

Wayne P. Allen Principal Manager Regulatory Support Services

Electronically Filed

August 12, 2021

Kimberly D. Bose, Secretary Nathaniel J. Davis, Sr., Deputy Secretary Federal Energy Regulatory Commission 825 First Street, NE Washington, DC 20426

Subject:

Lee Vining Hydroelectric Project, FERC Project No. 1388 Notice of Intent to File an Application for New License and Preliminary Application Document; Request for Designation of Non-Federal Representative; Request to Use the Traditional Licensing Process; and Notice of Site Visit

Dear Secretary Bose,

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), Southern California Edison Company (SCE), licensee of the Lee Vining Hydroelectric Project, FERC Project No. 1388 (Project), hereby files its Notice of Intent (NOI) to File an Application for New License and Request to Use the Traditional Licensing Process (TLP) for the Project. Concurrently with this filing, SCE is also filing, pursuant to Section 5.6 of the Commission's regulations, a Preliminary Application Document (PAD) for the relicensing of the Project.

Notification of Intent and Preliminary Application Document

As set forth in its NOI, SCE will be 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 is composed of two volumes.

Volume I (all public information) consists of the main PAD document that contains all of the information required by 18 CFR Sections 5.6(c) and 5.6(d). This volume will be distributed to federal and state resource agencies, local governments, Indian Tribes, and other members of the public likely to be interested in the relicensing proceeding and eFiled in the FERC eLibrary as public.

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Volume II (some public information, some confidential and Critical Energy Infrastructure Information [CEII] information) consists of the PAD appendices. Appendices include:

- Maps of the Project
- Consultation Record that contains the details and outreach that SCE has conducted with federal and state resource agencies, local governments, Indian Tribes, and other members of the public interested in early stakeholder engagement
- Proposed Technical Study Plans consisting of 15 study plans developed in consultation with Technical Working Groups (TWGs), which were formed to review existing information on the Project and to identify resource questions and potential issues for resolution during the course of relicensing
- Single-line diagram, which is CEII as required by 18 CFR § 5.6(d)(2). This
 appendix will be electronically filed in the FERC eLibrary as CEII
- FERC License Conditions Summary Table
- Flow Duration Curves
- National Wetlands Inventory Maps
- Cultural Resources (confidential) information that provides details on the location(s) of sensitive cultural resources. Disclosure of this information could be harmful to these resources. Pursuant to 18 CFR § 385.1112, 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."

Request for Designation 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.

Request for Use of the Traditional Licensing Process

SCE hereby requests Commission approval of the TLP for the relicensing of the Project. Pursuant to 18 CFR § 5.3(c)(1)(ii), SCE believes that the TLP will be in the best interest of FERC and all interested stakeholders of the Project, achieving the

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goals of efficient, thorough, and fair consideration of all relicensing matters, to which:

- Likelihood of timely license issuance: SCE began to engage agencies in May 2020 to set the groundwork for relicensing and collaboration. SCE believes that with this early engagement, using the TLP will help to provide manageable timeframes for stakeholders to balance relicensing deadlines and assist FERC in issuing a timely license.
- Complexity of the resource issues and level of anticipated controversy:
 During pre-PAD consultation, SCE initiated several TWGs with local, state, and federal agencies; interested stakeholders; and local Tribes to identify areas where additional information may be needed on the existing environment in the Project Area. From this consultation process, draft Study Plans were developed and are attached to the PAD as Appendix C. Due to this early consultation and Study Plan development, SCE does not anticipate a high level of complexity or controversy regarding resource issues during the relicensing process.
- Relative cost of the traditional process compared to the integrated process: Although the early engagement process and continued consultation will result in numerous meetings and discussions, SCE anticipates material cost savings for all stakeholders and participants through the use of the TLP, partly due to stakeholders' knowledge of and familiarity with the relicensing process.
- The amount of available information and potential for significant disputes
 of studies: There is a considerable amount of information available for many
 resources in the Project Area, as presented in the PAD. SCE has begun, and
 will continue to implement, a robust consultation process and TWG meeting
 schedule. This process facilitates the sharing of information and existing data
 as well as provides a platform for discussion thereby reducing the potential for
 significant disputes over studies.
- Other factors believed by the applicant to be pertinent: SCE owns and manages multiple hydroelectric projects in the vicinity of the Project, some of which are also currently undergoing or will be undergoing relicensing with the same stakeholders in the Integrated Licensing Process (ILP). These are the Bishop Creek Hydroelectric Project (FERC No. 1394) and the Rush Creek Hydroelectric Project (FERC No. 1398). SCE has worked to develop collaborative relationships among these stakeholders and believes that this effort will help ensure an orderly process for the Project. With multiple efforts in the basin, the TLP will provide necessary flexibility to manage workload of agencies and SCE around relicensing milestones for these projects.

