

# **Southern California Edison**

## **Application for Surrender of License Borel Hydroelectric Project FERC Project No. 382**

### **Volume I**



### **Initial Statement**



December 2022

DRAFT

PAGE INTENTIONALLY LEFT BLANK

# **Southern California Edison**

## **Application for Surrender of License Borel Hydroelectric Project FERC Project No. 382**

### **Volume I**

### **Initial Statement**

Southern California Edison  
1515 Walnut Grove Ave.  
Rosemead, CA 91770

December 2022

PAGE INTENTIONALLY LEFT BLANK

## Table of Contents

1	Initial Statement.....	1
2	Additional Information Required by 18 C.F.R. § 4.32(a).....	5
3	Contents of Application .....	11
4	Subscription and Verification.....	13

DRAFT

PAGE INTENTIONALLY LEFT BLANK

DRAFT

# 1 Initial Statement

**United States of America**  
**Before the Federal Energy Regulatory Commission**  
**Application for Surrender of License for Major Project**

Southern California Edison (SCE) submits this Initial Statement as part of its Application to the Federal Energy Regulatory (FERC or Commission) for Surrender of License (Surrender Application) of the Borel Hydroelectric Project, FERC No. 382 (Borel Project). This Surrender Application is prepared in conformance with Title 18 of the Code of Federal Regulations (C.F.R.), Subchapter B (Regulations under the Federal Power Act), Part 6 (Surrender or Termination of License). The Commission's regulations do not include a form for initial statements associated with a surrender application. Because the Borel Project is a major project at an existing dam, SCE has used the form at 18 C.F.R. Section 4.51(a) as a guide for preparing this Initial Statement, which includes specified general information about the Borel Project, SCE, interested resource agencies, Native American Tribes, and state and local governments. This Initial Statement conforms to the regulations in 18 C.F.R. Section (§) 4.51(a) pertaining to the contents of an Initial Statement, and in 18 C.F.R. Section 5.18(a) that require, in part, that an application include certain general information.

*1. Applicant*

SCE applies to the FERC for a surrender of the license for the Borel Hydroelectric Project No. 382, as described in the attached volumes of this Application.

*2. Location of the Project*

State: California  
County: Kern  
Nearby Town: Bodfish  
Stream: Kern River

*3. SCE Business Address, Telephone Number and Website*

Southern California Edison Company  
1515 Walnut Grove Avenue  
Rosemead, CA 91770  
PO Box 800  
626-238-2902  
<https://www.sce.com/regulatory/hydro-licensing/borel>

#### 4. *SCE's Authorized Agents*

Wayne P. Allen  
Principal Manager, Regulatory Support  
Services  
Southern California Edison Company  
1515 Walnut Grove Avenue  
Rosemead, CA 91770  
626-302-9741  
[wayne.allen@sce.com](mailto:wayne.allen@sce.com)

Meg Richardson  
Borel Hydroelectric Project, Surrender  
Project Manager  
Southern California Edison Company  
1515 Walnut Grove Avenue  
Rosemead, CA 91770  
626-238-2902  
[Mary.M.Richardson@sce.com](mailto:Mary.M.Richardson@sce.com)

Kelly Henderson  
Senior Attorney, Environmental Law  
Southern California Edison Company  
1515 Walnut Grove Avenue  
Rosemead, CA 91770  
626-302-4411  
[Kelly.Henderson@sce.com](mailto:Kelly.Henderson@sce.com)

#### 5. *SCE's Organizational Status*

SCE is a domestic corporation of the State of California. SCE is not a municipality for purposes of the Federal Power Act (FPA); regardless, the preference provisions under Section 7(a) of the FPA do not apply to a surrender of license.

