

Wayne P. Allen Principal Manager Regulatory Support Services

**Electronically Filed** 

September 22, 2021

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

#### Subject: Kern River No. 3 Hydroelectric Project, FERC Project No. 2290 Notice of Intent to File an Application for New License and Pre-Application Document

Dear Secretary Bose:

Southern California Edison Company (SCE or Licensee) is the owner and operator of the Kern River No. 3 Hydroelectric Project (Project), FERC Project No. 2290. Pursuant to Section 15(b)(1) of the Federal Power Act (16 USC § 808(b)) and Section (§) 5.5 of the rules and regulations of the Federal Energy Regulatory Commission (FERC or Commission) (18 CFR § 5.5), SCE hereby files its Notice of Intent (NOI) and Pre-Application Document (PAD) for this Project.

#### Notice of Intent and Pre-Application Document

As set forth in the NOI, SCE is seeking a new license for the continued operation and maintenance of the Project.

The PAD, which accompanies the NOI, presents existing environmental and operational information relevant to the Project proposal that will enable relicensing participants to identify issues and related information needs, develop study requests and study plans, and prepare relicensing documents.

The PAD comprises two volumes:

- Volume I (contains public information): includes information required by 18 CFR § 5.6(c) and § 5.6(d).
- Volume II (contains public information, confidential, and Critical Energy Infrastructure Information [CEII]): comprises the PAD appendices including:
  - Consultation Summary: details about early Stakeholder outreach SCE conducted with federal and state resource agencies, local governments, Tribes, and other members of the public interested in the Project;

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- Detailed Project Map Series;
- Supporting Project Information;
- Photo Logs;
- Draft Study Plans: ten draft study plans were developed by SCE in consultation with the Technical Working Groups to address potential issues and additional information gathering needs;
- Cultural and Tribal Resources (confidential): includes details on the location(s) of sensitive tribal or cultural resources. Disclosure of this information could be harmful to these resources. Pursuant to 18 CFR § 385.112, SCE requests confidential treatment of this information. This appendix will be electronically filed in the FERC eLibrary as Confidential and marked with the language "Contains Confidential Information - Do Not Release"; and
- Single-line Design Diagram (CEII): required by 18 CFR § 5.6(d)(2) and will be electronically filed in the FERC library as CEII.

Volume I and the public portions of Volume II were efiled with FERC's eLibrary under the "public tab."

SCE will distribute the NOI and PAD to federal and state resource agencies, local governments, Native American Tribes, and other members of the public likely to be interested in the relicensing proceeding, as set forth in the attached distribution list, pursuant to 18 CFR § 5.5(c). Members of the distribution list will receive documents electronically when possible. In addition, public portions of this filing will also be placed on SCE's Kern River No. 3 Project Relicensing website where the documents are available for download (www.sce.com/kr3).

A hard copy of the public portions of Volume I and Volume II will be available for review by appointment only during normal business hours at:

Kern River No. 3 Powerhouse 15115 Sierra Way Kernville, CA 93238

Appendices F (Confidential) and G (CEII) in Volume II will be provided separately, in an electronic format unless otherwise requested, to those entities with jurisdiction over those resources. Pursuant to 18 CFR § 388.112 and 113, SCE respectfully requests that the Commission designate these appendices non-public information, as discussed above.

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#### **Request for Designations as Non-Federal Representative**

Pursuant to 18 CFR § 5.5(e), SCE requests to be designated as the Commission's non-federal representative in relicensing the Project for purposes of consultation under: (1) Section 7 of the Endangered Species Act (ESA), 16 USC § 1536, and the joint agency ESA implementing regulations at 50 CFR Part 402; and (2) Section 106 of the National Historic Preservation Act (NHPA), 54 USC § 306108, and the NHPA implementing regulations at 36 CFR Part 800.

SCE looks forward to working with the Commission and other interested parties on the Kern River No. 3 Hydroelectric Project relicensing. Should there be any questions or concerns regarding this filing please contact Martin Ostendorf, SCE Senior Manager, by phone at (559) 893-2033 or via email at martin.ostendorf@sce.com.

