



State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 Central Region  
 1234 East Shaw Avenue  
 Fresno, California 93710  
 (559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



January 7, 2022

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

Dear Ms. Bose and Mr. Davis:

**NOTIFICATION OF TEMPORARY SHUTDOWN OF KERN RIVER PLANTING BASE PIPELINE AT KERN RIVER NO. 3 HYDROELECTRIC PROJECT (P-2290-000)**

The California Department of Fish and Wildlife (CDFW or Department) is contacting the Federal Energy Regulatory Commission (FERC) and Southern California Edison (SCE or Licensee) regarding a letter sent to Gilbert Ditch Association, care of Tony Click, on January 5, 2022, regarding the temporary shutdown of the pipeline (e.g., siphon) serving the Kern River Planting Base Hatchery (Hatchery) adjacent to Kern River No. 3 Hydroelectric Project (P-2290-000 or Project) in Kern County, California.

The intent of the letter was to inform the Gilbert Ditch Association that the pipeline will remain inoperable during the temporary closure of the Hatchery, which was initiated on December 1, 2020, to complete repairs and improvements to a failing and unreliable water supply.

For context, on December 24, 1996, FERC issued a new license for this Project. On December 19, 2003, the Forest Service filed revised conditions under section 4(e) of the Federal Power Act to be included in the license to avoid or mitigate impacts caused by proposed Project operations. On May 12, 2004, FERC issued an order including Forest Service Condition No. 4 to establish minimum streamflow requirements. Condition No. 4 provides that SCE shall provide 35 cubic feet per second (cfs) flow diverted at Fairview Dam, through the Powerhouse tailrace to CDFW's Hatchery. If operations at the Hatchery change, then CDFW may specify that the 35 cfs not be diverted at Fairview Dam. Pursuant to this provision and the current state of Hatchery operations, CDFW requests that the 35 cfs not be diverted at Fairview Dam until the pipeline/siphon becomes operational or testing is required.

Because the Kern River flows that are typically diverted by the CDFW for Hatchery operations pursuant to Condition No. 4 of the license cannot be utilized for beneficial use at the Hatchery while inoperable, CDFW's Hatchery flow diversions and pipeline/siphon operation will not resume until pipeline repairs, improvements and testing can be completed and the Hatchery is again operational. An accurate timeline for reoperation of the pipeline, and thus, Hatchery operation, has not yet been set, but CDFW has engaged the California Department of General Services to develop the scope and timing for construction. The Department will notify the Licensee when Hatchery diversions resume.

Kimberly D. Bose, Secretary  
Nathaniel J. Davis, Sr., Deputy Secretary  
Federal Energy Regulatory Commission  
January 7, 2022  
Page 2

If you have any questions or concerns, please contact the CDFW Region 4 FERC Coordinator, Abimael León at (559) 243-4014, extension 251, or by email at [abimael.leon@wildlife.ca.gov](mailto:abimael.leon@wildlife.ca.gov).

Sincerely,

DocuSigned by:



FA83F09FE08945A...

Julie A. Vance  
Regional Manager  
California Department of Fish and Wildlife

cc: FERC  
[john.aedo@ferc.gov](mailto:john.aedo@ferc.gov)

SCE  
[daniel.keverline@sce.com](mailto:daniel.keverline@sce.com)  
[brian.lee@sce.com](mailto:brian.lee@sce.com)  
[martin.ostendorf@sce.com](mailto:martin.ostendorf@sce.com)  
[mary.m.richardson@sce.com](mailto:mary.m.richardson@sce.com)

CDFW  
[gerald.hatler@wildlife.ca.gov](mailto:gerald.hatler@wildlife.ca.gov)  
[brian.beal@wildlife.ca.gov](mailto:brian.beal@wildlife.ca.gov)  
[eric.jones@wildlife.ca.gov](mailto:eric.jones@wildlife.ca.gov)  
[abimael.leon@wildlife.ca.gov](mailto:abimael.leon@wildlife.ca.gov)