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*Filed Electronically*

December 16, 2020

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Subject: Proposed Plan and Schedule for Surrender Application  
FERC Project No. 382**

Dear Secretary Bose:

This letter provides to the Federal Energy Regulatory Commission (FERC or Commission) for approval Southern California Edison's (SCE) proposed plan and schedule for filing a surrender application for the Borel Hydroelectric Project, FERC Project Number 382 (Project). As required by FERC's March 11, 2019, letter<sup>1</sup>, SCE's surrender application will address the disposition (i.e., removal, modification, or abandonment-in-place) of all licensed Project facilities and will be developed in accordance with Section 6.1 of the Commission's regulations, 18 C.F.R. § 6.1.

## **BACKGROUND**

The Project is located in Kern County, California, and licensed Project facilities consist of: 1) a 158-foot-long, 4-foot-high concrete diversion dam on the North Fork of the Kern River; 2) a 61-foot-long intake structure with three 10-by-10-foot radial gates; 3) a canal inlet structure consisting of a canal intake, trash racks, and a sluice gate; 4) Borel Canal, consisting of 1,985 feet of tunnel, 1,651 feet of steel-lined flume, 51,835 feet of concrete-lined canal,<sup>2</sup> and 3,683 feet of steel siphon at four locations (i.e., Rich Gulch, Kern River, Bodfish and Pioneer); 5) an auxiliary intake structure to the Borel Canal located at the United States Department of Defense, Army Corps of Engineers' (Corps) Lake Isabella Auxiliary Dam; 6) a small off-channel, concrete lined forebay; 7) four steel penstocks. Penstocks 1 and 2 are 526 feet long and 565 feet long, respectively, with varying

<sup>1</sup> Letter from B. Peter Yarrington, FERC, to James A. Buerkle, SCE, Project No. 382-099 (issued Mar. 11, 2019). In a letter dated January 28, 2020, FERC extended the deadline for SCE to file this proposed plan and schedule to December 31, 2020. See Letter from Andrea Claros, FERC, to James A. Buerkle, SCE, Project No. 382-099 (issued Jan. 28, 2020).

<sup>2</sup> Prior to 2017, the Corps' Lake Isabella routinely inundated the Project's diversion dam and headworks on the North Fork of the Kern River and the upper 4.2 miles of the Project's Borel Canal making the facilities inoperable at those times. When this occurred and Lake Isabella impounded 110,000 acre-feet or more of water, SCE used the auxiliary intake structure, rather than the diversion dam, to provide water to the Borel Canal. When Lake Isabella impounded less than 110,000 acre-feet, the diversion dam and entire Borel Canal were used to provide water to the Project. As discussed below, when the Corps removed approximately 1,600 feet of the Borel Canal in the vicinity of the Lake Isabella Auxiliary Dam, the diversion dam and upper 4.2 miles of canal were no longer used or useful since they could not provide water to the Project under any condition.

diameters between 42 and 60 inches, and Penstocks 3 and 4 each are 60 inches in diameter and extend 622 feet at which point they join together to form a single 84-inch-diameter, 94-foot-long penstock; 8) Borel Powerhouse with two 3,000-kilowatt (kW) generators and a 6,000-kW generator for a total installed capacity of 12,000 kW, and which discharge to the Kern River; 9) a fenced switchyard adjacent to Borel Powerhouse; and 10) other appurtenant facilities. The Project occupies 159.24 acres of federal lands managed by the United States Department of Agriculture, Forest Service, (Forest Service) as part of the Sequoia National Forest (SNF)<sup>3</sup> and 29.47 acres of federal lands administered by the United States Department of the Interior, Bureau of Land Management (BLM).

FERC issued to SCE a new license for the Project on May 17, 2006 with a term of 40 years ending on April 30, 2046.<sup>4</sup>

In 2017, the Corps implemented a safety modification to its Lake Isabella Auxiliary Dam for which the Corps condemned 10.7 acres of private and public land associated with the Borel Project and sealed off the existing section of conduit through the Auxiliary Dam by filling it with concrete and abandoning the conduit in place, which rendered the Project non-operational.

