

Attachment D: Comments on Surrender Application

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From: [Kyle Villa](#)
To: [Borelhydro Info](#)
Subject: Re: Southern California Edison (SCE) Borel Hydroelectric Project. FERC Project No. 382 - Public Review and Comment of Draft Application of Surrender of License
Date: Monday, December 26, 2022 1:25:01 PM

Hello I'm a business owner/ resident of [REDACTED]. The Lakeland foot bridge is directly behind our property. Who's responsible for maintaining the foot bridge? I've noticed graffiti that has been on the bridge and flume for almost 6 months, I complained to an Edison employee and nothing was done about it. Recently the service gates and chain link have been cut. My business has been broken in several times from the flume side. Why is this foot bridge going to remain in place after the demolition of the Borel canal? It is nothing but a nuisance.

Thank you
Kyle Villa
[REDACTED]









[Sent from Yahoo Mail for iPhone](#)

From: [Borel Hydro](#)
To: info@borelhydro.com
Subject: A new comment has been submitted
Date: Thursday, December 29, 2022 9:07:27 AM

New Comment

A new comment has been submitted via webform

Comment Subject:

Borel Hydro Comment Submission

Submitter Name:

Richard Rooney

Submitter Email:

[REDACTED]

Submitter Phone:

Comment:

The best outcome for the Borel project would be to fill in and return to nature and return to the property owner as the property as is, now presents a safety problem as the homeless now use the property. This presents a problem to the property owner and the homeless. Hope you do the right thing and return the upgraded property to the property owners.

From: [Borel Hydro](#)
To: info@borelhydro.com
Subject: A new comment has been submitted
Date: Friday, December 30, 2022 1:05:40 PM

New Comment

A new comment has been submitted via webform

Comment Subject:

Borel Hydro Comment Submission

Submitter Name:

Janet Lubin

Submitter Email:

[REDACTED]

Submitter Phone:

Comment:

As owner of property along the Borel canal, I'd be interested in the plans for construction. As land owner, my hopes are that the canal will be put back to nature and given back to land owner. Please advise of what construction will be done.

Thank you,
Janet Lubin

From: [Borel Hydro](#)
To: info@borelhydro.com
Subject: A new comment has been submitted
Date: Friday, December 30, 2022 1:05:41 PM

New Comment

A new comment has been submitted via webform

Comment Subject:

Borel Hydro Comment Submission

Submitter Name:

Sharon Rooney

Submitter Email:

[REDACTED]

Submitter Phone:

Comment:

As owner of property along the Borel canal, I'd be interested in the plans for construction. As land owner, my hopes are that the canal will be put back to nature and given back to land owner. Please advise of what construction will be done.

Thank you,
Sharon Rooney



3240 Erskine Creek Rd
Lake Isabella, CA 93240

Kernville Union School
DISTRICT

760-379-3651 
www.kernvilleusd.org 

April 10, 2023

Borel Hydro
c/o HDR
2379 Gateway Oaks Drive #200
Sacramento, CA 91770

RE: Decommissioning by Southern California Edison of the Borel Canal

I formally request to be on all mailings, be notified about any updates, and/or any proceedings with regard to the decommissioning of the Borel Canal.

Please let me know if there are any questions.

Very truly yours,

Lissa Robinson
Chief Business Official
760-379-3651 Ext# 403

CC: Southern California Edison
Attn: M. Richardson
1515 Walnut Grove Ave.
Rosemead, CA 91770

Southern California Edison
Attn.: K. Henderson
1515 Walnut Grove Ave.
Rosemead, CA 91770

Federal Energy Regulatory Commission
Attn.: R. Martin
888 First Street NE
Washington, DC 20426

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Principal Frank Flores

File Code: 2770

Date: February 9, 2023

Wayne Allen
Principal Manager
Southern California Edison Company
1515 Walnut Grove Avenue
Rosemead, CA 91770

RE: FOREST SERVICE COMMENTS ON THE DRAFT APPLICATION FOR SURRENDER OF LICENSE DOCUMENT FOR THE BOREL HYDROELECTRIC PROJECT, FERC PROJECT P-382

Dear Mr. Allen:

The Forest Service is providing the following response to the Draft Application for Surrender filed by Southern California Edison Company (Licensee) for the Borel Hydroelectric Project (FERC No. P-382) on December 14, 2022. This response is being submitted by the USDA Forest Service, Sequoia National Forest, hereafter referred to as "Forest Service". This filing includes one attachment (Attachment 1) organized by sections of the Surrender Application.

In addition to these attached comments, we request an extension to comment for heritage resources and engineering. Heritage resources will need 30 days to comment once Volume V becomes available (it is not available as of this date). Engineering staff also will need additional time to review road and transportation proposals; currently, engineering staff is prioritizing recovery efforts following the January 2023 atmospheric river storm damage. Engineering staff will need until the end of February to review and comment on the surrender draft.

The Forest Service would welcome an opportunity for a site visit with SCE and other stakeholders to discuss comments and questions together on site. The Forest Service appreciates the opportunity to comment on the draft application, and we look forward to working with the Licensee on the surrender of this project. If you have any questions regarding this filing, please contact District Ranger Alfred Watson, Kern River Ranger District, Sequoia National Forest, at 760-376-3781 x610 or by electronic mail at alfred.watson@usda.gov.

Sincerely,

TERESA BENSON
Forest Supervisor
cc: FERC service list



Enclosures

CERTIFICATE OF SERVICE

I, Monique Sanchez, Regional Hydropower Coordinator for the U.S. Forest Service, hereby certify that a copy of the forgoing COMMENTS on the Surrender Application by the Forest Service have been served upon each person designated on the official Service List compiled by the Secretary for the Borel Hydroelectric Project, P-382.

/s/ Monique Sanchez

Monique Sanchez, Regional Hydropower Coordinator

Summary of Comments

The United States Forest Service, hereinafter referred to as Forest Service, would like to have an SCE-led project site visit. The purpose of this site visit is for Forest Service to understand some of the mitigation work proposed by SCE, particularly in the siphons, lakebed area, flumes, tail race and storehouse facility.

Lake Isabella is on the State's 303(d) list of impaired waters for pH, Mercury, and DO, and the EA should address the demolishing and burial of concrete improvements, particularly in the lakebed area. At present, the EA does not appear to address the potential contributions that the burial of this amount of concrete may have on water quality in the lake.

The current proposal leaves many linear features still on the landscape, visible to the public and the current post-project appearance of some portions of the project should be addressed in the final application.

This project will require the importation of fill and rip rap. This material will need to be "clean" and screened for noxious/invasive weeds, but that does not guarantee that no weeds will be brought in. The licensee will be responsible for the monitoring of the decommissioning areas for noxious/invasive weed spread. This monitoring may be required for multiple years, and should the "clean" material introduce invasive species, the licensee will be responsible for any mitigation that may be needed to address these noxious/invasive weeds.