#### 6. *Pertinent California Statutory and Regulatory Requirements*

The statutory or regulatory requirements of the state in which the Borel Project is located that affect the Borel Project, as proposed, with respect to bed and banks; and to the appropriation, diversion, and use of water for power purposes; and with respect to the right to engage in the business of developing, transmitting, and distributing power, as well as any other business necessary to accomplish the purposes of the license under the FPA include the following:

- California Water Code Section 13160; Title 23, California Code of Regulations Sections 3855-3861 – California Water Code Section 13160 designates the California State Water Resources Control Board (SWRCB) as the state water pollution control agency for Federal Water Pollution Control Act and any other federal act. Title 23, California Code of Regulations, Sections 3855-3861 specify requirements and procedures for applications for water quality certificates required under federal law.
- SCE will apply to the SWRCB at the appropriate time in the License Surrender proceeding for Section 401 water quality certification and provide a copy of the request to FERC.
- The Federal Consistency Unit of the California Coastal Commission implements the federal Coastal Zone Management Act (CZMA) of 1972 as it applies to federal activities, development projects, permits and licenses, and support to state and local governments. In the CZMA, Congress created a federal and state partnership for management of coastal resources. The federal government certified the California Coastal Management Program (CCMP) in 1977.



SCE will consult with the California Coastal Commission and file with FERC documentation of the consultation and the Coastal Zone Commission.

*7. Name and Address of the Owners of the Existing Borel Project Facilities*

Southern California Edison Company  
1515 Walnut Grove Avenue  
Rosemead, CA 91770

No Borel Project works are federally owned.

DRAFT

PAGE INTENTIONALLY LEFT BLANK

DRAFT

## 2 Additional Information Required by 18 C.F.R. § 4.32(a)

1. *Identify every person, citizen, association of citizens, domestic corporation, municipality, or state that has or intends to obtain and will maintain any proprietary right necessary to construct, operate, or maintain the project:*

SCE is applying to surrender the existing license. Therefore, the requirements of Section 4.32(a) are not pertinent to this Surrender Application.

2. *Identify (providing names and mailing addresses):*

- i. *Every county in which any part of the project, and any Federal facilities that would be used by the project, would be located:*

Kern County  
1115 Truxtun Avenue, 5<sup>th</sup> Floor  
Bakersfield, CA 93301

The Borel Project does not use any Federal facilities. However, the Borel Project's canal system runs through the federally owned Lake Isabella and Lake Isabella Auxiliary Dam, which is operated by the U.S. Army Corps of Engineers (Corps):

U.S. Department of Defense, Army Corps of Engineers  
Sacramento District  
Isabella Dam Safety Modification Project  
1325 J Street, Room 1513  
Sacramento, CA 95814  
916-557-5100  
[isabella@usace.army.mil](mailto:isabella@usace.army.mil)

- ii. *Every city, town, or similar local subdivision:*

- A. *In which any part of the project, and any Federal facilities that would be used by the project, would be located:*

The Borel Project is not located within any city, town, or similar local subdivision. The Project does not use any federal facilities.

- B. *That has a population of 5,000 or more people and is located within 15 miles of the project dam:*

There are no communities with 5,000 or more people located within 15 miles of the Borel Project.

- iii. *Every irrigation district, drainage district, or similar special purpose political subdivision:*

A. *In which any part of the project, and any Federal facilities that would be used by the project, would be located:*

There are no irrigation districts, drainage districts, or other similar special-purpose political subdivisions located within the Borel Project area or which own, operate, or maintain any Borel Project facilities. The following water districts claim rights to the waters of the Kern River or divert water from the river downstream of the Borel Project and may be interested in the Surrender Application:

Kern County Water Agency Thomas D. McCarthy, General Manager PO Box 58 Bakersfield, CA 93302	Buena Vista Water Storage District Tim Ashlock, Engineer Manager PO Box 756 Buttonwillow, CA 93206
North Kern Water Storage District A. David Hampton , General Manager PO Box 81435 Bakersfield, CA 93380-1435	City of Bakersfield Arthur Chianellow, P.E, Water Resources Manager 1000 Buena Vista Road Bakersfield, CA 93311
Kern Delta Water District Mark Mulkay, Water Resources-Manager 501 Taft Highway Bakersfield, CA 93307	Tulare Lake Basin Water Storage Jacob Westra, General Manager 1001 Chase Avenue Corcoran, CA 93212

B. *That owns, operates, maintains, or uses any project facilities or any Federal facilities that would be used by the project:*

No irrigation district, drainage district, or other similar special-purpose political subdivision owns, operates, maintains, or uses any Borel Project facilities. The Borel Project does not use any federal facilities.

