State Water Resources Control Board

CORRECTED NOTICE OF INFORMAL CONSULTATION WITH RESPONSIBLE AND TRUSTEE AGENCIES REGARDING AN ENVIRONMENTAL DOCUMENT

KERN RIVER NO. 3 HYDROELECTRIC PROJECT RELICENSING FEDERAL ENERGY REGULATORY COMMISSION PROJECT NO. 2290

To: Responsible and Trustee Agencies, Tribes, and Interested Parties

The State Water Resources Control Board (State Water Board) plans to prepare an environmental document for the continued operation of Southern California Edison Company's (SCE) Kern River No. 3 Hydroelectric Project (Project) under a new license issued by the Federal Energy Regulatory Commission (FERC). The environmental document will be prepared pursuant to the California Environmental Quality Act (CEQA) (Pub. Res. Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.).

The Project is licensed by FERC. FERC issues licenses for the operation of projects for 30 to 50 years. The existing Project license expires on November 30, 2026. SCE applied to FERC for a new license for the Project on November 22, 2024. FERC is expected to issue a Notice of Ready for Environmental Analysis in compliance with the National Environmental Policy Act. In accordance with section 401 of the Clean Water Act, SCE must apply for a water quality certification (certification[1]) for the Project's relicensing.

NOTICE OF INFORMAL CONSULTATION

Pursuant to CEQA Guidelines section 15063, subdivision (g), notice is hereby given that the State Water Board is conducting informal consultation with the responsible and trustee agencies (Agencies) to solicit input on the Proposed Project's CEQA process. Recipients of this notice are encouraged to inform other representatives of Agencies who may be interested. In addition, the State Water Board will accept similar input and supporting information from California Native American Tribes and other interested entities and persons.

The CEQA analysis will, among other things, evaluate potential impacts associated with the proposed project (i.e., relicensing of the existing Project with the changes noted in the *Proposed Project Description* section below). **The State Water Board would like to obtain recommendations, rationale, and supporting information regarding whether an Environmental Impact Report or a Negative Declaration/Mitigated Negative Declaration should be prepared to support the Project's FERC**

[1] A water quality certification is a permit that certifies that a project will comply with applicable water quality standards, limitations, and any other appropriate requirements of State law.

relicensing and State Water Board's certification decision. Recommendations and supporting information are due by the deadline in the *Deadline* section of this notice.

The State Water Board will use the CEQA analysis to support an informed decision whether to issue certification and if so, under what conditions. Certification issuance requires analysis of a Project's overall effect on water quality and an analysis of whether the designated beneficial uses identified in the appropriate water quality control plan(s) (basin plan) are adequately protected and other appropriate requirements of State law are met.

PROPOSED PROJECT DESCRIPTION

The 40.2-megawatt Project is located on the North Fork Kern River in Kern and Tulare counties, approximately 18 miles north of the town of Kernville.

The uppermost portion of the Project includes Fairview Dam (a 60-foot-high concrete dam) and its associated impoundment (approximately two acre-feet) on the North Fork Kern River. Water diverted at Fairview Dam flows through an approximately 13-mile-long flowline that crosses and diverts water from Salmon Creek and Corral Creek via the Salmon Creek Diversion and Corral Creek Diversion, respectively. The flowline is comprised of: 60,270 feet of tunnels, lined with concrete on the floors and sides and an arched ceiling where rock is unstable; 4,600 feet of concrete flumes that are 8.5-foot-wide by 8.25-foot-high; and 1,146-foot-long riveted steel pipe siphon that is supported on concrete piers anchored to bedrock along the hillside on the eastern side of the North Fork Kern River. The flowline ends at the Kern River No. 3 Powerhouse that discharges back into the North Fork Kern River (approximately 15 river miles downstream of Fairview Dam). Overflow from the flowline spills into Cannell Creek and then the North Fork Kern River upstream of the Kern No. 3 Powerhouse. Overflow events may occur when excess tunnel pressure must be relieved or when water in the flowline needs to be drained.

In addition to continued operations and maintenance of the Project under a new FERC license, SCE proposes the following:

- Modify the FERC Project boundary to include additional lands necessary for Project operations and maintenance, exclude lands not necessary for Project operations and maintenance and better align with modern spatial data, for a net reduction of 1.17 acres.
- Adjust minimum instream flows below Fairview Dam to move higher flows from July and August to May and June, conduct low flow sediment flushing of the Fairview Dam impoundment, and provide a recreational boating flow in the spring.
- Implement new or modified protection, mitigation, and enhancement measures for environmental resource and tribal/historic resource management. These new measures include: a stream gaging management plan; a recreation management plan and recreational boating flows release schedule; measures for the protection of rare, threatened, and endangered species during Project

maintenance activities; invasive plant monitoring; and a historic properties management plan.

DEADLINE

The State Water Board will accept written input until 5:00 p.m. on ~~Thursday~~ Friday November 20, 2026. Written input should specifically identify that it is provided as part of the "Kern River No. 3 Informal CEQA Consultation" and include recommendations as to the type of CEQA document, and rationale and supporting information for the recommended CEQA document type. Written input may be submitted by:

Email (preferred) to: WR401program@waterboards.ca.gov

or

Hard Copy Mail to:
State Water Resources Control Board
Division of Water Rights – Water Quality Certification Program
Attn: Annabelle Long
P.O. Box 2000
Sacramento, CA 95812-2000

KEEP INFORMED OF PROJECT MILESTONES

To receive emails related to the Project, interested persons should enroll in the "Water Rights Water Quality Certification" e-mail notification service. Instructions on how to sign up for the State Water Board's Email Subscription List are outlined below:

1. Visit the State Water Board's Email Subscription webpage at: https://www.waterboards.ca.gov/resources/email_subscriptions/.
2. Click on "State Water Resources Control Board" and on the next page provide your email address and click "Submit."
3. Below Subscription Topics, select "Water Rights," then "Water Rights Water Quality Certification provide your email in the required fields, then click the "Submit" button.
4. On the next page, below Subscription Topics, in the "Water Rights" section select "Water Rights Water Quality Certification" and click "Submit."
5. An email will be sent to you. You must respond to the email message to confirm your membership on the selected list(s).