Volume II – Decommissioning Plan

Volume II- Heritage Comments

Section 2.4.2.1 – Section 3 of the canal is on SCE lands. Features will be abandoned in lakebed and crushed concrete will be used for backfill. Decommissioning Segment 3 includes removal and disposal of the portable Bailey Bridge, which is on the Forest Service bridge inventory as the Portable Marina Bridge. The Forest Service may choose to retain and reuse the portable bridge elsewhere.

Section 2.5.2.1 – Section 4 is partially on NFS lands. Siphons are proposed to be filled with concrete slurry. "The existing wingwalls and headwalls will remain in place and will be replaced with clean fill" – this is unclear- please clarify if the features will remain in place or if they will be replaced. Here too features will be abandoned in lakebed and crushed concrete is proposed for backfill. If the siphons are left, what happens if someday the lake ceases to exist? The Forest Service will not be responsible for removing the siphons and a plan should be in place for the licensee to remove the siphons should the lake cease to exist.

Section 2.9.1 – Section 8 is on private, SCE and BLM lands. There is a note about a 14-foot access road being retained; it is unclear why SCE needs to retain this access road if the project is decommissioned.

Section 2.10.2.1 – Section 9 is largely on SCE and BLM lands with 240' on NFS land (from mid-section of syphon west). Regarding the Pioneer Siphon, are any placer mining features in harm's

way? Are the historic flume footings adjacent to Pioneer syphon being removed or will they remain? Tunnel 1 is on BLM - Tunnel 1 to be filled with recycled concrete from canal followed by slurry.

Section 2.11.2.1 – Section 10 is entirely located on NFS land. The canal will be abandoned and filled in place (concrete pulverized and mixed with fill). The filled canal will be hydroseeded; there is no mention of restoring to natural appearance. The canal would still be visible as a linear feature on the landscape from Highway 178. Regarding Tunnels 1-1/2, 2 and 3 (bat habitat appears to be addressed in Table 4.1). The concrete footings for Flume 623 and Profanity will remain in place to stabilize slopes, which disregards the natural appearance of the area. The stretch of canal west of Pioneer syphon skirts a placer mining site; any additional fill in this area will likely obscure portions of this site. Clarify what is the APE (Area of Potential Effect) for this work. If buffered at all then the site should be recorded as part of the cultural resources survey. From Highway 178, the canal would still appear as a linear feature on the landscape, the powerhouse site would likely retain terraces and foundations, and in places flume footings would remain. Please clarify what features are proposed to remain and whether any mitigation is proposed for visual resource effects.

Section 2.12.2.1 – Forebay, penstock, powerhouse (etc.) and tailrace.

- Forebay – Concrete rubble would be used for backfilling. No discussion of restoring to natural appearance.
 - Penstock – Road extension mentioned but decommissioning/restoration measures for those sections not discussed.
 - Powerhouse – Below-grade features would be filled with slurry and left in place. No discussion of measures for restoring site to its natural appearance. Under our current understanding of the proposal, the powerhouse would likely retain terraces and foundations, and in places flume footings would remain, all of which are unnatural to the landscape.
 - Auxiliary buildings – No restoration measures proposed for footprints.
 - Spillway – Proposes to leave in place, with no restoration of site. This seems like a potential hydrologic feature that could continue to feed debris into river, as well as a potential long-term visual resource issue.
 - The tailrace is designated as “demolish and bury”. The tailrace appears to be right at water level on the Kern River (although it’s hard to tell from the photo), so water quality impacts from stormwater runoff are a concern. We would like to review the Storm Water Pollution Prevention Plan (SWPPP) to make sure the river course will be adequately protected. Moreover, the same concern regarding increase pH levels from buried crushed concrete exists and should be included in the NEPA analysis. Placement of rip rap alone will not work as well as incorporating some soil and native seeds to allow vegetation growth, which will help stabilize the rip rap in the long term and make the riverbank/slope appear more natural.
- Table 4.1 While HABS/HAER documentation is mentioned “if an adverse effect cannot be avoided,” no mention is made of mitigation. How do you mitigate the removal of a built,

historically significant environment? The quote above seems at odds with the statement in Section 1.3.4 of Volume III which states “Demolition of the Borel Powerhouse *would constitute an adverse effect* to a historic property.”

Volume II Engineering Comments

Volume 2 Decommissioning Plan – In general the proposed decommissioning plan proposes to leave existing access roads on NFS land in place. However, most of those access roads are not system roads and are not authorized for public vehicle traffic. Leaving them in place will invite illegal motor vehicle use. In general, access roads should be decommissioned, sloped for natural drainage, scarified and seeded to encourage vegetation growth, and blocked to prevent vehicle use. Specific comments follow below.

Decommissioning Segments 1-4 (para 2.2-2.5) – Plan list “road improvements” for much of the access to segments 1-4. Grading is mentioned, but what other “improvements” are planned? These segments are all within the Lake Isabella lakebed (below full pool elevation). There are no Forest Service system roads designated in the lakebed. There are some areas within the lakebed that are designated as open for motor vehicle travel (near Tillie Creek and Boulder Gulch). Portions of access roads that are within designated open travel areas could be left in place. All other access roads should be decommissioned as noted above. The Forest Service GIS staff should review the Borel project area files and the designated open travel areas for overlap of access roads to provide further input on retaining portions of access roads.

Decommissioning Segment 3 (para 2.4.1.3) includes removal and disposal of the portable Bailey Bridge which is on the Forest Service bridge inventory as the Portable Marina Bridge. The Forest Service may choose to retain and reuse the portable bridge somewhere else.

Decommissioning Segments 9-10 (para 2.10-2.11) - The area of the project around the Pioneer Steel Siphon is accessed by the Forest Service system road 27S14 Quonset Beach. The system road should be maintained during the decommissioning project, but any other non-system spur roads used for access to the project should be decommissioned as noted above. The Forest Service will also consider whether access is still needed to the area after the Borel canal is decommissioned, and, if access is no longer needed, decommission system road 27S14 as well.

Decommissioning Segment 11 (para 2.12.2.2) - There are no system roads in this segment (forebay structure to tailrace). The paved access road to the powerhouse will remain to provide access to the non-project switch yard and should continue to be closed to public use with a gate. Any other access roads in this area should be decommissioned as noted above.

Volume III – Applicant Prepared EA

Cultural resources section is redacted. Section 1.3.4 mentions an adverse effect but otherwise the volume does not appear to address that effect or its mitigation other than to state that the regs would be followed and an MOA would be drafted to resolve those effects. This agreement document must be in effect and concurred upon by SHPO and ACHP (if the council decides to participate) prior to signing the decision.

