



Wayne P. Allen
Principal Manager
Regulatory Support Services

Filed Electronically

August 28, 2024

Debbie-Anne A. Reese
Acting Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Subject: Rush Creek Hydroelectric Project, FERC Project No. 1389-059
Draft License Application**

Dear Acting Secretary Reese:

In accordance with Section 5.16(c) of the Federal Energy Regulatory Commission (FERC) regulations¹ and FERC staff's Process Plan and Schedule included in Scoping Document 2,² Southern California Edison Company (SCE) hereby files its Draft License Application (DLA) for the Rush Creek Hydroelectric Project (Project), FERC Project No. 1389.³

SCE is the licensee, owner, and operator of the Project. The Project is located on Rush Creek on the eastern slope of the Sierra Nevada in Mono County, California. The Project is approximately 4 miles southwest of the unincorporated community of June Lake and approximately 14 miles upstream from Mono Lake. The area around the Rush Creek Powerhouse is located on SCE-owned lands. However, most of the Project facilities occupy federal lands within the Inyo National Forest, which is under the jurisdiction of the United States Forest Service. Portions of the Project are also located on land within the Ansel Adams Wilderness Area and one distribution line spans the Owens River Headwaters Wilderness Area. The 13.01-megawatt Project includes three dams and associated reservoirs – Rush Meadows Dam (Waugh Lake), Gem Dam (Gem Lake), and Agnew Dam (Agnew Lake); a water conveyance system; the Rush Creek Powerhouse; and ancillary facilities.

SCE operates the Project under a 30-year license that was issued on February 4, 1997 (effective February 1, 1997) and which expires on January 31, 2027.⁴ In accordance with Section 15(c)(1) of the Federal Power Act and FERC's implementing regulations, SCE will file a Final License Application (FLA) for the Project with FERC on or prior to January 31, 2025⁵ to continue operation

¹ 18 CFR § 5.16(c).

² Scoping Document 2 for the Rush Creek Hydroelectric Project, Appendix A, Project No. 1389-059, Accession No. [20220527-3004](#) (issued May 27, 2022).

³ As required by FERC's regulations, 18 CFR § 5.16(c), SCE provided notification of its intent to prepare this DLA by letter dated April 5, 2024. Letter from Wayne Allen, SCE, to Debbie-Anne A. Reese, FERC, Project No. 1389-059, Accession No. [20240405-5180](#) (filed April 5, 2024).

⁴ *S. Cal. Edison Co.*, 78 FERC ¶ 61,109 (1997).

⁵ 16 USC § 808(c)(1); 18 CFR § 5.17(a).

and maintenance of the Project under a new license. The DLA is a major milestone in an intensive, multi-year relicensing effort by SCE, federal and state resource agencies, Native American Tribes, non-governmental organizations, and members of the public (collectively referred to as the “relicensing participants”). SCE initiated the relicensing effort with the filing of its Notice of Intent and Pre-Application Document with FERC on December 16, 2021.⁶ Since that filing over 2 years ago, SCE has diligently worked with relicensing participants to study the environmental and other public resources associated with the Project in an effort to inform SCE’s relicensing proposal – as set forth in the DLA – and FERC’s environmental review under the National Environmental Policy Act, as well as to inform decision making under the Federal Power Act and other applicable programs. Major milestones in this Integrated Licensing Process (ILP) that inform the DLA include:

- FERC’s Scoping Document 1⁷
- FERC’S Scoping Document 2⁸
- SCE’s Proposed Study Plan⁹
- SCE’s Revised Study Plan¹⁰
- FERC’s Study Plan Determination¹¹
- SCE’s Initial Study Report, reporting on the first year of studies¹²
- SCE’s Initial Study Report Meeting Summary¹³
- FERC’s Determination on Requests for Study Modification¹⁴

In addition, the DLA has been prepared in accordance with FERC’s ILP regulations set forth in Sections 4.51 and 5.18 of FERC’s regulations, as applicable,¹⁵ and is comprised of five volumes as described below:

⁶ Notice of Intent to File an Application for New License and Pre-Application Document, Project No. 1389-059, Accession Nos. [20211216-5070](#) and [20211216-5071](#) (filed December 16, 2021).