Sincerely,

Southern California Edison Company

DocuSigned by: Wayne Allen Wayne Allen Principal Manager **Regulatory Support Services** 

Enclosures:

- Enclosure A Notice of Intent (NOI)
- Enclosure B Pre-Application Document (PAD) for the Kern River No. 3 Hydroelectric Project (FERC Project No. 2290)

cc: Distribution List

**Distribution List** 

### FERC Project No. 2290 Official Service List (retrieved September 16, 2021):

	,
Brett Duxbury, Co-Director	Kern River Outfitters
Kern River Boaters	Chuck Richards
PO Box 1938	15729 Sierra Way
Kernville, CA 93238	Kernville, CA 93238
kernville@mac.com	
)	
American Whitewater	Kernville Chamber of Commerce
Kevin Richard Colburn,	Rick Dancing, Coordinator
National Stewardship Director	PO Box 397
1035 Van Buren Street	Kernville, CA 93238
Missoula, MT 59802	
kevin@amwhitewater.org	
American Whitewater	Kernville Chamber of Commerce
Theresa L. Lorejo-Simsiman, California	Lanny Borthick, President
Stewardship Director	PO Box 397
12155 Tributary Point Drive, #48	Kernville, CA 93238
Gold River, CA 95670	
theresa@americanwhitewater.org	
American Whitewater	KRFF
Julie Gantenbein, Staff Attorney	James Ahrens
2140 Shattuck Avenue, Ste. 801	8536 Kern Canyon Road, 201
Berkeley, CA 94704-1229	Bakersfield, CA 93306
igantenbein@waterpowerlaw.com	
	jimahrensmt@gmail.com
California Electricity Oversight Board v. Sellers of	Stephen M Bowes
Long-Term Contracts to the California	333 Bush St. Ste 500
Department of Water Resources	San Francisco, CA 94104-2828
Legal Department	Stephen_bowes@nps.gov
455 Golden Gate Ave; Ste 11000	
San Francisco, CA 94102-7004	
Friends of the River	FERC Case Administration
Julie Gantenbein, Staff Attorney	Southern California Edison Company
2140 Shattuck Avenue, Ste. 801	2244 Walnut Grove Ave
Berkeley, CA 94704-1229	Rosemead, CA 91770
jgantenbein@waterpowerlaw.com	ferccaseadmin@sce.com
Friends of the River	Kelly Henderson
Ronald Martin Stork	Attorney, Southern California Edison
1418 20th St, Suite 100	Company
Sacramento, CA 95811-5206	PO Box 800
rstork@friendsoftheriver.org	Rosemead, CA 91770
istork@illendsolthenvel.org	
	kelly.henderson@sce.com
Wayne P. Allen, Principal Manager	Mary M. Richardson, Senior Advisor,
Southern California Edison Company	Regulatory Affairs & Compliance
PO Box 100	Southern California Edison Company
Rosemead, CA 91770	1515 Walnut Grove Ave
wayne.allen@sce.com	Rosemead, CA 91770
	mary.m.richardson@sce.com
Martin Octondorf, Compliance Manager	
Martin Ostendorf, Compliance Manager	Mary Schickling, Senior Specialist
Southern California Edison Company	Southern California Edison Company
54170 Mtn Spruce Road,	1 Pebbly Beach Road
P.O. Box 100	Avalon, CA 90704
Big Creek, CA 93605	mary.schickling@sce.com
martin.ostendorf@sce.com	
-	

Nick von Gersdorf, Dam Safety Engineer	Patrick B. Le
Southern California Edison Company	Southern California Edison Company
1515 Walnut Grove Ave	1515 Walnut Grove Ave
Rosemead, CA 91770	Rosemead, CA 91770
nicolas.von@sce.com	patrick.le@sce.com
Cornelio Artienda, Senior Advisor	Kerry O'Hara, Assistant Regional Solicitor
Southern California Edison Company	US Department of the Interior
1515 Walnut Grove Ave	2800 Cottage Way, RM E-1712
Rosemead, CA 91770	Sacramento, CA 95825-1946
Cornelio.Artienda@sce.com	SOL-FERC@sol.doi.gov

