FEDERAL ENERGY REGULATORY COMMISSION
Washington, DC 20426
July 29, 2024

OFFICE OF ENERGY PROJECTS

Project No. 1390-069 – California
Lundy Hydroelectric Project
Southern California Edison Company

VIA FERC Service

Subject: Scoping Document 2 for the Lundy Hydroelectric Project

To the Parties Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document submitted by Southern California Edison for relicensing the Lundy Hydroelectric Project (Lundy Project) (FERC No. 1390). The project is located on Mill Creek, approximately 7.6 miles northwest of Lee Vining, in Mono County, California. The project is also partly located on federal land within the Inyo National Forest managed by the Forest Service and federal land administered by Bureau of Land Management (BLM).

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, Commission staff will prepare either an environmental assessment or an environmental impact statement (collectively referred to as the "NEPA document"), which will be used by the Commission to determine whether, and under what conditions, to issue a new license for the project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed, and that the NEPA document is thorough and balanced.

Our preliminary review of the scope of environmental issues to be addressed in our NEPA document was contained in Scoping Document 1 (SD1), which was issued on April 17, 2024. We requested comments on SD1 and held scoping meetings on May 14 and 15, 2024, to hear the views of all interested entities on the scope of issues that should be addressed in the NEPA document. We revised SD1 based on the verbal comments we received at the scoping meetings and written comments we received throughout the scoping process. The enclosed Scoping Document 2 (SD2) describes the proposed action and alternatives, the environmental analysis process we will follow to prepare the NEPA document, and a revised lists of issues to be addressed in the NEPA document. ***Key changes from SD1 to Scoping Document 2 (SD2) are identified in bold, italicized text.***

SD2 is being distributed to both SCE's distribution list and the Commission's official mailing list for the project (see Section 9.0, *Mailing List* of the attached SD2). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to efiling@ferc.gov or by mail. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne Reese, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All written or emailed requests must specify your wish to be added to or removed from the mailing list and must clearly identify the following on the first page: **Lundy Hydroelectric Project No. 1390-069.**

The enclosed SD2 supersedes SD1. SD2 is issued for informational use by all interested parties; no response is required. If you have questions about SD2, the scoping process, or how Commission staff will develop the NEPA document for the project, please contact Jessica Fefer, the Commission's relicensing coordinator for the project at (202) 502-6631 or jessica.fefer@ferc.gov. Additional information about the Commission's licensing process and the project may be obtained from the Commission's website, www.ferc.gov.

Enclosure: Scoping Document 2

SCOPING DOCUMENT 2

LUNDY HYDROELECTRIC PROJECT

PROJECT NO. 1390

CALIFORNIA

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

July 29, 2024

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SCOPING DOCUMENT 1

1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),[1] may issue licenses for terms ranging from 30 to 50 years for the continued operation, and maintenance of non-federal hydroelectric projects. On February 23, 2024, Southern California Edison Company (SCE) filed a Pre-Application Document (PAD) and Notice of Intent (NOI) to seek a new license for the Lundy Hydroelectric Project (Lundy Project or project) (FERC Project No. 1390).[2]

[1] 16 U.S.C. § 791(a)-825(r).

[2] The current license for the project was issued on March 3, 1999 and the license expires on February 28, 2029.

The Lundy Project is located on the eastern slope of the Sierra Nevada along Mill Creek, approximately 7.6 miles northwest of Lee Vining, in Mono County, California. The project is situated on Mill Creek, partly within Inyo National Forest, managed by the United States Forest Service (Forest Service), and partly on federal lands administered by the Bureau of Land Management (BLM). The remaining project lands are privately owned by SCE. The total installed capacity of the project powerhouse is 3-megawatts (MW) and the average annual generation from 2013-2022 was 7,458 megawatt-hours. Section 3.0, *Proposed Actions and Alternatives* provides a detailed description of the project, and figure 1 shows the project location and the primary project facilities.