Volume V – Heritage

This Volume is Currently Unavailable

General Comments

Hydrology Comments

- Forest Service would like copies of the 404 and 401 permits, and the Stormwater Pollution Prevention Plan (SWPPP). SCE needs to ensure that the SWPPP incorporates Forest Service water quality protection Best Management Practices (BMPs) or the equivalent SWPPP protection measures.
- Review of Volume II and III did not show a CDFW 1602 permit, which would be required for any lakebed alteration. We need to verify that SCE is applying for a 1602 permit, and if not, need concurrence from CDFW as to why SCE does not need a permit for these actions.

[Fish and Game Code section 1602](#)(opens in new tab) requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- *Divert or obstruct the natural flow of any river, stream, or lake;*
- *Change the bed, channel, or bank of any river, stream, or lake;*
- *Use material from any river, stream, or lake; or*
- *Deposit or dispose of material into any river, stream, or lake.*

Please note that "any river, stream, or lake" includes those that are dry for periods of time as well as those that flow year round. If you are not certain a particular activity requires notification, CDFW recommends you notify.

CDFW requires a Lake and Streambed Alteration (LSA) Agreement when a project activity may substantially adversely affect fish and wildlife resources.

- Ensuring compliance with the SWPPP and Forest Service BMPs will require Forest Service personnel to be present and working alongside the contractor's QSD/QSP (qualified SWPPP designer/practitioner).

Botany Comments

General Comments for Construction Measures Regarding Non-Native Invasive Plants

- Monitor all parking, storage areas, laydown sites, equipment storage areas in addition to the active work areas annually for 5 years for invasive plants,
- If parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities can't be confined to previously disturbed areas, seek approval that the needed additional area is not of sensitive habitat prior to do so.
- Use certified weed-free and local straw or rice straw for all construction, erosion control, or restoration needs. Monitor areas where materials were used annually for 5 years after installation

for invasive plants. If weed populations are introduced, follow best management practices to document, remove, and dispose of. Materials must be verified weed-free prior to import.

- Use gravel and sand from local and certified weed-free sources that is verified prior to import. Monitor areas where materials are used annually for 5 years after installation for invasive plants. If weed populations are introduced, follow best management practices to document, remove, and dispose of.
- If spoil piles have been approved to keep within the project boundary, monitor area annually for 5 years for invasive plants. If weed populations are introduced, follow best management practices to document, remove, and dispose of.
- Fill sites must be verified free of toxic substances and free of invasive non-native weeds and weed seeds prior to import. Area where materials are used annually for 5 years after installation for invasive plants. If weed populations are introduced, follow best management practices to document, remove, and dispose of.

Wildlife Comments

Wildlife and Habitat Measures

Forest Service requirements for wildlife and habitat measures:

- Entire project area will be surveyed for sensitive habitats, suitable habitat for rare botanical species, non-native invasive plants and rare botanical species prior to any work on this project. Data will be mapped and sent to Sequoia National Forest botanist, the specific type of data and mapping needed will be disclosed by the Forest Botanist to the SCE consulting team botanist. Biological monitor will be present when any work is being done near rare botanical species or non-native invasive plants.
- Disturbed areas that require restoration will use locally grown native plant species that can be verified to be grown in a weed-free and pathogen-free nursery. Common native plant species from the direct area that fit the ecosystem will be chosen for restoration. Native plant seeds with local ecotype and proper species for the location can be used instead of container plants. Seed will need to be purchased from a native seed nursery that can verify its weed-free.
- Restoration plans must be agreed upon and approved by the Forest Service.
- Hydroseeding may be used for restoration purposes, native seeds with proper local ecotype that are certified weed-free must be used. Monitor area that has been hydroseeded annually for 5 years for invasive plants. If weed populations are introduced, follow best management practices to document, remove, and dispose of.
- Hydroseeding equipment must be thoroughly cleaned, not within the project area, and completely free of any seeds not verified for the project, cleaned of any debris/mud/dust/hydroseeding materials and is required to have the whole system flushed with clean water to reduce spread of non-native plants or pathogens.
- Anywhere the area has been restored will be cared for to ensure survival of planted or seeded species, and to make sure there hasn't been an introduction of non-native invasive plants in the imported materials annually for 5 years.
- Revegetation plans must be approved by the Forest Service prior to implementation.

- FSH 2609.26 – Botanical Program Management. FSM 2600 – Wildlife, Fish, and Sensitive Plant Habitat Management. Chapter 2670 – Threatened, Endangered and Sensitive Plants and Animals. U.S. Forest Service TESP-IS NRM NRIS. Provides direction of rare botanical species occurring on NFS lands in Region 5.
- Populations of Kern Canyon clarkia (*Clarkia xantiana* ssp. *parviflora*) and Tracy's Eriastrum (*Eriastrum tracyi*) have been observed in the project area and right outside the project area. Populations to be monitored before and after work is being done on the project. Collect metadata and a current shapefile documenting: location, population numbers, general description of occurrence and habitat, and if there are any threats or any damage to the population. Please send metadata and shapefile to Sequoia National Forest botanist.
- Buffer zone to 50 feet around rare plant species, fencing be placed around the population at the 50 ft. buffer boundary while work is being done on the project. Special habitat protection measures shall be implemented within this area, including avoidance of off-road vehicle travel, and prohibition on all ground disturbing activities and herbicide application. No mowing within buffer boundary. Manual weed pulling within the buffer boundary may be necessary, following BMP with weed removal and disposal. Report any work to SQF botanist.
- Will not apply herbicides on federal land without the approval of the Forest Service. Forest Service will be consulted for approval prior to use herbicides on federal land. All herbicide use will be documented, and documentation will be provided to the SQF botanist in a timely manner.
- Any projected damage or accidental damage to Kern Canyon Clarkia or Tracy's Eriastrum will be reported immediately to SQF botanist.
- If any new populations or rare botanical species are discovered within the project boundary, apply a 50ft. buffer on population and notify the SQF botanist in a timely manner.
- Elderberry species found within the project area will be given a 50ft. buffer, and fencing be placed around buffer boundary while project is being worked on. Same treatment as special habitat protection measures shall be implemented within this area, including avoidance of off-road vehicle travel, and prohibition on all ground disturbing activities and herbicide application. No mowing within buffer boundary. Manual weed pulling within the buffer boundary may be necessary, following BMP with weed removal and disposal. Report any work to SQF botanist.
- Non-native invasive plant populations within the project area will be removed and monitored annually for 5 years. Best management practices will be followed for removal and disposal. Manual removal is favored over herbicide application, manual removal may be required in certain situations.
- If new invasive plant populations are found, or if new invasive plant species previously not recorded in the project area are found collect metadata and a current shapefile documenting: location, population numbers. Send to SQF botanist.
- FSM 2903 provides direction regarding management of invasive plants and Forest Service responsibilities regarding actions required to prevent the introduction and spread of invasive plants on NFS lands.
- All equipment and machinery will be cleaned prior to entering NFS land. This includes wheels, undercarriages and bumpers. Clean water must be used, and all dirt, mud, weeds or weed seeds must be completely removed prior to entering NFS land.
- Earth moving equipment such as bulldozer, excavators, etc will be washed with clean water prior to entering NFS land to completely remove all dirt, mud, weeds or weed seeds.