⁷ Scoping Document 1 for the Rush Creek Hydroelectric Project, Project No. 1389-059, Accession No. [20220214-3040](#) (issued February 14, 2022).

⁸ Scoping Document 2 for the Rush Creek Hydroelectric Project, Project No. 1389-059, Accession No. [20220527-3004](#) (issued May 27, 2022).

⁹ Proposed Study Plan for the Rush Creek Hydroelectric Project, Project No. 1389-059, Accession No. [20220526-5149](#) (filed May 26, 2022).

¹⁰ Revised Study Plan for the Rush Creek Hydroelectric Project, Project No. 1389-059, Accession No. [20220923-5167](#) (filed September 23, 2022).

¹¹ Study Plan Determination, Project No. 1389-059, Accession No. [20221026-3011](#) (issued October 26, 2022).

¹² Initial Study Report, Project No. 1389-059, Accession No. [20231027-5030](#) (filed October 27, 2023).

¹³ Initial Study Report Meeting Summary, Accession No. [20231121-5167](#) (filed November 21, 2023).

¹⁴ Determination on Requests for Study Modifications, Project No. 1389-059. Accession No. [20240223-3056](#) (issued February 23, 2024).

¹⁵ 18 CFR §§ 4.51, 5.18.

- Volume I: Initial Statement, General Content Requirements, Exhibit A, Exhibit B, Exhibit C, Exhibit D, Exhibit G, and Exhibit H (Public)
- Volume II: Exhibit F, Project facility drawings, and applicable design report (CUI//CEII–Contains Critical Energy Infrastructure Information–DO NOT RELEASE)
- Volume III: Exhibit E, including applicable appendices and technical study reports (Public)
- Volume IV: Biological Resources Information (CUI//PRIV–Contains Confidential Information–DO NOT RELEASE)
- Volume V: Cultural and Tribal Resources Information (CUI//PRIV–Contains Confidential Information–DO NOT RELEASE)

Volume II of the DLA contains Controlled Unclassified Information (CUI) and Critical Energy Infrastructure Information (CEII).¹⁶ This information contains sensitive and detailed engineering information that, if used incorrectly, may compromise the safety of the Project and those responsible for its proper operation. Volume II was e-filed with FERC under the “CEII tab” and is marked as “CUI//CEII–Contains Critical Energy Infrastructure Information–DO NOT RELEASE” in accordance with instructions issued by FERC.¹⁷ SCE requests that Volume II be maintained in a non-public file and withheld from public disclosure in accordance with applicable regulations.

Volume IV of the DLA contains information regarding the location(s) of special-status biological resources. The disclosure of this information could be harmful to these resources. Pursuant to 18 CFR § 385.1112, SCE requests confidential treatment of this information. Volume IV was e-filed with FERC under the “privileged tab” and is marked as “CUI//PRIV–Contains Confidential Information–DO NOT RELEASE” in accordance with instructions issued by FERC.¹⁸ SCE requests that Volume IV be maintained in a non-public file and withheld from public disclosure in accordance with applicable regulations.

Volume V of the DLA contains Draft Technical Study Reports for cultural and Tribal resources, which contain information regarding sensitive cultural resources and therefore qualifies as confidential information under 36 CFR § 800.11(c)(1). Disclosure of such information could be harmful to these resources. Volume V was e-filed with FERC under the “privileged tab” and is marked as “CUI//PRIV–Contains Confidential Information–DO NOT RELEASE” in accordance with instructions issued by FERC.¹⁵ Because this information is statutorily designated as confidential¹⁹ and exempt from public disclosure under the Freedom of Information Act,²⁰ SCE requests that Volume V be maintained in a non-public file and withheld from public disclosure in accordance with applicable regulations.

¹⁶ *Id.* § 388.113.

¹⁷ 18 CFR § 388.113.

¹⁸ 18 CFR § 388.112.

¹⁹ 54 USC § 307103 (requiring federal agencies to withhold from disclosure to the public information about the location, character, or ownership of a historic property if the agency determines that disclosure may cause a significant invasion of privacy, risk harm to the historic property, or impede the use of a traditional religious site by practitioners); 36 CFR §§ 800.6(a)(5), 800.11(c) (2023) (same).

²⁰ 5 USC § 552(b)(3) (exempting from public disclosure matters that are “specifically exempted from disclosure by statute”).