A Watermaster has been appointed for the Kern River to coordinate the Corps' operation of Lake Isabella with the water rights and conservation storage holders based upon water availability and contractual requirements:

L. Mark Mulkay  
Kern River Watermaster  
16294 Highway 43  
Wasco, CA 93280

- iv. 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, the application:

Margo A. Raison, County Counsel Kern County Admin & Courts Bldg. 1415 Truxtun Avenue Bakersfield, CA 93301-5215 <a href="mailto:mraison@kerncounty.com">mraison@kerncounty.com</a>	Kern County Water Resources Committee 2700 "M" Street, Suite 350 Bakersfield, CA 93301 661-862-8800 <a href="mailto:info@wakc.com">info@wakc.com</a>
Ryan Abler, District 1 Commissioner Kern County Parks and Recreation Kern County General Services Parks and Recreation 1115 Truxtun Avenue, 3rd Floor Bakersfield, CA 93301 661-868-7000 <a href="mailto:district1@kerncounty.com">district1@kerncounty.com</a>	CELL INTENTIONALLY LEFT BLANK

- v. All Native American Tribes that may be affected by the project:

Jacqueline "Danelle" Gutierrez Tribal Historic Preservation Officer Big Pine Paiute Tribe of Owens Valley <a href="mailto:d.gutierrez@bigpinepaiute.org">d.gutierrez@bigpinepaiute.org</a> PO Box 700 Big Pine, CA 93513	James Rambeau Chairperson Big Pine Paiute Tribe of Owens Valley <a href="mailto:j.rambeau@bigpinepaiute.org">j.rambeau@bigpinepaiute.org</a> PO Box 700 Big Pine, CA 93513
Sally Manning Environmental Director Big Pine Paiute Tribe of Owens Valley <a href="mailto:s.manning@bigpinepaiute.org">s.manning@bigpinepaiute.org</a> PO Box 700 Big Pine, CA 93513	Amy Flores Tribal Historic Preservation Officer Chumash Council of Bakersfield <a href="mailto:Amyflores000@gmail.com">Amyflores000@gmail.com</a> 4701 Beechwood Street, Suite 150 Bakersfield, CA 93309

(continued)