- The equipment holder shall notify Forest Service at least 2 working days prior to moving each piece of equipment on to NFS land, unless otherwise agreed. Notification will include vehicle washing information.
- Any equipment, tools, or vehicles that have been staged or created ground disturbance within project areas that the Forest Service has identified as containing invasive plant species, must also be washed before leaving the site.
- Hand tools shall be cleaned of all dirt, mud, weeds or weed seeds must be completely removed prior to entering NFS land. If tools had previously been used with diseased plants, tools need to be sterilized before using on NFS land.
- Holder shall certify in writing compliance with the terms of this weed-free and pathogen-free provision prior to each start-up of operations.
- If any new infestations of invasive species occur after work has been done, will be reported to parties who worked on site.
- Heavy machinery and ground disturbing work must be avoided in sensitive habitats, riparian or aquatic habitats within the project areas. Areas will be flagged and avoided or have fencing installed around them while work is being done on the project.



State Water Resources Control Board

January 27, 2023

Mary M. Richardson, Project Manager
Southern California Edison
1515 Walnut Grove Avenue
Rosemead, CA 91770
Sent via email: info@borelhydro.com

**Borel Hydroelectric Project
Federal Energy Regulatory Commission Project No. 382
Kern County
Kern River**

COMMENTS ON DRAFT APPLICATION FOR SURRENDER OF LICENSE

Dear Mary Richardson,

On December 14, 2022, Southern California Edison (SCE) initiated a public review and comment period of the Draft Application for Surrender of License (Draft Application) for the Borel Hydroelectric Project, Federal Energy Regulatory Commission (FERC) Project No. 382 (Project). State Water Resources Control Board (State Water Board) staff reviewed the Draft Application and included comments as Attachment A of this letter.

Background

The Project is owned by SCE and located on the Kern River in Kern County, California near the community of Lake Isabella. Main Project facilities include: (1) a four-foot-high and 158-foot-long concrete diversion dam; (2) an intake structure with three radial gates; (3) canal inlet structures 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, 51,825 feet of concrete-lined canal, and 3,683 feet of siphon; (5) an auxiliary intake structure to the Borel Canal located at the United States Army Corps of Engineers' (USACE) Auxiliary Dam located on Lake Isabella; (6) a small off-channel, concrete lined forebay; (7) four steel penstocks; (8) a powerhouse with a total installed capacity of 12,000 kW; and (9) other appurtenant facilities.

As originally licensed by the Federal Power Commission in 1925, the Project used a diversion dam and intake structure on the north fork of the Kern River to divert water into the Borel Canal for power generation at the Borel Powerhouse. The Flood Control Act of 1944 authorized the USACE to construct and operate the Isabella Main Dam,

Auxiliary Dam, and reservoir on the Kern River. The USACE Auxiliary dam was constructed over a portion of the Borel Canal, and a concrete conduit was built through the dam to allow continued flow through the Borel Canal. The Project facilities beneath and to the north of the Auxiliary Dam were heavily modified during the dam's construction. SCE's current license for the Borel Project was issued on May 17, 2006, however in 2017 the USACE implemented a safety modification project to its Auxiliary dam. The safety modification project for the Auxiliary Dam resulted in condemning 10.7 acres of private and public land associated with the Project and sealing the conduit through the Auxiliary Dam by filling it with concrete and abandoning the conduit in place. This action rendered the Project nonfunctional, as it prevented water from flowing into the Borel Canal, and as a result SCE chose to file an application to surrender the Project license.

Contact Information

State Water Board staff appreciate SCE providing the opportunity to review and comment on the Draft Application. If you have questions regarding this letter, please contact me by email at Andrea.Sellers@waterboards.ca.gov. Written correspondence or inquiries should be mailed to:

State Water Resources Control Board
Division of Water Rights
1001 I Street, Sacramento, CA 95814

Sincerely,

Andrea Sellers

Andrea Sellers, Environmental Scientist
Water Quality Certification Program
Division of Water Rights

Attachment A: State Water Resources Control Board Staff Comments on the Borel Hydroelectric Project Draft Application for Surrender of License

ec: Wayne Allen, Southern California Edison
Wayne.Allen@sce.com

Abimael Leon, California Department of Fish and Wildlife
Abimael.Leon@wildlife.ca.gov

Alfred Watson, United States Forest Service
Alfred.Watson@usda.gov

Emily Lueng, United States Fish and Wildlife Service
Emily_Lueng@fws.gov

Jeromy Caldwell, Bureau of Land Management
jwcaldwell@blm.gov

Kimberly Bose, Federal Energy Regulatory Commission
[Via efile](#)

Attachment A: State Water Resources Control Board Staff Comments on the Borel Hydroelectric Project Draft Application for Surrender of License

The following comments are provided by State Water Resources Control Board (State Water Board) staff on the Borel Hydropower Project (Project) Draft Application for Surrender of License (Draft Application) for the Borel Hydroelectric Project (Project) submitted by Southern California Edison (SCE) on December 14, 2022.

1. Clean Water Act Section 401 Certification

Section 401 of the Clean Water Act (CWA) requires any applicant for a federal license or permit, which may result in any discharge to navigable waters, to obtain a water quality certification (certification) from the State Water Board to ensure that the discharge will comply with the applicable water quality parameters in the CWA. As the Project may result in a discharge to navigable waters, SCE will need to apply for a certification to cover Project decommissioning.

2. California Environmental Quality Act

Issuance of a certification is a discretionary action that requires the State Water Board to comply with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines section 15367, the State Water Board believes it would be the lead agency for the Project. State Water Board staff recommend SCE coordinate with State Water Board staff on the timing of CEQA, which staff recommend occurs prior to SCE submitting a certification application.

3. Water Rights

The United States Army Corps of Engineers (USACE) Isabella Dam Safety Modification Project eliminated water diversions to the Borel Canal for hydropower generation and SCE is pursuing a license surrender. SCE holds water right license No. 005731 (application No. 013778) to divert and use water for power use associated with the Project. State Water Board staff requests SCE clarify the future disposition of its water rights related to the Project (i.e., voluntary revocation, or other actions).

State Water Board staff are available to discuss SCE's water rights associated with the Project and to address any water right questions as SCE proceeds with license surrender.