### Federal Government/Representatives:

Advisory Council on Historic Preservation Executive Director 401 F Street NW, Suite 308 Washington, DC 20001 jeddins@achp.gov Bureau of Land Management Alison Lipscomb 3801 Pegasus Drive Bakersfield, CA 93308 alipscomb@blm.gov	US Fish and Wildlife Service Rick Kuyper 2800 Cottage Way Room W-2605 Sacramento, CA 95825 richard_Kuyper@fws.gov US Forest Service Dawn Alvarez, RHAT, Regional Hydropower Program Manager 1323 Club Drive Vallejo, CA 94592 dawn.alvarez@usda.gov
National Park Service Lilian Jonas PO Box 915 Red Bluff, CA 96080 Iilian_jonas@contractor.nps.gov	US Forest Service Monique Sanchez, Hydropower Coordinator 1980 Old Mission Drive, Solvang, CA 93463 monique.sanchez@usda.gov
National Park Service Stephen Bowes 333 Bush Street San Francisco, CA 94104 stephen_bowes@nps.gov	US Forest Service - Sequoia National Forest 11380 Kernville Rd Kernville, CA 93238-9795
United States Geological Survey Don M Klein, Chief Water Resources Division Placer Hall 6000 J St Suite 2012 Sacramento, CA 95819-6129	US Forest Service - Sequoia National Forest Chris Sanders 11380 Kernville Road P.O. Box 9 Kernville, CA 93238 chris.sanders@usda.gov
US Bureau of Indian Affairs Ronald Jaeger, Director 2800 Cottage Way Sacramento, CA 95825-1946	US Forest Service - Sequoia National Forest Gretchen Fitzgerald 11380 Kernville Road P.O. Box 9 Kernville, CA 93238 gretchen.fitzgerald2@usda.gov
US Fish and Wildlife Service Rebecca Kirby 2800 Cottage Way, Room W-2605 Sacramento, CA 95825 rebecca_kirby@fws.gov	US Forest Service - Sequoia National Forest Karen Miller, Services Staff Officer/FERC Coordinator 1839 S Newbomb St Porterville, CA 93257 karen.miller@usda.gov

US Forest Service - Sequoia National Forest	US Forest Service - Sequoia National Forest
Jonathan Markovich	Kyle Lane
11380 Kernville Road	11380 Kernville Road
P.O. Box 9	P.O. Box 9
Kernville, CA 93238	Kernville, CA 93238
jonathan.markovich@usda.gov	kyle.lane@usda.gov
US Forest Service - Sequoia National Forest	US Forest Service - Sequoia National Forest
Joseph Martin, Natural Resource Specialist	Stephen Elgart
11380 Kernville Road	11380 Kernville Road
P.O. Box 9	P.O. Box 9
Kernville, CA 93238	Kernville, CA 93238
Joseph.martin@usda.gov	stephen.elgart@usda.gov
US Forest Service - Sequoia National Forest	US Forest Service - Sequoia National Forest
Stacy Lundgren	Tim Kelly
11380 Kernville Road	11380 Kernville Road
P.O. Box 9	P.O. Box 9
Kernville, CA 93238	Kernville, CA 93238
stacy.lundgren@usda.gov	Tim.Kelly@usda.gov

### State Government/Representatives:

California Department of Fish and Wildlife George Nokes, Regional Manager 1130 East Shaw Avenue Fresno, CA 93710	Office of Historic Preservation State Historic Preservation Officer P.O. Box 942896 Sacramento, CA 94296-0001
California Department of Fish and Wildlife Abimael Leon 1130 East Shaw Avenue Fresno, CA 93710 abimael.leon@wildlife.ca.gov	California Regional Water Resource Control Board William Crooks, Executive Officer 1685 E. Street Fresno, CA 93706-2007
California Department of Fish and Wildlife Brian Beal 1130 East Shaw Avenue Fresno, CA 93710 brian.beal@wildlife.ca.gov	California State Water Resource Control Board Andrea Sellers P.O. Box 100 1001 I Street Sacramento, CA 95814 Andrea.Sellers@Waterboards.ca.gov
California Department of Fish and Wildlife Dale Stanton 1130 East Shaw Avenue Fresno, CA 93710 Dale.Stanton@wildlife.ca.gov	California State Water Resource Control Board Parker Thaler P.O. Box 100 1001 I Street Sacramento, CA 95814 parker.thaler@waterboards.ca.gov
California Department of Fish and Wildlife Eric Jones 1130 East Shaw Avenue Fresno, CA 93710	California State Water Resources Control Board Ann Marie Ore PO Box 100 1001 I Street Sacramento, CA 95814 wr401program@waterboards.ca.gov
California Department of Fish and Wildlife - Kern River Hatchery 14415 Sierra Way Kernville, CA. 93238 kernriver@wildlife.ca.gov	