The National Environmental Policy Act (NEPA) of 1969,[3] the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the project as proposed and consider reasonable alternatives. We will prepare an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the "NEPA document") that describes and evaluates the probable effects, if any, of the licensee's proposed action and alternatives. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

[3] National Environmental Policy Act of 1969, as amended (Pub. L. 91-190. 42 U.S.C. §§ 4321-4347, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 97-258, §4(b), September 13, 1982, Pub. L. 118-5, June 3, 2023.

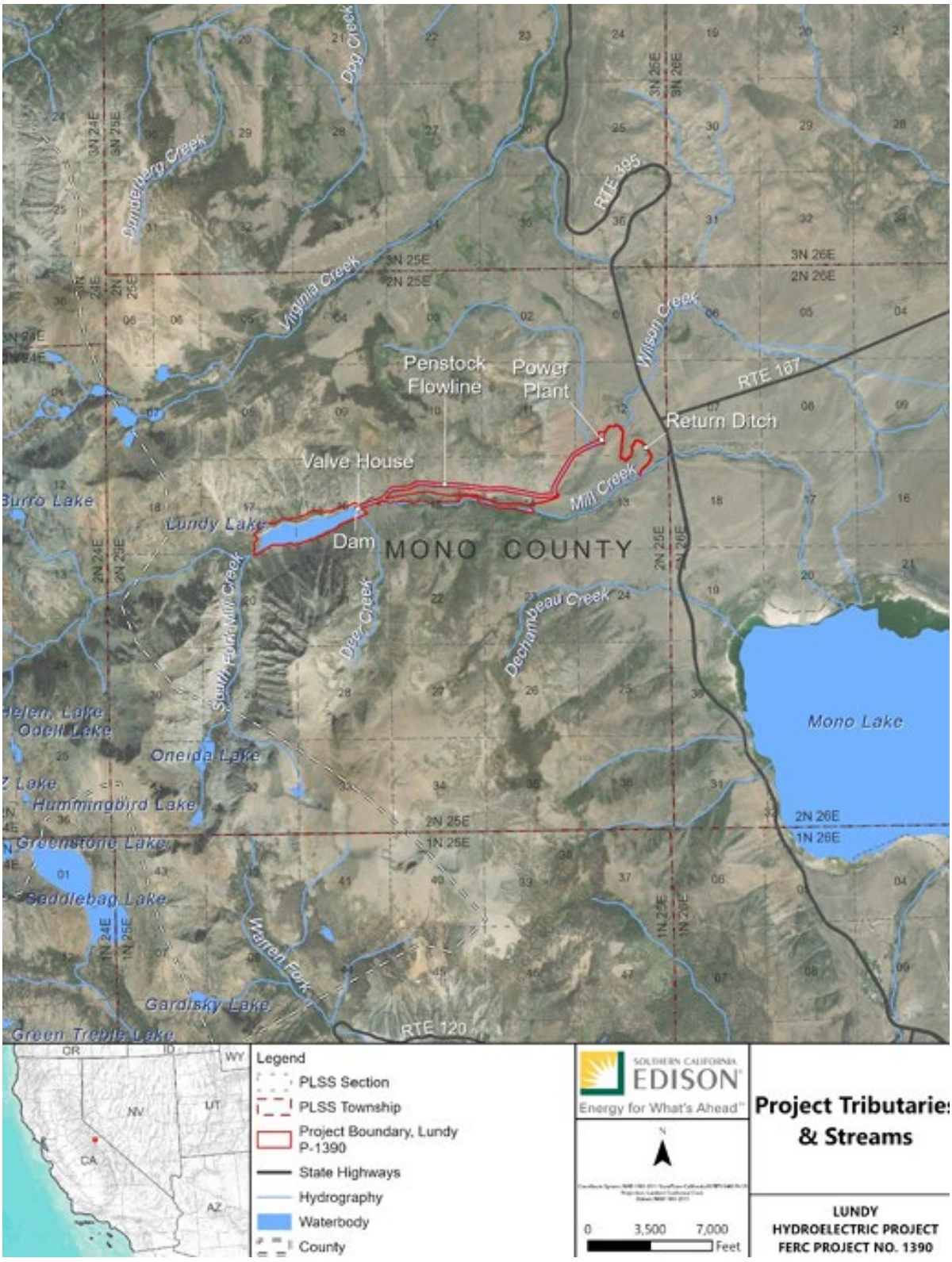

Figure 1. Location and project facilities for the Lundy Project (Source: SCE's PAD).