4. Volume II Decommissioning Plan – Decommissioning Approach Section 2.2.2.1 Access Roads pg. 12

SCE plans to improve access roads to the storehouse, canal inlet structure, and concrete-lined canal for construction. Access road improvements, including construction related activities, could impact water quality if proper best management practices are not in place. State Water Board staff request SCE include additional information in its Final License Application regarding proposed access road

improvements, specifically noting any temporary and/or permanent wetland impacts associated with road improvements.

**5. Volume II Decommissioning Plan – Decommissioning Approach Section 2.3.2.1
Tilley No. 2 Concrete Flume and Tilley No. 3 Concrete Flume pg. 15**

As part of the Project, SCE plans to demolish Tilley No. 2 concrete flume and Tilley No. 3 concrete flume and blend the demolished concrete with native material. Please define “native material”, and further describe how the demolished concrete will be blended with native material and spread. Please also describe any actions that will be implemented to ensure that disposed material does not contribute to erosion into surface waters.

6. Volume II Draft Decommissioning Plan – Multiple Sections, pg. 11, 15, 19, and 24

SCE plans to use imported soil as part of the decommissioning process for multiple concrete lined canals and the Tilly No. 1 concrete flume. State Water Board staff requests SCE provide additional information on the type of imported soils and clarification on any project measures to ensure imported materials do not contribute to erosion into surface waters.

7. Volume II Draft Decommissioning Plan – Multiple Sections, pg. 42 and 54

Project facilities have known hazardous materials and the potential for more to be found in other areas during dismantling. Section 2.10.2.1 identifies the Pioneer Steel Siphon as containing lead. As such, a Hazardous Materials Plan should be developed to detail how lead contamination will be addressed along with potential impacts to soil contamination and stormwater runoff. In addition, the powerhouse auxiliary buildings should be evaluated for hazardous materials and addressed accordingly in a Hazardous Materials Plan.

**8. Volume III Draft Environmental Assessment – Water Quantity Section 3.4.1.1
Borel Project pg. 47-48**

The United States Army Corps of Engineers (USACE) Isabella Dam Safety Modification Project has rendered the below Borel Project non-operational and as such, water is no longer conveyed in the Borel Canal for generation. Please provide clarification regarding how Project water is being managed given its no longer being diverted for hydropower.

ELDARICA LAND CORPORATION

[REDACTED]
[REDACTED]
[REDACTED]
Date: January 30, 2023

To: Borel Hydro, c/o HDR, 2379 Gateway Oaks Dr. # 200, Sacramento, CA 95833 / info@borelhydro.com

And To: Southern California Edison, attn: M. Richardson, 1515 Walnut Grove Ave., Rosemead, CA 91770

And To: Southern California Edison, attn: K. Henderson, Esq., 1515 Walnut Grove, Rosemead, CA 91770

And To: Federal Energy Regulatory Commn., attn: R. Martin, 888 First Street NE, Washington, DC 20426

And To: Army Corps of Engineers, attn: M. Brumbaugh, 1325 J Street Room 1513, Sacramento, CA 95814

And To: Bureau of Land Management, attn: S. Delear, Bakersfield Field Office, Bakersfield, CA 93308

And To: L. Mark Mulkay, Esq., Kern River Watermaster, 16294 Highway 43, Wasco, CA 93280

And To: Kern County Counsel, attn: M. Raison, Esq., 1415 Truxtun Avenue, Bakersfield, CA 93301-5215

And To: Kernville Union School District, attn: S. Martinez, 3240 Erskine Creek Rd, Lake Isabella, CA 93240

And To: Kern Schools Legal Services., attn: K. Griffin-Lazerson, Esq., 661-636-4830

**Re: OBJECTIONS/COMMENTS of Affected Landowner, ELDARICA LAND CORP.,
to Particulars in Segment 7 of the Proposed Decommissioning by SoCalEdison of the Borel Canal,
in re: the Application for Surrender of License for Borel Hydroelectric Project, FERC Project No. 382**

Attached are the **OBJECTIONS** and **COMMENTS** of affected landowner, ELDARICA LAND CORPORATION, the owner of Parcel [REDACTED] (on which the "School Pedestrian Bridge" (Vol II, Sec. 2.8.1.2) is located), to certain particulars in Segment 7 of the Proposed Decommissioning by SoCalEdison of the Borel Canal, and the related proposed Draft Environmental Assessment, in the Application for Surrender of License for Borel Hydroelectric Project, FERC Project No. 382. There are **3 main Objections, and 16 Comments**. Please add these attached Objections and Comments to the record of proceedings in this matter, as to both (1) the Borel Canal Decommissioning Plan and (2) the Borel Canal Draft Environmental Assessment.

Submitted by:

ELDARICA LAND CORPORATION



By: DR. GAVIN M. ERASMUS, as President

OBJECTION #1: THE “SCHOOL PEDESTRIAN BRIDGE” AT WEBB AVENUE SHOULD BE REMOVED, NOT MERELY ABANDONED IN PLACE, AS PRESENTLY PROPOSED. AFTER THE BOREL CANAL IS CLOSED, THIS BRIDGE “OVER” THE BACKFILLED FORMER CANAL WILL SERVE NO PURPOSE, AND IT WILL BECOME A DANGEROUS “ATTRACTIVE NUISANCE” FOR SCHOOL CHILDREN ATTENDING THE ADJACENT SCHOOLS, CREATING SIGNIFICANT FUTURE LIABILITY FOR SOUTHERN CALIFORNIA EDISON IF MERELY LEFT IN PLACE

The “School Pedestrian Bridge” (described in Section 2.8.1.2 of Volume II, the Decommissioning Plan) is located in Segment 7 of the proposed Decommissioning Project. This Bridge is located within an easement across Parcel [REDACTED]. The owner of record of this parcel is Eldarica Land Corporation.