### Native American Tribes:

Big Pine Paiute Tribe of Owens Valley James Rambeau – ChairpersonKawaiisu Tribe David Laughing Horse Robinson - Chairman P.O. Box 700 Big Pine, CA 93513 j.rambeau@bigpinepaiute.orgBig Pine Paiute Tribe of Owens Valley Jacqueline "Danelle" Gutierrez – THPO P.O. Box 700 Big Pine, CA 93513 d.gutierrez@bigpinepaiute.orgKern Valley Indian Community Julie Tunner – Secretary P. O. Box 1010 Lake Isabella, CA 93240Big Pine Paiute Tribe of Owens Valley J.C. Box 700 Big Pine, CA 93513 d.gutierrez@bigpinepaiute.orgKern Valley Indian Community Julie Tunner – Secretary P. O. Box 1010 Lake Isabella, CA 93240Big Pine Paiute Tribe of Owens Valley Sally Manning - Environmental Director P.O. Box 700 Big Pine, CA 93513 s.manning@bigpinepaiute.orgKern Valley Indian Community Brandy Kendricks 30741 Foxridge court Tehachapi, CA 93561 krazykendricks@hotmail.comChumash Council of Bakersfield Julio Quair - ChairpersonKitanemuk and Yowlumne Tejon Indians Delia Dominguez – Chairperson
P.O. Box 700 Big Pine, CA 93513 j.rambeau@bigpinepaiute.orgP.O. Box 1547 Kernville, CA 93238Big Pine Paiute Tribe of Owens Valley Jacqueline "Danelle" Gutierrez – THPO P.O. Box 700 Big Pine, CA 93513 d.gutierrez@bigpinepaiute.orgKern Valley Indian Community Julie Tunner – Secretary P. O. Box 1010 Lake Isabella, CA 93240Big Pine Paiute Tribe of Owens Valley Sally Manning - Environmental Director P.O. Box 700 Big Pine, CA 93513 s.manning@bigpinepaiute.orgKern Valley Indian Community Brandy Kendricks 30741 Foxridge court Tehachapi, CA 93561 krazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
Big Pine, CA 93513 j.rambeau@bigpinepaiute.orgKernville, CA 93238Big Pine Paiute Tribe of Owens Valley Jacqueline "Danelle" Gutierrez – THPO P.O. Box 700Kern Valley Indian Community Julie Tunner – Secretary P. O. Box 1010 Lake Isabella, CA 93240Big Pine, CA 93513 d.gutierrez@bigpinepaiute.orgLake Isabella, CA 93240Big Pine Paiute Tribe of Owens Valley Sally Manning - Environmental Director P.O. Box 700 Big Pine, CA 93513 s.manning@bigpinepaiute.orgKern Valley Indian Community Brandy Kendricks 30741 Foxridge court Tehachapi, CA 93561 krazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
j.rambeau@bigpinepaiute.orgBig Pine Paiute Tribe of Owens Valley Jacqueline "Danelle" Gutierrez – THPO P.O. Box 700 Big Pine, CA 93513 d.gutierrez@bigpinepaiute.orgKern Valley Indian Community Julie Tunner – Secretary P. O. Box 1010 Lake Isabella, CA 93240Big Pine Paiute Tribe of Owens Valley Sally Manning - Environmental Director P.O. Box 700 Big Pine, CA 93513 s.manning@bigpinepaiute.orgKern Valley Indian Community Brandy Kendricks 30741 Foxridge court Tehachapi, CA 93561 krazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
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Jacqueline "Danelle" Gutierrez – THPOJulie Tunner – SecretaryP.O. Box 700P. O. Box 1010Big Pine, CA 93513Lake Isabella, CA 93240d.gutierrez@bigpinepaiute.orgKern Valley Indian CommunityBig Pine Paiute Tribe of Owens ValleyBrandy KendricksSally Manning - Environmental DirectorBrandy KendricksP.O. Box 70030741 Foxridge courtBig Pine, CA 93513Tehachapi, CA 93561s.manning@bigpinepaiute.orgkrazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