SCE provided an opportunity for stakeholders to comment on SCE's proposed use of the TLP in advance of filing this request. California Department of Fish and Wildlife (CDFW) provided comments to SCE and filed those at FERC (see

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Accession Number 20210727-5017). CDFW recommends using the ILP because it is FERC's default process and the agency did not see any substantial reasons for using the TLP over the ILP for this Project. CDFW is also concerned that the TLP does not provide a "sufficient platform for CDFW input...." SCE notes that CDFW has not provided any Project-specific concerns regarding the use of the TLP, and respectfully disagrees that there are insufficient reasons to support its use. SCE acknowledges CDFW's concerns about having a platform for input and notes that the TLP does not change the fundamental authorities afforded to CDFW under the Federal Power Act. To address these concerns, SCE has added voluntary engagements throughout the process to ensure all stakeholders have ample opportunities to guide the development and implementation of the technical study program (see Section 2.0, *Plans, Schedules, and Protocols*, of the PAD).

As required by 18 CFR § 5.3(d), SCE is providing a copy of this request to all affected resource agencies, Indian Tribes, and other stakeholders likely to be interested in the proceeding, as set forth in Section 2 of the attached NOI. Pursuant to 18 CFR § 5.3(d)(1), comments on SCE's request to use the TLP must be filed with the Commission within 30 days of the filing date of this request. Pursuant to 18 CFR § 5.3(d)(2), SCE will also publish notice of the filing of this request, along with the NOI and PAD, in a weekly newspaper of general circulation in Mono County, no later than the filing date of this letter.

Notice of Site Visit

In accordance with 18 C.F.R. Sections 5.8 and 16.8, SCE invites all interested parties to participate in a site visit of the Project, which will occur on September 28, 2021, starting at 9 a.m., and end at or about 4 p.m. All participants should meet at the Gus Hess Community Park, located at 129 Mattly Avenue in Lee Vining. Participants are responsible for their own transportation, as well as lunch, water, weather-appropriate clothing, and other supplies. The site visit will be conducted according to current Centers for Disease Control and Prevention (CDC) guidance available at the time, including but not limited to requiring the wearing of masks and social distancing.

Distribution of and Access to NOI and PAD

In accordance with 18 CFR § 5.5(c), SCE is providing a copy of the attached NOI and PAD to the appropriate federal and state resource agencies, Indian Tribes, local governments, and members of the public likely to be interested in the proceeding, as set forth in the attached distribution list. Members of the distribution list will receive the documents electronically when possible. The public portions of this filing will also be placed on SCE's Lee Vining Relicensing Website (https://www.sce.com/leevining) where they are available for download. The documents will also be available for review by appointment at the Bishop Creek Hydro Headquarters Office located at 4000 East Bishop Creek Road in Bishop. Appendices D and H will not be placed on the Lee Vining Relicensing Website as

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they contain confidential information. These appendices will be separately provided electronically to those entities with responsibilities regarding those resources and marked as CUI/PRIV or CUI/CEII as provided for under 18 CFR § 388.112.

SCE looks forward to working with FERC and other interested parties on the Project relicensing. Should there be any questions or concerns regarding this filing please contact Matthew Woodhall, Senior Regulatory Advisor, by phone at (626) 302-9596 or via email at matthew.woodhall@sce.com.

Sincerely,

Southern California Edison Company

Wayne P. Allen
Principal Manager
Regulatory Support Services

Attachments:

- Distribution List
- Notice of Intent
- Preliminary Application Document (PAD) for the Project (FERC Project No. 1388)



Distribution List

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FERC Service List (April 30, 2021):

City Atty Brearley, David B.	Donal O'Callaghan City Administrator City of Vernon, California 4305 Santa Fe Ave Vernon, CA 90058-1714
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Federal Government/Representatives:

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California State Water Resources Control Board P.O. Box 100 Sacramento, CA 95814	Brandy Wood CDFW Brandy.Wood@Wildlife.ca.gov

Local Government/ Public Agency:

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Jeff Griffiths County Supervisor-District 2 199 Edward Street Bishop, CA 93514	

Non-Government Organizations:

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June Lake Loop Historical Society P.O. Box 104 June Lake, CA 93529	Kay Ogden Eastern Sierra Land Trust Executive Director 250 N. Fowler St, P.O. Box 755 Bishop, CA 93515 760-873-4554
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Mono Basin Scenic Area Visitor Center Highway 395 overlooking Mono Lake Lee Vining, CA 93541 760-647-3044	Matthew Paruolo Mammoth Lake Recreation 126 Old Mammoth Road, Suite 107 Mammoth Lakes, CA 93546 United States (760) 500-6381 mparuolo@mammothlakesrecreation.org
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Barbara Durham Death Valley Timbisha Shoshone Tribe Tribal Historic Preservation Officer Death Valley Timbisha Shoshone Tribe P.O. Box 1779 Bishop, CA 93515 (760) 872-3614 durhamdthvlly@aol.com; thpo@timbisha.com	Sean Scruggs Fort Independence Indian Community of Paiute Indians Tribal Historic Preservation Officer Fort Independence Indian Community of Paiute Indians P.O. Box 67 Independence, CA 93526 (760) 878-5160 falconkeeper22@gmail.com; thpo@fortindependence.com
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Other Organizations & Businesses:

Cardinal Village Resort 321 Cardinal Rd Bishop, CA 93514	Tioga Lodge at Mono Lake PO Box 580 Lee Vining, CA 93541 619-320-8868 tiogalodge@gmail.com
Eastern Sierra Packers Association (Summer) P.O. Box 656 June Lake, CA 93529 760-648-7701 frontierpacktrain@gmail.com	Tioga Pass Resort 1887 Highway 120 Lee Vining, CA 93541 tiogapassresortllc@gmail.com
Eastern Sierra Packers Association (Winter) 2095 Van Loon Ln Bishop, CA 93514 760-872-4038 frontierpacktrain@gmail.com	Adam Cohen UC Santa Barbara (650) 346-3284 apcohen@umail.ucsb.edu
Saddlebag Lake Resort / Tioga Pass Resort LLC PO Box 303 Lee Vining, CA 93541 saddlebaglake@gmail.com	

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Notice of Intent

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UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

Southern California Edison Company

Project No. 1388

NOTICE OF INTENT TO FILE APPLICATION FOR NEW LICENSE

Pursuant to 18 CFR § 5.5, Southern California Edison (SCE) Company notifies the Federal Energy Regulatory Commission (FERC) of its intention to file an Application for a New License for the Lee Vining Hydroelectric Project, Project No. 1388.

The following information is provided consistent with the requirements of 18 CFR § 5.5 and 16.6(b):

1. The exact name and business address of the applicant(s) is:

Applicant's Name: Southern California Edison

Address: P.O. Box 800

Rosemead, CA 91770

Contacts: Matthew Woodhall

Lee Vining Relicensing Project Manager Southern California Edison Company

1515 Walnut Grove Avenue Rosemead. CA 91770

Phone: 626-302-9596

E-mail: matthew.woodhall@sce.com

Wayne P. Allen

Principal Manager, Hydro Licensing and Implementation

Southern California Edison Company

1515 Walnut Grove Avenue

Rosemead, CA 91770 Phone: 626-302-9741

E-mail: wayne.allen@sce.com

Project Number: Lee Vining Hydroelectric Project, FERC Project No. 1388

Expiration Date: January 31, 2027

2. Unequivocal Statement of Intent:

SCE hereby unequivocally declares its intent to file an application for a new license for the Lee Vining Hydroelectric Project (Project), FERC Project number 1388, located on

Lee Vining Creek and Glacier Creek near the town of Lee Vining in Mono County in California. As set forth in the cover letter filed with this NOI, SCE also requests FERC approval to use the Traditional Licensing Process (TLP) for the relicensing of the Project.

Description of Principal Project Works to be Licensed:

The Project consists of three diversion dams, one auxiliary dam, and one powerhouse with a combined generating capacity of 11,250 kilowatts (kW). The Project uses water from Lee Vining Creek. Project works include a diversion dam (Saddlebag Dam), a second diversion dam known as Tioga Dam, a third diversion dam known as Rhinedollar Dam, an auxiliary dam known as the Tioga Auxiliary Dam, a water conduit system consisting of a flowline, and a penstock, powerhouse, and apparent facilities. A complete outline of all project facility dimensions is available in Section 4.0 of the Preliminary Application Document.

Location of the Project (Dam): Saddlebag Dam: 37° 57' 55.87" N,

119° 16' 22.99" W

Tioga (Main) Dam: 37° 55' 40.12" N,

119° 15' 3.49" W

Rhinedollar Dam: 37° 56′ 5.84″ N,

119° 13' 56.54" W

State or Territory:CaliforniaCounty:MonoTownship or nearby town:Lee Vining

3. The installed capacity of the project is: 11,250 kW

4. Names and Mailing Addresses of Entities Listed in 18 CFR § 5.5(b)(8):

(a) The County in which the Project is located and in which any federal facility that is used or to be used by the Project is located:

Mono County
1290 Tavern Road
Mammoth Lakes, CA 93546
1-866-745-9719

Inyo National Forest
351 Pacu Lane, Suite 200
Bishop, CA 93514
760-873-2400

https://monocounty.ca.gov/contact https://www.fs.usda.gov/inyo/

There are no federal facilities used by the Project.