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As outlined in Section 5.18 of FERC's regulations,²¹ the DLA discusses SCE's proposal for continued operation and maintenance of the Project and disposition of select Project facilities. Exhibit E also includes SCE's preliminary proposal for environmental measures to address Project effects. SCE intends to continue discussing environmental measures with applicable stakeholders after filing the DLA to further refine the proposed environmental measures, as appropriate.

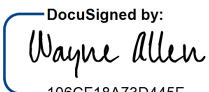
Exhibit E also includes the results of resource studies completed to-date in support of the relicensing proceeding (Draft Technical Study Reports provided in Volume III, Supporting Document A). SCE is currently conducting its second year of studies in accordance with the revised schedule as outlined in SCE's Initial Study Report filing and FERC's February 23, 2024, Determination on Requests for Study Modifications, which included additional or modified study components. Available study results will be included as part of the Updated Study Report to be filed with FERC no later than October 26, 2024. Studies not complete at the time of filing the Updated Study Report will be included in the Final License Application or supplemented at a later date.

SCE has made public portions of the DLA available to any relicensing participants interested in the Project's relicensing through SCE's public relicensing website at <https://www.sce.com/regulatory/hydro-licensing/rush-creek> or from FERC's eLibrary at <https://www.ferc.gov/ferc-online/elibrary>. In addition, the DLA can be viewed electronically during business hours at the June Lake Library located at 90 West Granite Avenue, June Lake, California 93529.

Pursuant to FERC's ILP regulations and the Process Plan and Schedule,²² all comments on the DLA must be filed within 90 days (i.e., by November 26, 2024).

SCE looks forward to our continued work with FERC staff and relicensing participants on the Rush Creek Project relicensing. If you have any questions regarding this filing, please contact Matthew Woodhall, SCE Relicensing Project Manager, by phone at (909) 362-1764 or via e-mail at matthew.woodhall@sce.com.

Sincerely,

DocuSigned by:

106CF18A73D445F...
Wayne P. Allen
Principal Manager

Cc: Distribution List

Enclosures:

- Volume I: Initial Statement, Exhibit A, B, C, D, G, and H (Public Information)
- Volume II: Exhibit F (Critical Energy Infrastructure Information) – DO NOT RELEASE
- Volume III: Exhibit E (Public Information)

²¹ *Id.* § 5.18.

²² 18 CFR § 5.16(e).

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- Volume IV: Biological Resources Information (Confidential Information) – DO NOT RELEASE
- Volume V: Cultural and Tribal Resources Information (Confidential Information) – DO NOT RELEASE

DISTRIBUTION LIST

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Antelope Valley Indian Community, Coville Paiute Tribe	Chairperson or Tribal Administrator		
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Mono Lake Kutzadika'a Tribe	Angela Eddy	884 Harry Street Big Pine, CA 93513	mono1paiute@gmail.com
North Fork Mono Tribe	Ron Goode, Chairman	13396 Tollhouse Road Clovis, CA 93619	rwgoode911@hotmail.com
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North Fork Rancheria of Mono Indians	Christina McDonald, Vice Chairperson		cmcdonald@northforkrancheria-nsn.gov
North Fork Rancheria of Mono Indians of California	Christina McDonald, Environmental Director	P.O. Box 869 North Fork, CA 93643	cmcdonald@northforkrancheria-nsn.gov
North Fork Rancheria of Mono Indians of California	Elaine Fink, Tribal Chair	P.O. Box 869 North Fork, CA 93643	efink@nfr-nsn.gov
Timbisha Shoshone Tribe	George Gholson, Tribal Chairman	621 West Line St., Suite 109 Bishop, CA 93515	george@timbisha.com
Timbisha Shoshone Tribe	Mandi Campbell, Tribal Historic Preservation Officer		thpo@timbisha.com
Tuolumne Band of Me-Wuk Indians	Kat Cantrell		kcantrell@mewuk.com
Tuolumne Band of Me-Wuk Indians	Jon Otterson, Tribal Administrator	P.O. Box 669 Tuolumne, CA 95379	jon@mewuk.com
Tuolumne Band of Me-Wuk Indians	Reba Fuller, Government Affairs Specialist	P.O. Box 669 Tuolumne, CA 95379	rfuller@mewuk.com
Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California	Andrea Reich, Chairperson		andrea@mewuk.com
Utu Utu Gwaitu Paiute Tribe Benton Paiute Reservation	Shane Saulque, Tribal Chairperson (INT) and Vice Chair	25669 Highway 6 PMBI Benton, CA 93512	shanesaulque@hotmail.com