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Big Pine Paiute Tribe of Owens ValleyKern Valley Indian CommunitySally Manning - Environmental DirectorBrandy KendricksP.O. Box 70030741 Foxridge courtBig Pine, CA 93513Tehachapi, CA 93561s.manning@bigpinepaiute.orgkrazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
Sally Manning - Environmental DirectorBrandy KendricksP.O. Box 70030741 Foxridge courtBig Pine, CA 93513Tehachapi, CA 93561s.manning@bigpinepaiute.orgkrazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
P.O. Box 70030741 Foxridge courtBig Pine, CA 93513Tehachapi, CA 93561s.manning@bigpinepaiute.orgkrazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
Big Pine, CA 93513Tehachapi, CA 93561s.manning@bigpinepaiute.orgkrazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
s.manning@bigpinepaiute.orgkrazykendricks@hotmail.comChumash Council of BakersfieldKitanemuk and Yowlumne Tejon Indians
Chumash Council of Bakersfield Kitanemuk and Yowlumne Tejon Indians
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Uulio Quair Chairperson Dolio Dominguoz Chairperson
729 Texas Street 115 Radio Street
Bakersfield, CA 93307 Bakersfield, CA 93305
2deedominguez@gmail.com
Fort Independence Community of Paiute Indians Lone Pine Paiute-Shoshone Tribe
Carl Dahlberg – Chairman Richard Button – Chairperson
P.O. Box 67 P.O. Box 747
Independence, CA 93526 Lone Pine, CA 93545
chair@lppsr.org
Fort Independence Community of Paiute Indians Lone Pine Paiute-Shoshone Tribe
Sean Scruggs – THPO Kathy Bancroft – THPO
P.O. Box 67 P.O. Box 40
Independence, CA 93526 Lone Pine, CA 93545
thpo@fortindependence.com kathybancroft@gmail.com
falconkeeper22@gmail.com
Kern Valley Indian Community Santa Rosa Rancheria Tachi Yokut
Robert Robinson Cultural Department
P.O. Box 1010 16998 Kent Ave
Lake Isabella, CA 93240 Leemore, CA 93245
bbutterbredt@gmail.com
Kawaiisu Band of Kern Valley Indians Tejon Indian Tribe
Cathy Day Colin Rambo - Cultural Resources Tech
P.O. Box 1210 P.O. Box 640
Weldon, CA 93283 Arvin, CA 93203
colin.rambo@tejonindiantribe-nsn.gov
Tejon Indian Tribe Tule River Indian Tribe
Octavio Escobedo – Chairperson Kerri Vera - Environmental Coordinator
P.O. Box 640 P.O. Box 589
Arvin, CA 93203 Porterville, CA 93258
oescobedo@tejonindiantribe-nsn.gov tuleriverenv@yahoo.com
Tubatulaba Tribe of Kern Valley Tule River Indian Tribe
Robert Gomez - ChairmanNeil Peyron – Chairman
P.O. Box 226 P.O. Box 589
Lake Isabella, CA 93240 Porterville, CA 93258
rgomez@tubatulabal.org neil.peyron@tulerivertribe-nsn.gov

Tubatulabal Tribe Darrel Garcia-Vice Chair P.O. 226 Lake Isabella, CA 93240 dgarcia@tubatulabal.org Wuksache Indian Tribe/Eshom Valley Band Kenneth Woodrow – Chairperson 1179 Rock Haven Court Salinas, CA 93906 kwood8934@aol.com