Borel Hydroelectric Project – Decommissioning Plan
Decommissioning Plan

FERC Project No. 382

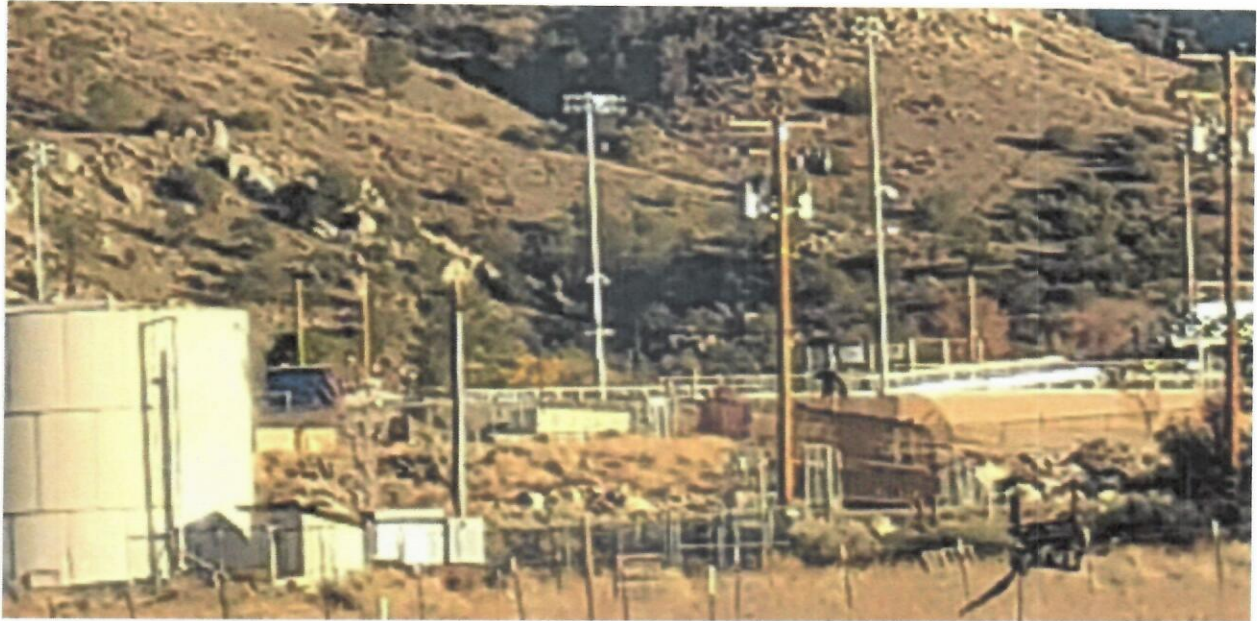


Figure 2-36. School Pedestrian Bridge (Non-Project), Looking Downstream (Photo Date: 01/2020)

Section 2.8.2.1 of the proposed Decommissioning Plan provides that the underlying concrete-lined canal will be demolished and used as pulverized backfill: “... the existing concrete lining within the canal will be removed and processed to be suitable as backfill (i.e., maximum particle size of 6 inches.) ...The entire concrete lining will be removed from the canal within private parcels. This concrete will be spread out and buried in the backfill of adjacent reaches of the canal that are owned by SCE.” (Section 2.8.2.1)

The former canal will therefore be entirely backfilled and covered-over throughout its Segment 7 course, **including underneath the “School Pedestrian Bridge” itself**, which will accordingly become a useless **“Bridge to Nowhere”**. After decommissioning, the Bridge will no longer have any beneficial use/function and will become a dangerous nuisance in the heart of our community, so close to three of our schools. Especially it will become a dangerous “attractive nuisance” to the many schoolchildren who have used it to cross the Borel Canal in order to reach their three schools located immediately east of the Bridge. This is a **legal liability** which Southern California Edison should avoid by **removing this bridge altogether**.

Compelling evidence is available of the dangerous “attractive nuisance” which this Bridge will become. The following photograph was taken on Tuesday, December 6, 2022, at 3:40 p.m. It shows a teenager wearing black clothing standing on top of the cage of the bridge with his arms extended. Three or four teenagers were present, and one by one they were climbing over a barrier that seeks to prevent this. They were crossing from the school, and by 4:00 p.m. they were seen walking along Webb Avenue.



Schoolchildren are drawn to this Bridge like a magnet because of the challenge which climbing up on it provides. Essentially, if it is abandoned in place, it will become a “teenager jungle-gym”, much like similar climbing apparatus in kindergarten playgrounds. Likewise, the enclosed chain-link passageway “cave” of the Bridge could become a type of clubhouse for teenagers, or a destination for inappropriate activities, with all the attendant risks such as tetanus which being scratched by all of this rusty old metal presents.

Arguably, so long as this Bridge has the important function of allowing schoolchildren to cross the canal to reach their school, this danger is tolerated because of the benefit the bridge gives of school access. However, once this “Bridge” no longer has any use after the canal has been backfilled and covered over, there is no justification, plus considerable liability for SoCalEdison, if this former bridge remains in place.

The Environmental Assessment (see, Volume III, at page 23/239) states: “... *the proposal includes several decommissioning strategies, including the removal of facilities, abandoning facilities in place, and abandoning facilities with modifications.*” The only suitable strategy for this Bridge is its removal.

There is no reason for this former “Bridge” to remain, and every justification that it should be removed. Edison is thus requested to remove this Bridge, and not to “abandon it in place” as Edison proposes.

OBJECTION #2: THE BACKFILL TO BE PLACED WITHIN THE CANAL ON THE PRIVATE LAND PARCELS IN SEGMENT 7 SHOULD BE SUFFICIENTLY COMPACTED, TO AVOID RISKS OF FUTURE SUBSIDENCE, BECAUSE THE USE OF THIS LAND AFTER DECOMMISSIONING IS RESIDENTIAL WITH SMALL PARCELS

Section 2.8.2.1 of the proposed Decommissioning Plan provides that the underlying concrete-lined canal will be demolished and used as pulverized backfill: *"... the existing concrete lining within the canal will be removed and processed to be suitable as backfill (i.e., maximum particle size of 6 inches.) ...The entire concrete lining will be removed from the canal within private parcels. This concrete will be spread out and buried in the backfill of adjacent reaches of the canal that are owned by SCE."* (Section 2.8.2.1)

The presence of **lumps of fill material as large as six inches** presents particular risks of future subsidence as the backfilled land settles. In addition, **any fill material in such a volume** presents risks of subsidence.

It is not clear from the proposed Plan exactly what form of fill will be used to backfill the canal across the privately-owned parcels in Segment 7, whether it's this pulverized fill or other imported fill from outside. Regardless of the source/nature of the backfill material to be used, it needs to be sufficiently compacted in order to allow the restored land to be consistent with future residential use on small-sized parcels.

It is noted that parcels of land in the immediate area, such as Parcel [REDACTED] (which is also owned by Eldarica Land Corporation), are **as small as 0.23 acres**. Accordingly, after the Canal is decommissioned, the land and its soil need to be restored to the same character of the neighborhood. Given that the probable future use of the decommissioned land will be the same residential use as this neighborhood, with parcel sizes of quarter-of an acre being common, an uncompacted canal area will be unacceptable. One cannot "build around" land prone to subsidence where the parcel size is as small as a quarter acre.

It is further noted that, in this residential area, it will be children and families who will be on the land which is being decommissioned and reverting to residential use. The fill will need to be compacted to engineering standards stringent-enough to avoid risks of subsidence-injury to human occupants.

SoCalEdison is accordingly requested, when it abandons the Borel Canal easement, to **compact the soil**, to standards sufficient for reverted small-parcel residential use, without significant risks of subsidence.