2.0 SCOPING

This Scoping Document 2 (SD2) is intended to advise all participants as to the proposed scope of the Commission's NEPA document and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and current processing schedule for the license application; (2) a description of the licensee's proposed action and alternatives; (3) a preliminary identification of environmental issues and proposed studies; (4) a request for comments and information; and (5) a preliminary list of comprehensive plans that are applicable to the project.

2.1 PURPOSES OF SCOPING

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. In general, scoping should be conducted during the early planning stages of a project. The purposes of the scoping process are as follows:

- invite participation of federal, state, and local resource agencies; Indian tribes; non-governmental organizations (NGOs); and the public to identify significant environmental and socioeconomic issues related to the proposed project;
- determine the resource issues, depth of analysis, and significance of issues to be addressed in the NEPA document;
- identify reasonable alternatives to the proposed action that should be evaluated in the NEPA document;
- solicit, from participants, available information on the resources at issue, including existing information and study needs; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

2.2 SCOPING COMMENTS AND MEETINGS

Commission staff issued Scoping Document 1 (SD1) on April 17, 2024, to enable resource agencies, Native-American Tribes, NGOs, and the public to participate more effectively, and contribute to, the scoping process. In SD1, we requested clarification of preliminary issues concerning the project and identification of any new issues that needed to be addressed in the NEPA document. Commission staff attended an environmental site review on May 15, 2024, and held scoping meetings on May 14 and 15, 2024, in Lee Vining, California. The scoping meetings were transcribed by a court reporter. We also solicited written comments, recommendations, and information on SD1.

We revised SD1 following the scoping meetings and after reviewing comments filed during the scoping comment period, which ended June 24, 2024. SD2 presents our current view of issues to be considered in the NEPA document. ***To facilitate review, key changes from SD1 to SD2 are identified in bold, italicized type.***

Commenter	***Filing Date***
Forest Service - Inyo National Forest (FS)	***6/21/2024***
Mono Lake Committee (MLC)	***6/24/2024***
California Department of Fish and Wildlife (CDFW)	***6/24/2024***
California State Water Resources Control Board	***6/25/2024***

Scoping meeting transcripts and all comments received are part of the Commission's official record for the project. Information in the official file is available for review on the Commission's website at https://www.ferc.gov, using the "eLibrary" link.

2.3 ISSUES RAISED DURING SCOPING

The issues raised by participants in the scoping process are summarized and addressed below. We revised SD1 to address only those comments relating directly to the scope of environmental issues. Further, we do not address recommendations for license conditions, such as protection, mitigation, and enhancement (PM&E) measures (e.g., settlement agreement conditions, resource management plans), as these recommendations will be addressed in the NEPA document, or any license order issued for the project. We also do not address requests for studies in the scoping document as these requests will be addressed through the ILP's study plan development process. After Commission staff accept the license application for filing and determine we have sufficient information to evaluate environmental resource and engineering issues, we will request final terms, conditions, recommendations, and comments when we issue our Ready for Environmental Analysis Notice. Finally, we do not address comments or recommendations that are administrative in nature or outside of the Commission's authority for relicensing the project.

General Comments

Comment: CDFW recommends that for the relicensing, the geographic scope of the cumulative effects analysis for the project affected area (PAA) include all stream reaches that are affected by the project, including all reaches of Mill Creek between Lundy Lake and Mono Lake, as well as the Mill Creek Return Ditch.

Response: Staff have revised Section 4.1.2 to include all stream reaches between Lundy Lake and Mono Lake in the geographic scope.

Aquatic and Fisheries Resources

Comment: The FS comments that in Section 4.2.3, Aquatic and Fishery Resources of the SD1, that in the statement "Effects of continued operation on fish habitat and fish resources in the project impoundment, bypassed reach, and downstream of the powerhouse", "in the project impoundment" should be reworded to specify "within the project impoundment". They also comment that amphibian habitat should be included or be more broadly descriptive to include aquatic resources/habitat rather than just fishery habitat.