### Local Government/Public Agency:

<b>Kern County, CA</b> Admin and Courts Building 1415 Truxtin Bakersfield, CA 93301-5215	<b>North Kern Water Storage District</b> Charles H William, Engineer P.O. Box 81435 Bakersfield CA 93380
<b>Kernville Chamber of Commerce</b> Bryan Batdorf 119 Spruce Ave (box 1558) Kernville, CA 93238 bryanbatdorf@hotmail.com	<b>Tulare County, CA</b> Board of Supervisors 2800 W. Burrel Ave. Visalia, CA 93291
<b>Kernville Chamber of Commerce</b> Lenny Borthick, President 119 Spruce Ave (box 1558) Kernville, CA 93238	Water Association of Kern County-Kern River Watermaster Dana Munn, Kern River Master PO Box 1168 Wasco, CA 93280-8068
<b>Kernville Chamber of Commerce</b> Rick Dancing, Coordinator 119 Spruce Ave (box 1558) Kernville, CA 93238	

#### Other Local Organizations, Businesses, and Public Interest:

California Sport Fishing Protection Alliance Bill Jennings 3536 Rainier Avenue Stockton, CA 95204 bjennings@calsport.org	Kern River Fly Fishers James Aherns P. O. BOX 686 Bakersfield, CA 93302 jimahrensmt@gmail.com Kern River Outfitters
Energy Systems Engineering Karl Hemmila 10861 E Calle Desierto Tucson, AZ 85748 KHemmila@ESEngrs.com	Matt Volpert 6602 Wofford Blvd Wofford Heights, CA 93285 Matt@kernrafting.com
HDR Inc. Eric Girardin 2379 Gateway Oaks Drive Sacramento, California 95818 eric.girardin@hdrinc.com	Kern Valley River Council PO Box 497, Kernville, CA Katharine "Kat" Edmonson katharine4@gmail.com
Kayaket Thomas Livingstone PO Box 189 Silverton, CO 81433 tlphoto@frontier.net	LA County Beach Commission Anthea Raymond 2600 Jeffries Ave Los Angeles, CA 90065 anthea.raymond@gmail.com lariverbeach@gmail.com
Keepers of the Kern Rex Hinkey, President P.O. Box 655	Mountain and River Adventures Rhonda Stallone 15775 Sierra Way

Kernville, CA. 93238	Kernville, CA 93238
keepersofthekern@gmail.com	rhondas@mtnriver.com
keepersonnekern@gmail.com	mondas@mainver.com
Kern Community Foundation Louis Medina 3300 Truxtun Avenue, Suite 220	Sierra South Mountain Sports Evan Moore PO Box 1909
Bakersfield, CA 93301	Kernville, CA 93238
louis@kernfoundation.org	evan@sierrasouth.com
kristen@kernfoundation.org	
Kern River Boaters	Sierra South Mountain Sports
Liz Duxbury	Steven Merrow
1311 Avenida de la Estrella	11300 Kernville Rd
San Clemente, CA 92672	Kernville , California 93238
lizbrackbill@gmail.com	stevemerrow@gmail.com
Kern River Brewing Company	Sierra South Mountain Sports
Eric Giddens	Tom Moore
13415 Sierra Way	PO Box 1909
Kernville, CA 93238	11300 Kernville Road
eric@kernriverbrewing.com	Kernville, CA 93238
ono la nomena de la	tom@sierrasouth.com
Spallina & Krase	Whitewater Voyages
Robert Krase	Chris Brown
132 E Morton Ave	11252 Kernville Road
Porterville, CA 93257-2424	Kernville, CA 93238
	chris@whitewatervoyages.com
Bennett Sultan	Joshua Gordon
ben@usenorm.com	josh@furface.com
David Diller	
mtndjd@gmail.com	Kenny Bushling
Introju@ginai.com	krbriver@gmail.com
Denis Kearns	Kibiivei@ginali.com
cyclanthera@netscape.net	Mark Ritchie
oyolaninora@netooape.net	markritchie101@gmail.com
Donette Dunaway	
dunawayfields@yahoo.com	Mark Witsoe
	witsoem@kerncounty.com
Guy Jeans	
guyjeans8@gmail.com	Michael Sullivan
	southlakesully@gmail.com
John Chase	
chasewhitewater@gmail.com	Peter Wiechers
	brahea22@hotmail.com
John Pavletich	peterrpm@yahoo.com
jpavletich@pavelectric.com	r
	Steve Merrow
John Stallone	stevemerrow@gmail.com
johns@mtnriver.com	
	Tom Gelder
Jonathan Cizmar	jtgelder@yahoo.com
jonathan.cizmar@gmail.com	