### **PROPOSED PLAN AND SCHEDULE FOR PREPARATION AND FILING OF A SURRENDER APPLICATION**

SCE's proposed process plan and schedule, if approved, would allow SCE to file with FERC within 24 months of FERC's approval of the proposed process plan and schedule,<sup>5</sup> a surrender application that includes:

- An Initial Statement.
- A proposed decommissioning plan that describes SCE's:
  - proposed disposition (i.e., removal, modification, or abandonment-in-place) of all Project facilities;
  - the manner in which Project lands would be restored and their final configuration;
  - proposed monitoring during decommissioning and post-decommissioning to assess the effectiveness of SCE's the restoration work;

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<sup>3</sup> Approximately 1.5 miles of the Borel Canal, various project access roads, the penstocks leading to the powerhouse, and the Borel Powerhouse are situated on lands of the Sequoia National Forest.

<sup>4</sup> *C. Cal. Edison Co.*, 115 FERC ¶ 62,187 (2006).

<sup>5</sup> Commission staff and SCE previously conferred on the length of the pre-filing license surrender process and concluded that a two-year pre-filing process will be sufficient. See Letter from Wayne P. Allen, SCE, to Kimberly D. Bose, FERC, Project No. 382-000 (filed June 18, 2019).

- proposed measures to mitigate the identified decommissioning plan's impacts; and
  - a plan for the final disposition of all Project lands, which will be implemented after the decommissioning is accomplished to the satisfaction of the Commission. The plan will include the proposed disposition of all land ownership, easements, and rights-of-way associated with Project roads and facilities, including the transfer of ownership, maintenance, and operation of any Project facilities that are to be left in place, and lands on which historically or culturally significant properties occur.
- An Exhibit E, Environmental Report, which assesses the effects of SCE's proposed decommissioning activities and surrender of the license.
  - Documentation of SCE's consultation with agencies, landowners, and other stakeholders during preparation of the surrender application.

Further, SCE's surrender application will comply with all relevant portions of 18 C.F.R., including Sections 6.1, 6.2, and 16.8.

SCE's proposed plan and schedule is summarized in the table below.

**SCE's Proposed Process Plan and Schedule for development and filing of a surrender application for the Borel Hydroelectric Project.**

<u>Activity<sup>1</sup></u>	<u>Period Following Commission's Approval of SCE Process Plan and Schedule (Month(s))</u>
Conduct initial outreach to agencies, landowners and other stakeholders to: 1) advise them of SCE's plan to prepare a surrender application; 2) familiarize them with Project facilities and features; and 3) solicit relevant information about anticipated issues and data needs for the preparation of the decommissioning plan, and assess effects, initial preferences regarding disposition of facilities, and restoration of lands.	1-3
Assemble relevant information and initiate studies, if needed	1-12
Prepare initial draft surrender application, including decommissioning plan.	6-14
Consult with agencies, landowners, and other stakeholders regarding SCE's initial draft decommissioning plan and proposed measures and monitoring.	14-15
Address comments from agencies, landowners, and other stakeholders on initial draft surrender application, and prepare final draft surrender application, including decommissioning plan.	15-18
Provide draft surrender application to agencies, landowners, and other stakeholders for 45-day review and comment period, including posting notice of availability of draft in local news periodicals.	18-19

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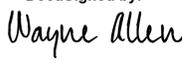
<b><u>Activity<sup>1</sup></u></b>	<b><u>Period Following Commission's Approval of SCE Process Plan and Schedule (Month(s))</u></b>
Address comments from agencies, landowners, and other stakeholders on draft surrender application, which may include meetings with agencies, landowners, and stakeholders, as appropriate, and prepare final surrender application	19-21
File final surrender application.	23-24
<b>Total Months</b>	<b>24</b>

### **REQUEST TO ACT AS NON-FEDERAL REPRESENTATIVE**

At this time, SCE requests that, for this undertaking, FERC designate SCE as FERC's non-federal representative for the purposes of consultation under Section 106 of the National Historic Preservation Act, as amended, and the implementing regulations at 36 CFR. Section 800.2(c)(4). Further, SCE requests that FERC designate SCE as FERC's non-federal representative for purposes of consultation under Section 7 of the Endangered Species Act, as amended, and the joint agency regulations thereunder at 50 CFR. Part 402, Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and the implementing regulations at 50 CFR Section 600.920.

As always, we appreciate the time and attention that FERC has devoted to the resolution of this matter. Please contact David Moore of my licensing team at (626) 302-9494 or at david.moore@sce.com.

Sincerely,

DocuSigned by:  
  
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Wayne P. Allen  
 Principal Manager