Response: Staff have revised Section 4.2.3, Aquatic and Fishery Habitat, rewording "in the project impoundment" to "within the project impoundment", and to include aquatic resources and habitat.

Recreation Resources

Comment: The FS comments that project-related recreation facilities, including but not limited to any boat ramp, day use area, campgrounds, parking facilities, or restrooms, should be incorporated into the project boundary. They go on to identify the inadequacy of existing recreation facilities in the project area.

Response: SD1 identifies "adequacy of existing recreation facilities to meet current and future recreation demand". Therefore, the appropriateness of recreation facilities being included in the project boundary, and the adequacy of those recreation facilities, will be analyzed in the NEPA document.

Cultural and Tribal Resources

Comment: The MLC acknowledges that the Commission actively engages federally recognized Indian tribes that may be affected by the project; however, the MLC recommends that the Commission also reach out the Mono Lake Kootzadika'a Tribe, which is not currently federally recognized.

Response: We recognize that other non-federally recognized Indian tribes may also have an interest in the project, and although our policy on consultation with Indian tribes has us reach out formally to only federally recognized Indian tribes, we still encourage that, upon their interest, the Mono Lake Kootzadika'a Tribe also participate in this relicensing, if they choose to do so. The Mono Lake Kootzadika'a Tribe is presently on the FERC Service List, which means that they receive all

issuances and filings related to the relicensing proceeding, and they are welcome to file comments.

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA, the environmental analysis will consider the following alternatives, at a minimum: (1) the no-action alternative, (2) SCE's proposed action, and (3) alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

Under the no-action alternative, the Lundy Project would continue to operate as required by the current project license (i.e., there would be no change to the existing environment). No new environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

3.1.1 Existing Project Facilities

The major project facilities include Lundy Lake, Lundy Dam, a flowline consisting of pipeline and penstock, Lundy Powerhouse, and transmission facilities.

Lundy Lake and Dam

Lundy Lake is a 132-acre reservoir with a usable storage capacity of 4,029 feet at a water surface elevation of 7,807.81 feet National Geodetic Vertical Datum of 1929 (NGVD29). Lundy Lake is generally drawn down in the winter to allow storage capacity for spring runoff and has a drainage area of approximately 20 square miles.

Lundy Dam is a 690-foot-long, 48-foot-high dumped gravel and rockfill dam with a concrete core wall that has a crest elevation of 7,815.5 feet. The dam includes a 150-foot-long spillway that has a crest elevation of 7807.8 feet. The dam outlet works consist of a reinforced concrete structure equipped with trash racks and a 54-inch-diameter steel pipe about 140 feet long, which transitions to a 130-foot-long, 50-inch diameter steel pipe. These pipes are encased in concrete at the dam foundation level. A 50-inch manually operated gate valve is located in this pipe about 164 feet downstream of the intake.

Flowline

The flowline consists of an approximately 12,053-foot-long, 48-inch-diameter welded steel pipe connecting the outlet work pipes to a 3,500-foot-long riveted steel pipe (penstock). The penstock varies in diameter from 30 to 36 inches and increasing to 40

inches for the last 700 feet approaching the powerhouse. At the powerhouse, the penstock bifurcates into two 22-inch-diameter pipes connecting to each turbine. The water conduit is designed to carry approximately 70 cfs under optimum conditions.

Powerhouse and Switchyard

The Lundy Powerhouse is a reinforced concrete building constructed in 1911 and is located on Wilson Creek, downstream of Lundy Lake. The powerhouse contains two Canyon Pelton-type turbines, each directly connected to an Allis Chalmers generator rated at 1,500 kW. The powerhouse's hydraulic capacity is sized to handle 70 cfs; however, SCE does not utilize this full capacity except during wet water years (Table 2). Water discharged from the powerhouse tailrace may serve water rights on the existing water delivery system, referred to as the Wilson System or the Upper Conway System, which extends generally north and northwest and dispenses into Mono Lake. Tailrace water can also be directed at the splitter box into Mill Creek (4 miles upstream of Mono Lake) through the Mill Creek Return Ditch (MCRD) to meet water rights obligations and be returned to Mill Creek. The splitter box redirects flow to the Wilson System through a Langemann gate, and two motor-operated valves control releases to the MCRD.