OBJECTION #3: THE PRESENT CONSTRUCTION SCHEDULE IS VAGUE AND OPEN-ENDED AS TO WHEN THE VARIOUS OPERATIONS WILL BE COMPLETED. SPECIFICALLY, THE BACKFILL OF THE PRIVATELY OWNED PARCELS LOCATED IN SEGMENT 7 SHOULD BE DONE FIRST, BEFORE THE OTHER TEN SEGMENTS IN ORDER THAT THE DURATION OF THE PROJECT BLIGHT ON PRIVATE OWNERS CAN BE MITIGATED

The present Decommissioning Plan is vague and uncertain as to when the backfilling operations within Segment 7 will be scheduled and when they will be completed. For example, Vol III at p.24/239 states:

“Once FERC issues its order approving the Surrender Application, it is expected that the decommissioning process will take more than five years”

This vague uncertainty is objectionable, especially **the open-ended nature of “more than five years”**, because it means private property owners cannot plan for the future development of their properties. As long as this cloud of uncertain-delay hangs over Segment 7, **project blight** damages private property located in Segment 7, and exposes SoCalEdison to constitutional **temporary takings damages claims**. See: First English Evangelical Lutheran Church v. County of Los Angeles, 482 U.S. 304 (1987).

The Environmental Assessment (Volume 3, Page 29/239, at Item 9) is likewise vague, stating merely that: *“SCE or the contractor **will** develop a suite of plans that the contractor **will** be required to follow throughout the decommissioning process.”* (Emphasis added.) However, no information is specified as to what these future unstated plans “will” specify, so the public cannot evaluate them or comment.

The Plan states that there are 35 private owners impacted by this Canal Decommissioning project. The Environmental Assessment (see, Volume III, at page 24/239) indicates that ALL of these private owners are located within Segment 7. (Note the contradiction at page 27/239 that Segment 8 may have some.) Regardless of whether it is all or most, private ownership appears strongly concentrated in Segment 7.

With this project dragging on over the course of a decade, the negative impact of the blight caused by this project is significant. The affected properties remain “in limbo” while this project drags on and on.

It will significantly mitigate the adverse environmental impact of this Canal Decommissioning project if SoCalEdison schedules its construction to **deal first with the backfilling of the Canal in Segment 7**. In general, SoCalEdison should **schedule backfilling first on the privately-owned properties** and later on publicly-owned properties, in order to **minimize the duration of project blight on private owners**.

SoCalEdison is accordingly requested, when it abandons the Borel Canal easement, to make every effort to **schedule backfilling operations first within Segment 7** and later in the other ten project segments.

COMMENTS ON THE ENVIRONMENTAL ASSESSMENT (SEE VOLUME III)

- A. **Air quality impacts from adverse impacts of backfilling in the residential areas of Segment 7** and on schools too are not adequately addressed in the present Draft of the Environmental Assessment. Specifically, the adverse impacts on human health from soil moving of exposure to carcinogenic PM-2.5 and PM-10 particulate matter, as well as exposure to pathogens like "Valley Fever", are not mentioned in this Draft. Related mitigation measures like expediting completion of backfilling in Segment 7 to reduce the duration of exposure in the residential areas of Segment 7 should also be evaluated and addressed.
- B. **Noise impacts from pulverizing concrete in residential areas of Segment 7** and on schools too are not adequately addressed in the present Draft of the Environmental Assessment. Related mitigation measures like expediting completion of backfilling in Segment 7 to reduce duration of noise impacts in the residential areas of Segment 7 should also be evaluated and addressed.
- C. **Dust impacts from backfilling the Canal in residential areas of Segment 7** and on schools too are not adequately addressed (see p.199/239) in the present Draft of the Environmental Assessment. Related mitigation measures like revegetating the filled canal with native plants where it passes through Segment 7 should be evaluated and addressed, because this could significantly mitigate dust impacts.
- D. **Traffic impacts and road deaths from trucking fill material through the residential areas of Segment 7** are not adequately addressed in the present Draft of the Environmental Assessment. Related mitigation measures for Segment 7 in particular should be evaluated and addressed.
- E. **The "estimate" that 1,000 truckloads of fill material will be needed to backfill the whole canal is woefully understated, and no supporting calculation is offered to support this estimate** (P.197/239.) The number of truck trips will correlate directly with the adverse traffic impacts and related road deaths, so it is important that the number of truckloads needed to fill the whole canal be accurately calculated, instead of presenting this inadequate unsupported supposed-estimate. The environmental document is supposed to be an "informational document", unlike this Assessment which is misleading/guessing here.
- F. **Protections for the HUMAN environment are inadequate in this Assessment.** P.28/239 refers to "... the human and natural environment ..." (emph. added) but too few human impacts are addressed.
- G. **In the assessment of water quality, arsenic is not mentioned** even though this is a significant issue in the Lake Isabella area. See pages 62-63/239. See also page 104/239.
- H. **The Assessment of Land Use misstates or understates or ignores RESIDENTIAL USE**, and falsely states at Page 192/239 that: "**Land use within the FERC Project boundary is generally <FALSE> limited to hydroelectric generation as well as limited recreation.**" (Emph. added.) Significant but disregarded residential uses exist, involving 35 private owners whose private property rights cannot be ignored in this conclusory misleading recitation purporting to address "(l)and use within the FERC Project boundary." This mischaracterization continues at page 193/239, with misleading comments that "... (t)here are several minor population centers in the Borel Project Vicinity ..." (emphasis added), and that "... (t)here are also scattered housing units outside these communities ..." Under the heading of "Residential and Commercial Use", none of which is particularized, the comment on "Wofford Heights and Lake Isabella" is that they "... have better access to the lake (and) have developed recreation facilities" (emph. added), without recognizing that the primary **homes and residences of thousands of people** are located here. Also, **multiple private parcels are under the Borel Canal itself**, so impacts on these must be addressed.

- I. **The totally FALSE CLAIM is made at Page 197/239, in Section 3.8.2.2, that:**
“Project decommissioning and surrender will not affect <FALSE> adjacent land uses; therefore, no <FALSE> long-term <FALSE> effects on land use associated with Borel Project decommissioning would occur.”

As discussed above, **project blight** creates significant adverse impacts on nearby residential uses, involving the private property interests of 35 private owners within or under the Borel Canal area. Perhaps SoCalEdison is arguing that in its view there are no “**long-term**” effects (though there are), because at page 196/239 SoCalEdison ADMITS THERE ARE ADVERSE SHORT-TERM EFFECTS, stating:

“There may be (sic) short-term and minor (sic) effects on ... land use during < IS “MORE THAN FIVE YEARS” OR EVEN A DECADE ONLY “SHORT-TERM”? > decommissioning activities; however no long-term impacts are expected from ... decommissioning because (?) ... no non-Project land uses will be modified.”