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Utu Utu Gwaitu Paiute Tribe Benton Paiute Reservation	Dennis G. Chappabitty, Attorney at Law	25669 Highway 6 PMBI Benton, CA 93512	dennis@chaplawn.us
Walker River Paiute Tribe	Amber Torres, Chairperson	P.O. Box 220 Schurz, NV 89427	chairman@wrpt.org
Walker River Paiute Tribe	Linzey Scott, Tribal Historic Preservation Officer		Lscott@wrpt.org
Yosemite-Mono Lake Paiute Indian Community	Lucy Parker, Representative		lucy_basket4@yahoo.com
Yosemite-Mono Lake Paiute Indian Community	Melvin Brewster, Representative		nativearchdoc@yahoo.com
Yosemite-Mono Lake Paiute Indian Community	David Andrews, Representative	P.O. Box 163523 Sacramento, CA 95816	nayanake@comcast.net
Non-Governmental Organizations and Other Interested Parties			
Access Fund	Katie Goodwin	54880 Highway 395 Lee Vining, CA 93541	katie@accessfund.org
American Whitewater	Theresa Simsiman, Regional Coordinator		Theresa@americanwhitewater.org
Braveheart		P.O. Box 1625 Bishop, CA 93515	
California HydroPower Reform Coalition	Kelly Catlett, Associate Western States Director	2340 Brisbane Street West Sacramento, CA 95691	kelly@hydroreform.org
California Sportfishing Protection Alliance	Chris Shutes, FERC Projects Director	1608 Francisco Street Berkeley, CA 94703	blancapaloma@msn.com
California Trout	Curtis Knight, General Contact	P.O. Box 3442 Mammoth Lakes, CA 93546	Cknight@caltrout.org
California Trout	Sandra Jacobson, Sierra Headwaters Projects		Sjacobson@caltrout.org
California Trout	Marrina Nation		mnation@caltrout.org

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Double Eagle Resort	Ralph Lockhart, Owner	P.O. Box 731 B-736 June Lake, CA 93529	rlockhart@doubleeagle.com
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East Shore Silver Lake Improvement Association	Don Goffinet, Treasurer	801 Allardice Way Stanford, CA 94305	goff@stanford.edu
East Shore Silver Lake Improvement Association	Ann Marie Mahoney	8 Cresta Del Sol San Clemente, CA	annmarie.mahoney@icloud.com
East Shore Silver Lake Improvement Association	Jil Stark, Executive Vice President	890 East Harrison Avenue Pomona, CA 91767-2003	stark@fairplex.com
East Shore Silver Lake Improvement Association			mshoemaker@1stallied.com
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East Shore Silver Lake Improvement Association	Jim Mahoney	8 Cresta Del Sol San Clemente, CA	jrmfinfree@aol.com
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East Shore Silver Lake Improvement Association	Linda Coffin		linda@traveloe.com
East Shore Silver Lake Improvement Association	Steve Handy		shandyman58@gmail.com
East Shore Silver Lake Improvement Association	Roger Getts		roger.getts@pattondist.com
East Shore Silver Lake Improvement Association	Donald Getts		gettsd@sbcglobal.net
Eastern Sierra Audubon Society	Hillary Behr, President	P.O. Box 624 Bishop, CA 93515	president@esaudubon.org
Eastern Sierra Packers Association; Frontier Pack Train (Summer)		P.O. Box 656 June Lake, CA 93529	frontierpacktrain@gmail.com

