

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 382-099 California
Borel Project
Southern California Edison

March 11, 2019

James A. Buerkle, Director of Generation
Southern California Edison
1515 Walnut Grove Avenue
Rosemead, CA 91770

Subject: Loss of Land Rights and Surrender Application

Dear Mr. Buerkle:

On October 23, 2018, and on March 6, 2019, we received notice that the U.S. Army Corps of Engineers (Corps) condemned easements for lands needed to operate the Borel Hydroelectric Project No. 382 (Borel Project). The Borel Project is owned and operated by Southern California Edison (SCE) and is located on the North Fork of the Kern River in Kern County, California.

Background

The Borel Project was first licensed in 1925.¹ The original project included a diversion dam across the Kern River and diverted water passed through a 12-mile canal to the forebay of the powerhouse (Borel Canal). In 1950, SCE amended the project in accordance with a Corps flood control project— Isabella Dam, which includes a Main Dam and Auxiliary Dam creating Lake Isabella and inundating the original diversion dam across the Kern River.² The Auxiliary Dam was built over top of the Borel Canal. SCE retained an easement for the Borel Canal so that it could continue operating the project after construction of the Auxiliary Dam.

¹ Fifth Annual Report of the Federal Power Commission 183. The project required a license because it occupies U.S. Bureau of Land Management and U.S. Forest Service lands.

² *Southern California Edison Co.*, 9 F.P.C. 953 (1950).

SCE currently operates the project under a license issued by the Commission on May 17, 2006.³ The project occupies approximately 159 acres of U.S. Forest Service lands within the Sequoia National Forest. The Borel Project includes: a 158-foot-long, 4-foot-high concrete diversion dam with a 61-foot-long intake structure on the North Fork of the Kern River; an 11.2-mile-long canal (the Borel Canal) with a second intake structure at the Isabella Auxiliary Dam about 4 miles below the diversion dam; and penstocks from the canal leading to the powerhouse with a total installed capacity of 12 megawatts. Water is discharged from the powerhouse into the Kern River.

The Corps determined that the Auxiliary Dam does not meet current seismic stability standards and must be modified to ensure that potential earthquakes do not pose a threat. The Corps has begun a dam safety modification project that will address the seismic stability concerns. The Corps has rated the modification project with the highest priority classification. As part of dam safety modification process, the Corps condemned approximately 10.7 acres of land associated with the Borel Project. The modification project includes decommissioning and removing SCE's Borel Canal that runs under the Auxiliary Dam. Thus, removing the canal would render the hydroelectric project non-functional since the canal is the only way the project receives water for generation.

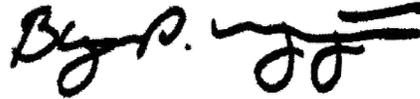
Surrender Application

Article 5 of your license requires you to retain all rights needed to maintain and operate the Borel Project. Because the Corps has acquired the rights to lands occupied by the Borel Canal, and because the project is no longer operational, you must file an application to surrender your license. Your surrender application must address the disposition of all project facilities i.e., removal, modification, or abandonment in place and must be developed in accordance with 18 C.F.R. § 6.1. Therefore, within 60 days from the date of this letter, please file a plan and schedule for filing a surrender application for Commission approval. Your plan and schedule should include filing your surrender application within one year.

³ *Southern California Edison Company*, 115 FERC ¶ 62,187 (2006).

Thank you for your attention to this request. If you have any further questions, please contact Rebecca Martin at (202) 502-6012 or rebecca.martin@ferc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Peter Yarrington". The signature is fluid and cursive, with a prominent horizontal stroke at the end.

B. Peter Yarrington, Acting Branch Chief
Chief, Environmental and Project Review Branch
Division of Hydropower Administration
and Compliance

cc: Wayne Allen
Southern California Edison
1515 Walnut Grove Avenue
Rosemead, CA 91770