Notice of Intent

#### UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

#### Southern California Edison Company

Project No. 2290 Kern River No. 3

#### NOTICE OF INTENT TO FILE APPLICATION FOR NEW LICENSE

Pursuant to 18 CFR § 5.5, Southern California Edison Company (SCE) notifies the Federal Energy Regulatory Commission (FERC) of its intention to file an Application for a New License for the Kern River No. 3 Hydroelectric Project, FERC Project No. 2290 (Project).

The following information is provided consistent with the requirements of 18 CFR § 5.5(b).

#### (1) Potential applicant or existing licensee's name and address:

Applicant's name:	Southern California Edison
Address:	P.O. Box 800 Rosemead, CA 91770
Contact:	Martin Ostendorf Kern River No. 3 Relicensing Senior Manager Southern California Edison Company 1515 Walnut Grove Avenue Rosemead, CA 91770 Phone: 559-893-2033 Email: <u>martin.ostendorf@sce.com</u> Wayne P. Allen Principal Manager, Regulatory Support Services Southern California Edison Company 1515 Walnut Grove Avenue Rosemead, CA 91770 Phone: 626-302-9741 Email: <u>wayne.allen@sce.com</u>
(2) Project number:	FERC Project No. 2290
(3) License expiration date:	November 30, 2026

#### (4) Unequivocal statement of intent:

SCE intends to file an application for a new license for the Kern River No. 3 Hydroelectric Project (Project) located on the North Fork Kern River (NFKR) and on Salmon and Corral Creeks near the town of Kernville in Kern County in California utilizing FERC's Integrated Licensing Process (ILP).

#### (5) Type of principal Project works licensed:

The run-of-river Project diverts water from the NFKR and seasonally from Salmon and Corral Creeks. Diverted water is transported through a water conveyance system connected to the powerhouse and is returned to the NFKR through the powerhouse tailrace. Principal Project works under FERC's jurisdiction include three diversion dams, above and below-ground water conveyance system, forebay, penstocks, powerhouse, communication lines, access roads, and ancillary support facilities. A complete outline of all Project works is available in Section 4.0 of the Pre-Application Document.

## (6) The location of the Project by state, county, and stream, and, when appropriate, by city or nearby city:

State or Territory:	California
County:	Kern and Tulare
Stream:	North Fork Kern River, Salmon Creek, Corral Creek
Township or nearby town:	Kernville

(7) The installed plant capacity: 40.2 megawatts

#### (8) Names and mailing addresses of:

(i) Every county in which any part of the Project is located, and in which any federal facility that is used or to be used by the Project is located:

Tulare County	Kern County
2800 W. Burrel Ave.	1415 Truxtin Ave.
Visalia, CA 93291	Bakersfield, CA 93301

There are no federal facilities used by the Project.

#### (ii) Every city, town, or similar political subdivision.

# (A) In which any part of the Project is or is to be located and any federal facility that is or is to be used by the Project is located:

The Project is not located within the city limits or boundary of any incorporated community. No federal facility is used or is proposed to be used by the Project.

# (B) That has a population of 5,000 or more people and is located within 15 miles of the existing or proposed Project dam:

The Project boundaries or facilities are located near the small communities of Fairview, Riverkern, Camp Owens, and Kernville. There are no communities within 15 miles of the Project with a population of more than 5,000 residents.

# (iii) Every irrigation district, drainage district, or similar special purpose political subdivision:

# (A) In which any part of the Project is or is proposed to be located and any federal facility that is or is proposed to be used by the Project is located;

There are no irrigation districts, drainage districts, or other special purpose political subdivisions in the immediate vicinity of the Project. No federal facility is used or is proposed to be used by the Project.

# (B) That owns, operates, maintains, or uses any Project facility or any federal facility that is or is proposed to be used by the Project:

No Project features are owned, operated, maintained, or used by any irrigation district, drainage districts, or other special purpose political subdivisions. No federal facility is used or is proposed to be used by the Project.