When SoCalEdison degenerates the INFORMATIONAL document this Environmental Assessment is meant to be, into some kind of ADVOCACY document such as we see here, choosing to ADVOCATE its disingenuous positions (such as that decade-long open-ended impacts are in its view “**short-term**”, and “**minor**”) without ANY assessment of how egregiously its project is already blighting landowners, and bases its advocacy on spurious foundations such as “... **no non-Project land uses will be modified**” (whatever that means, and even though any “**modification**” or otherwise of “**non-Project**” land uses is not the issue), the result is that SoCalEdison discredits its ENTIRE purported Environmental Assessment. Clearly, this is NOT AN “INFORMATIONAL” DOCUMENT enabling comment or objective decision-making. Instead, it is a biased skewed ADVOCACY instrument in which Edison is fudging many important issues, ignoring the facts, minimizing the harm it is causing to private owners, and tainting the whole purpose.

- J. **The FALSE AND MISLEADING CLAIM is made at Page 197/239, in Section 3.8.2.2, that:**
“Scenic resources will be generally <FALSE – only in specific cases> improved as facilities are removed <BUT NOT WHERE A BRIDGE IS ABANDONED IN PLACE>...”

Scenic resources will be materially worsened, for example, where the rusty old “**Bridge to Nowhere**” is, as SoCalEdison proposes, abandoned in place in the same spot over the now-filled canal, no longer serving any use or function, and constituting a dangerous nuisance and a scar on scenic resources. Page 201/239 admits that “**retention**” involves high adverse impacts on visual resources, so this is a material contradiction. The visual blight of this “**Bridge to Nowhere**” must be removed not obfuscated.

- K. **The FALSE AND MISLEADING CLAIM is made at Page 204/239, in Section 3.10.2, that:**
“... no other Borel Project facilities were found to create visual contrast ...”

Edison purports to position its advocacy in this Environmental Assessment on a **FAKE DISTINCTION**, namely that **some are “Project” facilities and others are “Non-Project” facilities** (without definition.) Specifically, Edison asserts that an essential bridge over its canal, which provides access for students to reach the school, is a “**Non-Project**” facility, without any attempt at explaining this conclusory assertion. The bridge over the canal is as essential a part of the project as the concrete in the canal, and to attempt to argue an advocacy-view to the contrary, as SoCalEdison does here, is absurd. If it quacks like a duck, and waddles like a duck, and has feathers like a duck, surely we assume it’s a duck? How can a bridge necessitated by a canal under it be anything other than part of the same canal project? The School Pedestrian Bridge, for purposes of proper environmental evaluation, must be treated as being **included** as **PART** of the Canal, and when the Canal is decommissioned, so too must the Bridge be removed. Whatever contorted view Edison has to the contrary, must be disregarded for environmental purposes.

L. **The FALSE AND MISLEADING INNUENDO is raised at Page 197/239, in Section 3.8.2.2, that:**

“Scenic resources will be generally <FALSE – only in specific cases> improved as landscape is rehabilitated to match natural conditions ...” (whatever that means?)

Nowhere in these documents does SoCalEdison ACTUALLY COMMIT to ensure that in Segment 7 (amidst dense residential uses) that ACTUALLY the landscape will be rehabilitated by restoring native vegetation. “Natural conditions” are absolutely not a five-mile-long strip of bare sand, eighty feet wide, devoid of any native vegetation. If SoCalEdison actually plans to revegetate this strip with native vegetation, which seems essential to mitigate dust, let SoCalEdison clearly and unambiguously say so in this Assessment, without hiding behind these vagaries like “generally” the landscape will “match natural conditions” (sic), whatever that may mean. The innuendo that “the landscaping will be fine, just trust us” is not enough. If this is an INFORMATIONAL document we need to see clear SPECIFICS not vague ambiguous innuendos.

M. **Doubt exists whether it will actually happen that the following statement will be literally true:**

“All work areas will be ... revegetated to pre-existing conditions ...” (See page 204/239.)

The vegetation which “pre-existed” the Borel Canal many decades ago was all NATIVE PLANTS. Can the public rely on this promise by Edison, or might these words not be worth the paper they are written on? What ENFORCEMENT MECHANISMS will exist in the future to require Edison to honor its commitments? SoCalEdison should be **required to post a bond which guarantees ALL its obligations and commitments.**

N. **SoCalEdison’s supposed Environmental Assessment is a one-sided ADVOCACY DOCUMENT, NOT A BALANCED INFORMATIONAL DOCUMENT, because it omits the other half of the same facts.**

For example, Page 204/239, in Section 3.10.2, advocates the view that: *“The removal and modification of Borel Project facilities, as well as revegetation of disturbed areas, is expected to have a long-term beneficial impact on aesthetic resources.”* Yes, this is half of the truth, but what about the other half, where the facilities are NOT REMOVED or the disturbed areas are NOT RESTORED with native plants? Instead of presenting **both** sides of the facts, Edison’s “ADVOCACY-TYPE” ENVIRONMENTAL ASSESSMENT OMITTS TO PRESENT A BALANCED VIEW BY OMITTING TO MENTION THE OTHER SIDE OF THE SAME COIN. Specifically it is equally true that: Abandonment in place of obsolete eyesores like the School Bridge will have a major long-term ADVERSE impact on aesthetic resources. But this half is not even mentioned.

O. **The FALSE AND MISLEADING CLAIM is made at Page 205-206/239, in Section 3.10.2, that:**

“With the exception of the Diversion Dam and Intake Structure and Overflow Dam at Settling Basin upstream of the Canal Inlet Structures which are all proposed to be abandoned in place, the Borel Canal will be abandoned with modification (e.g., bridges <NOT ALL>, siphons, tunnels), demolished and buried or backfilled, or demolished and hauled off site, (e.g. penstocks and flumes.)” (Emphasis added.)

No. This allegation is FALSE. What about the SCHOOL PEDESTRIAN BRIDGE? That is not proposed for either (a) abandonment with modification or (b) removal. It is being **ABANDONED IN PLACE** by Edison. Edison needs to **REMOVE the SCHOOL PEDESTRIAN BRIDGE**, not dishonor its clear decommissioning responsibilities by abandoning the School Pedestrian Bridge in place, leaving this dangerous eyesore.

P. **The information presented is INCOMPLETE and cannot be adequately reviewed by the public.**

Page 216/239 states that Edison “INTENDS TO PREPARE” various mitigation plans, but this mitigation **has not been presented here**, so the public is denied the opportunity to review and comment. This is a critical defect, and invalidates this Draft Environment Assessment on grounds of **defective due process**. Likewise, at Page 220/239, there is **no Cumulative Impact Analysis**, only an unfounded conclusory claim.