(b) Each city or town 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.

There are no cities or towns in which any part of the Project is located, and there are no federal facilities used by the Project.

(c) Each city or town that has a population of 5,000 or more people <u>and</u> is located within 15 miles of the existing Project dams:

There are several small towns within 15 miles of the Project, but none have a population of more than 5,000 residents.

(d) Each irrigation district, drainage district, or similar special purpose political subdivision 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.

The Project is not located within any irrigation district, drainage district, or similar special purpose political subdivision. Los Angeles Department of Water and Power has a diversion downstream of the Project, but that diversion is outside of the FERC Project Boundary and is not part of the Project. There are no federal facilities used by the Project.

(e) Each irrigation district, drainage district, or similar special purpose political subdivision 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 irrigation district, drainage district, or similar special purpose political subdivision owns, operates, or maintains any Project facility. There are no federal facilities used by the Project.

(f) Every other political subdivision in the general area of the Project that there is reason to believe would likely be interested in, or affected by, this notification.

There are no political subdivisions that SCE reasonably believes would be interested in or affected by this Project notification.

(g) Affected Indian Tribes

American Indian Council of Mariposa County	Big Pine Paiute Tribe of Owens Valley
(aka Southern Sierra Miwuk Nation)	P.O. Box 700
P.O. Box 186	Big Pine, CA 93513
Mariposa, CA 95338	James Rambeau (Tribal Chair)
Sandra Chapman (Tribal Chair)	(760) 938-2003 j.rambeau@bigpinepaiute.org
(209) 742-2244	Danelle Gutierrez (THPO)
ssmiwuknation@gmail.com;	(760) 938-2003 ext. 228
sandra47roy@gmail.com	d.gutierrez@bigpinepaiute.org
Tara Fouch-Moore (Council Secretary)	
secretary@southernsierramiwuknation.org	
Bishop Paiute Tribe	Bridgeport Indian Colony
50 Tu Su Lane	P.O. Box 37
Bishop, CA 93514	Bridgeport, CA 93517
Tilford Denver (Tribal Chair)	John Glazier (Tribal Chair)
(760) 873-3584	(760) 932-7083
tilford.denver@bishoppaiute.org	chair@bridgeportindiancolony.com
Monty Bengochia (THPO)	Jay Hall (Environmental)

(760) 873-3584	env@bridgeportindiancolony.com
monty.bengochia@bishoppaiute.org	
Mono Lake Indian Community	North Fork Mono Tribe
(Mono Lake Kukzadikaa Tribe)	13396 Tollhouse Road
P.O. Box 591	Clovis, CA 93619
Bishop, CA 93515	Ron Goode (Tribal Chair)
Charlotte Lange (Tribal Chair)	(559) 355-1774
(760) 605-6263	Rwgoode911@hotmail.com
char54lange@gmail.com	
Raymond Andrews (President)	
760-873-8145	
kutzanuumu@yahoo.com	
North Fork Rancheria of Mono Indians	Tuolumne Band of Me-Wuk Indians
PO Box 869	PO Box 699
North Fork, CA 93643	Tuolumne, CA 95379
Elaine Fink (Tribal Chair)	Andrea Reich (Tribal Chair)
(559) 877-2461	(209) 928-5300
efink@nfr-nsn.gov	andrea@mewuk.com
Christina McDonald (Environmental Director)	Jon Otterson (Tribal Administrator)
(559) 877-2461	(209) 928-5300
cmcdonald@northforkrancheria-nsn.gov	jon@mewuk.com
Walker River Reservation	Washoe Tribe of Nevada and California
P.O. Box 220	919 U.S. Highway 395
Schurz, NV 89427	South Gardnerville, NV 89410
Amber Torres (Tribal Chair)	Serrell Smokey (Tribal Chair)
(775) 773-2306	(775) 265-8600
chairman@wrpt.org	serrell.smokey@washoetribe.us
	Darrel Cruz (Cultural Officer)
	(775) 546-3421
	darrel.cruz@washoetribe.us

5. Whether the Application is for a Power or a Non-Power License

The Lee Vining Hydroelectric Project license application is for a power license.

6. Designation as Non-Federal Representative and Authorization to Initiate Consultation

Pursuant to 18 CFR § 5.5(e), SCE requests that FERC designate it as the non-federal representative for purposes of consultation under Section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR Part 402, § 305(b) of the Magnuson-Stevens Fishery and Conservation and Management Act and the implementing regulations at 50 CFR § 600.920. In addition, SCE requests authorization to initiate consultation under Section 106 of the National Historic Preservation Act and to implement regulations at 36 CFR § 800.2(c)(4).