<p>Julio Quair Chairperson Chumash Council of Bakersfield <a href="mailto:chumashtribe@sbcglobal.net">chumashtribe@sbcglobal.net</a> 729 Texas Street Bakersfield, CA 93307</p>	<p>Carl Dahlberg Chairman Fort Independence Community of Paiute Indians <a href="mailto:receptionist@fortindependence.com">receptionist@fortindependence.com</a> PO Box 67 Independence, CA 93526</p>
<p>Sean Scruggs Tribal Historic Preservation Officer Fort Independence Community of Paiute Indians <a href="mailto:thpo@fortindependence.com">thpo@fortindependence.com</a> <a href="mailto:falconkeeper22@gmail.com">falconkeeper22@gmail.com</a> PO Box 67 Independence, CA 93526</p>	<p>David Laughing Horse Robinson Chairperson Kawaiisu Tribe <a href="mailto:horse.robinson@gmail.com">horse.robinson@gmail.com</a> PO Box 1547 Kernville, CA 93238</p>
<p>Bob Robinson Chairperson Kern Valley Indian Community <a href="mailto:bbutterbredt@gmail.com">bbutterbredt@gmail.com</a> PO Box 1010 Lake Isabella, CA 93240</p>	<p>Brandy Kendricks Kern Valley Indian Community <a href="mailto:krazykendricks@hotmail.com">krazykendricks@hotmail.com</a> 30741 Foxridge Court Tehachapi, CA 93561</p>
<p>Julie Turner Secretary Kern Valley Indian Community <a href="mailto:administrator@kawaiisu.org">administrator@kawaiisu.org</a> PO Box 1010 Lake Isabella, CA 93240</p>	<p>Delia Dominguez Chairperson Kitanemuk and Yowlumne Tejon Indians <a href="mailto:2deedominguez@gmail.com">2deedominguez@gmail.com</a> 115 Radio Street Bakersfield, CA 93305</p>
<p>Kathy Bancroft Tribal Historic Preservation Officer Lone Pine Paiute-Shoshone Tribe <a href="mailto:kathybancroft@gmail.com">kathybancroft@gmail.com</a> PO Box 40 Lone Pine, CA 93545</p>	<p>Mary Weuster Chairperson Lone Pine Paiute-Shoshone Tribe <a href="mailto:chair@lppsr.org">chair@lppsr.org</a> PO Box 747 Lone Pine, CA 93545</p>
<p>Colin Rambo Cultural Resources Technician Tejon Indian Tribe <a href="mailto:Colin.rambo@tejonindiantribe-nsn.gov">Colin.rambo@tejonindiantribe-nsn.gov</a> PO Box 640 Arvin, CA 93203</p>	<p>Leo Sisco Chairperson Santa Rosa Rancheria Tachi Yokut <a href="mailto:lsisco@tachi-yokut-nsn.gov">lsisco@tachi-yokut-nsn.gov</a> PO Box 8 Lemoore, CA 93245</p>

(continued)

Robert Gomez Chairman Tubatulabal Tribe <a href="mailto:rgomez@tubatulabal.org">rgomez@tubatulabal.org</a> PO Box 226 Lake Isabella, CA 93240	Octavio Escobedo Chairperson Tejon Indian Tribe <a href="mailto:oescobedo@tejonindiantribe-nsn.gov">oescobedo@tejonindiantribe-nsn.gov</a> PO Box 640 Arvin, CA 93203
Kerri Vera Environmental Coordinator Tule River Indian Tribe <a href="mailto:tuleriver@yahoo.com">tuleriver@yahoo.com</a> PO Box 589 Porterville, CA 93258	Tina Guerrero Vice Chair Tubatulabal Tribe <a href="mailto:tguerrero@tubatulabal.org">tguerrero@tubatulabal.org</a> PO Box 226 Lake Isabella, CA 93240
Rocky Stone White Blanket Allotment <a href="mailto:Stonz66@hotmail.com">Stonz66@hotmail.com</a> PO Box 376 Onyx, CA 93255	Neil Peyron Chairman Tule River Indian Tribe <a href="mailto:neil.peyron@tulerivertribe-nsn.gov">neil.peyron@tulerivertribe-nsn.gov</a> PO Box 589 Porterville, CA 93258
Mona Olivas Tucker Chairwoman yak titvu yak tihini – Northern Chumash Tribe <a href="mailto:olivas.mona@gmail.com">olivas.mona@gmail.com</a> 660 Camino Del Rey Arroyo Grande, CA 93420	Kenneth Woodrow Chairperson Wuksache Indian Tribe/Eshom Valley Band <a href="mailto:kwood8934@aol.com">kwood8934@aol.com</a> 1179 Rock Haven Court Salinas, CA 93906

### 3. Reporting Requirements to Property Owners

Because this Application is not for a license under Section 4 of the Federal Power Act, SCE need not provide notifications required under Section 4.32(a)(3) of the Commission’s regulations. Federal land management agencies that there is a reason to believe would likely be interested or affected by this Application are:

U.S. Department of Defense, Army Corps of Engineers, Sacramento District Isabella Dam Safety Modification Project 1325 J Street, Room 1513 Sacramento, CA 95814 916-557-5100 <a href="mailto:isabella@usace.army.mil">isabella@usace.army.mil</a>	U.S. Department of Agriculture, Forest Service Kern River Ranger District 11380 Kernville Road / PO Box 9 Kernville, CA 932398 760-376-7381 x 610
U.S. Department of the Interior, Bureau of Land Management Bakersfield Field Office Bakersfield, CA 93308 661-391-6000	CELL INTENTIONALLY LEFT BLANK