By enrolling in this email list, you will receive notices for the Project's certification process and other current projects in the Division of Water Rights' Water Quality Certification Program. If you do not have internet access or do not wish to participate in the email subscription list, you may contact Annabelle Long by phone to: (916) 327-8555 to request to receive notices by mail. You can enroll or un-enroll from the email subscription service at any time.

QUESTIONS
If you have questions regarding this notice the best means of contact is by email to: Annabelle.Long@waterboards.ca.gov or phone call to: (916) 327-8555.

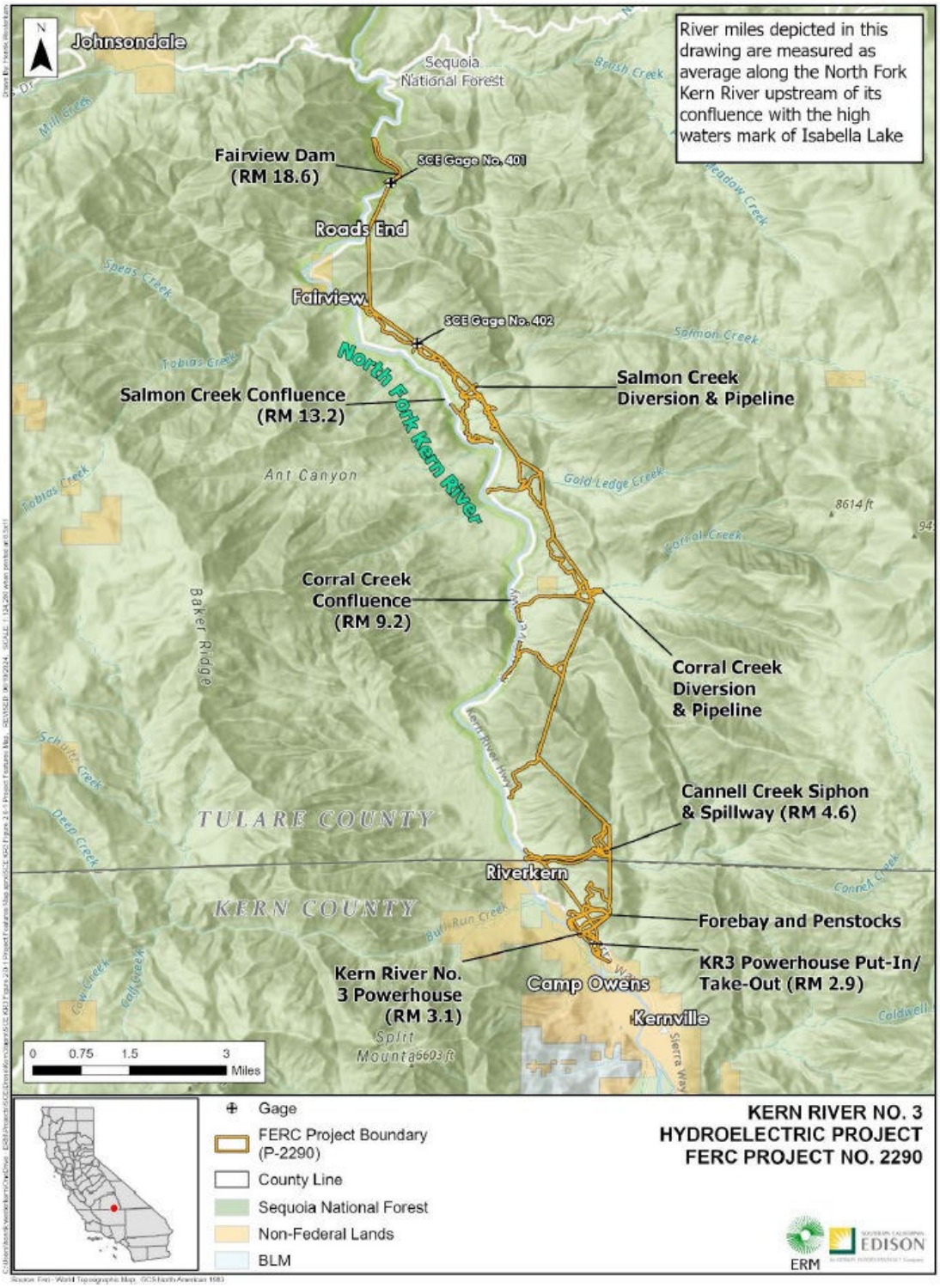
Parker Thaler 11/4/26

Parker Thaler
Water Quality Certification Program Manager
Division of Water Rights

Date

Attachment 1: Kern River No. 3 Hydroelectric Project Location Map
Attachment 2: Distribution List

ATTACHMENT 1:
KERN RIVER NO. 3 HYDROELECTRIC PROJECT LOCATION MAP



Kern River No. 3 Hydroelectric Project Location Map

ATTACHMENT 2: DISTRIBUTION LIST

Project FERC Docket **Via e-file to Project Docket for P-2290**	Sahrye Cohen United States Environmental Protection Agency, Region 9, Water Division R9cwa401@epa.gov
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ATTACHMENT 2: DISTRIBUTION LIST

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