The switchyard (non-project) is located adjacent to the powerhouse. A wood pole switchrack supports the 55-kV bus. Fuse disconnect switches, grounding switches, single-phase lighting arrestors, potential devices, and other project-related equipment are located at the switchyard.

Transmission Facilities

The primary transmission line is a 15-foot-long, 2.4-kV transmission line that extends from the powerhouse to the No. 1 transformer located in the non-project switchyard, where it joins the transmission and distribution system.

Gaging Stations and Measurements

There are three gages that have been actively collecting data in compliance with the Stream Gaging Plan required by the current license (plan approved by FERC in 2008). The gages are located at Mill Creek below Lundy Dam, Mill Creek below Lundy Dam Instream Flow Release, and in Lundy Lake Reservoir. These gages are published by the USGS but are owned by SCE. With these gages, SCE has been monitoring and measuring: (1) the minimum flow release to Mill Creek below Lundy Dam, (2) the total flow in Mill Creek below Lundy Dam, and (3) Lundy Lake elevations. In an order dated 2023[4], FERC approved a revised plan and additional gages to include additional

[4] Order Approving Revised Streamflow Gaging Plan Pursuant to Article 412 (184 FERC ¶ 62,117).

monitoring and measuring of flow at the: (1) Lundy Powerhouse Tailrace, (2) Upper Conway Ditch, (6) splitter box releases to the Wilson System; and (7) MCRD near the confluence with Mill Creek. These additional gages are now active.

Access Roads and Trails

The project includes a project access road to the flowline from Lundy Lake Road as part of the Project boundary. SCE also uses portions of certain public roads (e.g., Lundy Lake Road, Lundy Dam Road, and Mill Creek Powerhouse Road) for access to Lundy Project facilities. Portions of these roads are also used by the public to access recreation sits not included as part of the Lundy Project. Other minor access roads and foot trails within the current project boundary are used by SCE staff to access project-related facilities.

3.1.2 Existing Project Operation

The project is operated in compliance with existing regulatory requirements, agreements, and water rights to generate power.

Water Management

Lundy Project Watershed Overview

The Lundy Project is located within the Mono Lake subbasin in the Northern Mojave-Mono Lake Subregion of the eastern Sierra Nevada. Approximately 24.2 square miles of the project is in the "Mill Creek" subwatershed, and 18.8 square miles of the project is in the "Wilson Creek" subwatershed. Deer Creek[5], also located within the Mill Creek subwatershed, is the largest tributary to Mill Creek downstream of Lundy Lake and is a significant sediment source to Mill Creek. There are no impoundments on Mill Creek upstream of the project and while there are some irrigation diversions located downstream of the project, they are not used unless needed when the project is offline. The primary uses of water within Mill Creek are irrigation of pastureland for livestock and power generation.

The Lundy Project creates the 132-acre Lundy Lake by impounding and temporarily retaining flows on Mill Creek. Lundy Lake is located on Mill Creek, 7-miles upstream of where the creek enters Mono Lake, and has historically been drawn down in the winter to provide storage capacity for spring runoff. Minimum flows are provided into Mill Creek from the dam through: (1) an instream acoustic velocity meter (AVM) release structure (up to 1.25 cfs); (2) a" rock-drop" valve in the same area that provides

[5] Deer Creek is a perennial stream that flows along a normal fault south of Lundy Lake and enters Mill Creek just downstream of Lundy Dam.

additional flows up to 12 cfs; or (3) a "farmer's gate" in the dam that can only operate above an invert of 7,779 feet. The farmer's gate is typically used in wet water years for flows exceeding the required daily water rights.