#### (iv) Every other political subdivision in the general area of the Project or proposed Project that there is reason to believe would be likely to be interested in, or affected by, the notification:

There are no other political subdivisions in the area of the Project that we believe would be interested in, or affected by this notification. However, the Project facilities are primarily located on federal lands (225.20 acres between Kern and Tulare Counties) on the Sequoia National Forest (SNF). The address for the SNF is as follows:

Sequoia National Forest 11380 Kernville Rd Kernville, CA 93238-9795

### (v) Affected Indian Tribes

The following Native American Tribes are potentially interested in the Project. There are no tribal lands located within or adjacent to the FERC Project Boundary.

Big Pine Paiute Tribe of Owens Valley James Rambeau – Chairperson P.O. Box 700 Big Pine, CA 93513 j.rambeau@bigpinepaiute.org	Kawaiisu Tribe David Laughing Horse Robinson - Chairman P.O. Box 1547 Kernville, CA 93238
Big Pine Paiute Tribe of Owens Valley Jacqueline "Danelle" Gutierrez – THPO P.O. Box 700 Big Pine, CA 93513 d.gutierrez@bigpinepaiute.org	Kern Valley Indian Community Julie Tunner – Secretary P.O. Box 1010 Lake Isabella, CA 93240
Big Pine Paiute Tribe of Owens Valley Sally Manning - Environmental Director P.O. Box 700 Big Pine, CA 93513 s.manning@bigpinepaiute.org	Kern Valley Indian Community Brandy Kendricks 30741 Foxridge court Tehachapi, CA 93561 krazykendricks@hotmail.com
Chumash Council of Bakersfield Julio Quair - Chairperson 729 Texas Street Bakersfield, CA 93307	Kitanemuk and Yowlumne Tejon Indians Delia Dominguez – Chairperson 115 Radio Street Bakersfield, CA 93305 2deedominguez@gmail.com
Fort Independence Community of Paiute Indians Carl Dahlberg – Chairman P.O. Box 67 Independence, CA 93526	Lone Pine Paiute-Shoshone Tribe Richard Button – Chairperson P.O. Box 747 Lone Pine, CA 93545 chair@lppsr.org
Fort Independence Community of Paiute Indians Sean Scruggs – THPO P.O. Box 67 Independence, CA 93526 thpo@fortindependence.com falconkeeper22@gmail.com	Lone Pine Paiute-Shoshone Tribe Kathy Bancroft – THPO P.O. Box 40 Lone Pine, CA 93545 kathybancroft@gmail.com
Kern Valley Indian Community Robert Robinson P.O. Box 1010 Lake Isabella, CA 93240 bbutterbredt@gmail.com	Santa Rosa Rancheria Tachi Yokut Cultural Department 16998 Kent Ave Leemore, CA 93245
Kawaiisu Band of Kern Valley Indians Cathy Day P.O. Box 1210 Weldon, CA 93283	Tejon Indian Tribe Colin Rambo - Cultural Resources Tech P.O. Box 640 Arvin, CA 93203 colin.rambo@tejonindiantribe-nsn.gov

Tejon Indian Tribe	Tule River Indian Tribe
Octavio Escobedo – Chairperson	Kerri Vera - Environmental Coordinator
P.O. Box 640	P.O. Box 589
Arvin, CA 93203	Porterville, CA 93258
oescobedo@tejonindiantribe-nsn.gov	tuleriverenv@yahoo.com
Tubatulaba Tribe of Kern Valley	Tule River Indian Tribe
Robert Gomez - Chairman	Neil Peyron – Chairman
P.O. Box 226	P.O. Box 589
Lake Isabella, CA 93240	Porterville, CA 93258
rgomez@tubatulabal.org	neil.peyron@tulerivertribe-nsn.gov
Tubatulabal Tribe	Wuksache Indian Tribe/Eshom Valley Band
Darrel Garcia-Vice Chair	Kenneth Woodrow – Chairperson
P.O. 226	1179 Rock Haven Court
Lake Isabella, CA 93240	Salinas, CA 93906
dgarcia@tubatulabal.org	kwood8934@aol.com