Although not required by Section 4.32(a)(3) of the Commission’s regulations, beginning in December 2020, SCE notified all landowners of properties within and adjacent to the FERC Project boundary regarding SCE’s license surrender. In all, there are 35 privately held parcels within the FERC Project boundary. SCE sent Borel Project communications to all 35 private property owners and met with many of them during dedicated landowner meetings and public townhall meetings. SCE has and will continue to make information available with those identified property owners throughout the license surrender process. More information is available in Volume IV - Record of Consultation, which provides a description of SCE’s consultation with stakeholders regarding decommissioning of Borel Project facilities and surrender of the license.

DRAFT



### 3 Contents of Application

Besides this Initial Statement (Volume I), this Application includes the following material:

- Volume II includes a Decommissioning Plan. This plan provides SCE's proposed decommissioning of Borel Project facilities. The plan includes proposed measures to protect environmental resources that may be affected during decommissioning and address any impacts that cannot be avoided, and an anticipated schedule for decommissioning.
- Volume III includes an Applicant-Prepared Draft Environmental Assessment. This document provides an assessment of environmental effects due to the implementation of SCE's proposed Decommissioning Plan.
- Volume IV includes a Record of Consultation. This record provides a description of SCE's consultation with stakeholders regarding decommissioning of Borel Project facilities and surrender of the license.
- Volume V includes non-public, Privileged Information and compiled data with regard to pre-contact and historic-era archaeological resources, historic built environment resources and Traditional Cultural Properties, and a record of consultation with Native American Tribes and agencies as appropriate. [Stakeholders – Volume V is in development and will be completed and included in the Application filed with FERC.]

In addition, the Application includes Exhibit A (Project Description), Exhibit F (Design Drawings), and Exhibit G (Project Maps) that are on file with FERC and included in the Application by reference. SCE has made no changes to these exhibits; they are included by reference in the Application for informational purposes only.

- Exhibit A, Project Description. This exhibit is available in FERC's eLibrary at Accession Number 20030310-0186 and is made part of this Surrender Application by reference for informational purposes.
- Exhibit F, Design Drawings. This exhibit, which contains Critical Energy Infrastructure Information (CEII) and is not available to the public, can be found in FERC's eLibrary at Accession Numbers 20030504-0004, 20060804-4013, and 20060815-0323. This exhibit is made part of this Surrender Application by reference for informational purposes only and is not available for public viewing.
- Exhibit G, Project Maps. This exhibit is available in FERC's eLibrary at Accession Numbers 20060804-4012, 20060815-0315, 20060815-0314, 20060804-4011 and is made part of this Surrender Application by reference for informational purposes.

PAGE INTENTIONALLY LEFT BLANK

DRAFT

## 4 Subscription and Verification

[To be executed for Final Surrender Application]

This Application for License Surrender for the Borel Hydroelectric Project, FERC Project No. 382, is executed in the State of California, County of Bakersfield, by [insert name] of Southern California Edison Company, 1515 Walnut Grove Avenue, Rosemead, California, 91770, who, being duly sworn, deposes and says that the contents of this application are true to the best of their knowledge or belief and that they are authorized to execute this application on behalf of SCE. The undersigned has signed this application on this \_\_\_\_ day of \_\_\_\_\_, 2022.

SOUTHERN CALIFORNIA EDISON COMPANY

By: \_\_\_\_\_

Wayne Allen

Principal Manager

Regulatory Support Services

Southern California Edison Company

Subscribed and sworn to before me, a Notary Public of the State of California, this \_\_\_\_  
day of \_\_\_\_\_, 2022.

\_\_\_\_\_

(Notary Public)

My Commission expires \_\_\_\_\_.

SEAL

PAGE INTENTIONALLY LEFT BLANK

DRAFT