The flowline and penstock convey a maximum of 70 cfs from Lundy Lake approximately 12,053 feet to the powerhouse and tailrace. At the end of the tailrace, a "splitter box" directs water to either the Wilson System or back to Mill Creek via the MCRD[6] to comply with the Mill Creek Water Rights.

Water Rights

SCE operates the project to comply with the Mill Creek Water Rights, which were adjudicated in Mono County Superior Court on November 30, 1914 (table 1). SCE has a non-consumptive water right (pass-through) for hydropower generation on Mill Creek. SCE's operations rely on an Annual Operations Plan that utilizes the Mill Creek Accounting and Planning Tool (MCAPT) and forecast methodology that has been developed with the water rights holders and memorialized in a Settlement Agreement (SCE et al., 2004) and Amended Settlement Agreement (SCE et al., 2022). The MCAPT integrates forecasted and observed run off quantities with the water rights priorities to develop a schedule for Mill Creek water diversions and deliveries.

[6] An additional conveyance of the Wilson System water rights is available through the Upper Conway Ditch. A radial gate at upstream end of the tailrace diverts water when called for into this system.

Table 1. Summary of Present-Day Mill Creek Adjudicated Water Rights

Priority Right	Right Holder[7]	Quantity of Right (cfs)[8]	Cumulative LADWP	Cumulative Conway (Mono Co.)	Cumulative Total
1st	LADWP	1	1	0	1
2nd	Mono Co.*	2	1	2	3
3rd	BLM*	2	1	2	5
4th	Mono Co.*	8	1	10	13
5th	LADWP	9.2	10.2	10	22.2
6th	Simis	1.8	10.2	10	24
7th	LADWP	14	24.2	10	38
8th	Mono Co.*	5	24.2	15	43
9th	USFS*	12.6	24.2	15	55.6
10th	LADWP	18	42.2	15	73.6
11th	Mono Co*	1	42.2	16	74.6

Source: SCE's PAD, 2024.
Notes: An asterisk (*) indicates exercise of Mill Creek rights in the Wilson System when called on.
The Rights Holders identified are the present-day successors in interest to the parties identified in the Mill Creek Adjudication.

Project Generation and Outflow Records

Average annual and monthly energy production for current operations of the Lundy Project (2013-2022) are summarized in Table 2. During this period, annual generation ranged from 4,116 megawatt-hours (MWh) to 16,766 MWh (SCE, 2022). A summary of Lundy Project generation and outflow records for operations (annually and quarterly) for the 5 years preceding filing the PAD (2018-2022) is included in Table 3.

[7] Rights Holders are identified as follows:
LADWP: City of Los Angeles, Department of Water and Power
BLM: United States Department of Interior, Bureau of Land Management
Simis: J.O. Simis, private landowner
USFS: United States Forest Service

[8] Quantity of rights measured in cubic feet per second (cfs)

Table 2. Average Annual and Monthly MWh Generation (2013-2022)

Year	Jan	Feb	Mar	April	May	June	Jul	Aug	Sept	Oct	Nov	Dec	Annual Total
2013	363	325	315	176	414	573	875	496	417	397	279	209	4,839
2014	198	188	326	381	440	475	495	491	444	435	251	198	4,322
2015	189	170	186	172	197	344	418	729	1,088	336	225	232	4,286
2016	234	222	215	1,278	754	1,397	1,321	935	499	315	270	283	7,723
2017	570	964	1,824	1,268	2,222	2,196	2,187	2,183	1,579	639	579	588	16,799
2018	577	531	868	610	547	1,407	1,238	1,115	694	489	473	486	9,035
2019	472	437	600	933	1,882	2,022	2,080	2,101	1,345	755	312	273	13,212
2020	255	211	201	248	886	761	607	300	322	183	329	230	4,533
2021	159	143	268	223	466	1,333	682	52	12	139	361	278	4,116
2022	315	283	312	309	936	1,157	1,162	545	264	42	179	211	5,715
Average	508	347	512	560	874	1,167	1,107	895	666	373	326	124	7,458

Source: SCE's PAD

Table 3. Summary of Project Generation and Outflows (2018 – 2022)

