bat, Townsends big-eared bat, and Hoary bat.
- vi. Leeann asked if climate change was going to be analyzed? Brad said he did not know if this would be part of the analysis. The group discussed the fact that Pikas are being used to study the effects of climate change here in the west.

b. Approach to Study Plans:

- i. Review available existing project data currently in-hand. Gather and combine data on terrestrial resources from the Forest and CDFW.
 - ii. Determine resource data gaps from the combined data, e.g. known distribution for birds throughout the area, and known recent sightings of Sierra yellow-legged frog.
 - iii. Match data gaps against proposed Project Operations and determine study plan to fill gaps if a nexus to the project is demonstrated.
- c. Goals/Next Steps:
- i. Brad explained that one goal for the June Technical Working Group meeting would be to (1) identify gaps; (2) go through each agencies list of potential studies; (3) determine which potential studies would have a nexus to the project. He further explained that between now and June they would receive some documents and that among them would a PAD section describing existing conditions.
 - ii. As a group it was discussed that there is a need to up-date the sensitive species list to match modern taxonomy.
 - 1. Since the last relicensing, many new studies have been performed and many species have been spilt into one or more species, or renamed. The splitting of species into two or three may have an effect on species distribution in the project area. This be reflected in studies proposed, but this needs to be determined using the process described above.
 - iii. Heidi and Kary, and Leeann mentioned that they would ask for a presentation from Edith and Brad to review the existing data.

4. *Botanical Riparian Technical Work Group, Lead: Edith Read*

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- a. Suggestions
- i. A FERC project boundary vs. project vicinity map would help narrow the list of potential issues that have actual nexus to the project and/or need scrutiny in the EA.
 - ii. There is interest in attending more than one working group so it would be helpful to have one multi-disciplinary group to save time. For example, facilities/rec site maintenance can impact vegetation (e.g. weed introduction, seed mixes, hazard tree removal, etc).
 - iii. A presentation on monitoring data and results would be appreciated, as well as a field visit with SCE to see license area and facilities, as well as riparian monitoring areas.

1. There is interest in continuing to monitor riparian in certain areas, but there are questions of nexus and justification that might be answered if staff could come up to speed on the monitoring history and data.
- b. Topics of Interest:
- i. Water quality, especially where there are campgrounds, should be looked at because of possible leaching into riparian and aquatic environments.
 - ii. Desire for control of weeds recognized as "noxious" or "invasive" by USFS. Among these, locust trees below Plant 4 that invaded when stream reaches went perennial (instead of dry in summer) with instream flow releases. There are other types of weeds that may be present in or around facilities that USFS doesn't want propagated. USFS suggested survey for weeds on a regular basis (every 1-3 years); envisioned a prioritization of species that SCE would need to treat with the goal of eradication, and then other species that would be more of a preventative approach (minimizing further spread or new introduction). Develop veg management and invasive species plan.
 - iii. Operations & Maintenance (O&M): There were questions about vegetation management (e.g. clearing around intakes):
 1. How much and frequency?
 2. Are herbicides used? If so, what kind and how are they applied?
 3. What projection measures are in place?
 - iv. The upcoming Forest plan will have a greatly expanded list of sensitive species, which will be called Species of Conservation Concern (SCC). The environmental assessment should include a review of previous species lists, including the plant lists generated by the riparian monitoring, for comparison to the SCC list. USFS suggests 3-5 year license area survey for rare/sensitive/SCC species, updated TES mitigation plan.

5. *Cultural Technical Work Group, Lead: Audry Williams*

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