Organization	Name/Title	Mailing Address	Email Address
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Friends of Silver Lake	John Wilt	10363 Sportsman Court Rancho Cordova, CA 95670 United States	jjwilt37@gmail.com
Friends of the Inyo	Ellen Wehr		eltrescott@hotmail.com
Friends of the Inyo	Wendy Schneider	819 North Barlow Bishop, CA 93514	wendy@friendsoftheinyo.org
Friends of the Inyo	Allison Weber, Forest and Water Campaigns Manager	748 Fairway Cir, Mammoth Lakes, CA 93546	allison@friendsoftheinyo.org
Friends of the River	Executive Director	1418 20th Street, Suite 100 Sacramento, CA 95811	janndorman@friendsoftheriver.org
Friends of the River	Ron Stork		Rstork@friendsoftheriver.org
Grant Lake Reservoir Marina	Doug Smith	P.O. Box 21 June Lake, CA 93529	Dsmith@rossignol.com
Grant Lake Resort	Tony Hallum	1 Grant Lake Resort P.O. Box 627 June Lake, CA 93529	management@grantlakeresort.com
Hydropower Reform	Sarah Lillie, Associate Director	1101 14th Street NW, Suite 1400 Washington DC 20005	sarah@hydroreform.org
Inyo-Mono Resource Conservation District	Hal Curti, President	270 North See Vee Lane #6 Bishop, CA 93514-9624	hal@curtiranch.com
June Lake Brewing	Sarah Walsh	PO Box 600, June Lake, CA 93529	sarah@junelakebrewing.com
June Lake Loop Chamber of Commerce		P.O. Box 2 June Lake, CA 93529	
June Lake Loop Historical Society		P.O. Box 104 June Lake, CA 93529	
June Lake Motel	Lisa Oepkes	2716 California 158 June Lake, CA	Reservations@JuneLakeMotel.com

Organization	Name/Title	Mailing Address	Email Address
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Lee Vining Chamber of Commerce		P.O. Box 131 Lee Vining, CA 93541	info@monolake.org
Mammoth Lakes Chamber of Commerce	Ken Brengle, Executive Director	P.O. Box 3268 2520 Main Street Mammoth Lakes, CA 93546	info@mammothlakeschamber.org
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Mono Basin Historical Society			curator@monobasinhistory.org
Mono Basin Scenic Area Visitor Center		1 Visitor Center Drive Lee Vining, CA 93541	
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Mono Lake Committee	Bartshe Miller, Eastern Sierra Policy Director	P.O. Box 29 Lee Vining, CA 93541	bartshe@monolake.org
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Mono Lake Committee	Robert Di Paolo (he/him), Restoration Field Technician	Hwy 395 at Third Street, P.O. Box 29, Lee Vining, CA 93541	robbie@monolake.org
Mono Lake Committee	Teri Tracy	P.O. Box 29 Corner of Hwy 395 & 3rd Street Lee Vining, California 93541 United States	ttracy@monolake.org
Northern California Power Agency	Sondra Ainsworth, Treasurer - Controller	651 Commerce Drive Roseville, CA 95678-6411	sondra.ainsworth@ncpa.com
Owens Valley Committee	Mary Roper	P.O. Box 77 Bishop, CA 93515	maryroper51@gmail.com
People for Mono Basin Preservation	Kathleen Maloney Bellomo	P.O. Box 217 Lee Vining, CA 93541	hydroesq@schat.net
Planning and Conservation League	Howard Penn, Executive Director	1107 Ninth St., Suite 360 Sacramento, CA 95814	pclmail@pcl.org

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Reverse Creek Lodge	David Naader	52 S. Texas Street June Lake, CA 93529	reverse@qnet.com
Saddlebag Lake Resort / Tioga Pass Resort LLC		P.O. Box 303 Lee Vining, CA 93541	saddlebaglake@gmail.com
Sierra Business Council	Steve Frisch, President	10183 Truckee Airport Road #202 Truckee, CA 96161	sfrisch@sierrabusiness.org
Sierra Club, Toiyabe Chapter		2101 Webster St., Suite 1300 Oakland, CA 94612	chair@toiyabe.sierraclub.org
Sierra Club, Toiyabe Chapter, Range of Light Group	Mark Bagley, Owens River Watershed Conservation Chair	53 S. Texas Street June Lake, CA 93529	markbagley02@gmail.com
Sierra Nevada Alliance	Jenny Hatch, Executive Director	P.O. Box 7989 South Lake Tahoe, CA 96158	jenny@sierranevadaalliance.org
Sierra Nevada Big Horn Sheep Foundation	John Wehausen, Executive Director	P.O. Box 1183 Bishop, CA 93515	
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