Year	Quarter	Average Flow (cfs)	Generation (MWh)
2018	1	20	1,976
	2	48	2,564
	3	36	3,047
	4	15	1,448
	2018 Annual Total	**30**	**9,035**
2019	1	16	1,509
	2	55	4,837
	3	72	5,526
	4	15	1,340
	2019 Annual Total	**40**	**13,212**
2020	1	9	667
	2	29	1,895
	3	14	1,229
	4	10	742
	2020 Annual Total	**15**	**4,533**
2021	1	7	570
	2	22	2,022
	3	13	746
	4	10	778
	2021 Annual Total	**13**	**4,116**
2022	1	11	910
	2	28	2,402
	3	24	1,971
	4	8	432
	2022 Annual Total	**18**	**5,715**

Source: SCE's PAD.

3.2 SCE'S PROPOSAL

3.2.1 Proposed Project Facilities and Operations

The proposed action is to continue to operate and maintain the project as required by the existing license. No new or upgraded facilities, structural changes, or operational changes to the project are proposed by SCE at this time.

3.2.2 Proposed Environmental Measures

There are no environmental measures proposed by SCE at this time.

3.3 DAM SAFETY

It is important to note that dam safety constraints may exist and should be taken into consideration in the development of proposals and alternatives considered in the pending proceeding. For example, proposed modifications to the dam structure, such as the addition of flashboards or fish passage facilities, could impact the integrity of the dam structure. As the proposal and alternatives are developed, the applicant must evaluate the effects and ensure that the project would meet the Commission's dam safety criteria found in Part 12 of the Commission's regulations and the Engineering Guidelines (http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp).

3.4 ALTERNATIVES TO THE PROPOSED ACTION

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement measures identified by the Commission, agencies, Indian tribes, NGOs, and the public.

3.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

At present, we propose to eliminate the following alternatives from detailed study in the NEPA document.

3.5.1 Federal Government Takeover

In accordance with § 16.14 of the Commission's regulations, a federal department or agency may file a recommendation that the United States exercise its right to take over a hydroelectric power project with a license that is subject to Sections 14 and 15 of the FPA.[9] We do not consider federal takeover to be a reasonable alternative. Federal takeover of the project would require congressional approval. While that fact alone would not preclude further consideration of this alternative, there is currently no evidence showing that federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate, and no federal agency has expressed interest in operating the project.

3.5.2 Non-power License

[9] 16 U.S.C. §§ 791(a)-825(r).

A non-power license is a temporary license the Commission would terminate whenever it determines that another governmental agency is authorized and willing to assume regulatory authority and supervision over the lands and facilities covered by the non-power license. At this time, no governmental agency has suggested a willingness or ability to take over the project. No party has sought a non-power license, and we have no basis for concluding that the Lundy Project should no longer be used to produce power. Thus, we do not consider a non-power license a reasonable alternative to relicensing the project.

3.5.3 Project Decommissioning

As the Commission has previously held, decommissioning is not a reasonable alternative to relicensing in most cases.[10] Decommissioning can be accomplished in different ways depending on the project, its environment, and the particular resource needs.[11] For these reasons, the Commission does not speculate about possible decommissioning measures at the time of relicensing, but rather waits until an applicant actually proposes to decommission a project, or a participant in a relicensing proceeding demonstrates that there are serious resource concerns that cannot be addressed with appropriate license measures and that make decommissioning a reasonable alternative.[12] SCE does not propose decommissioning, nor does the record to date demonstrate there are serious resource concerns that cannot be mitigated if the project is relicensed; as such, there is no reason, at this time, to include decommissioning as a reasonable alternative to be evaluated and studied as part of staff's NEPA analysis.

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[10] *See, e.g., Eagle Crest Energy Co*., 153 FERC ¶ 61,058, at P 67 (2015); *Public Utility District No. 1 of Pend Oreille County*, 112 FERC ¶ 61,055, at P 82 (2005); *Midwest Hydro, Inc*., 111 FERC ¶ 61,327, at PP 35-38 (2005).

[11] In the unlikely event that the Commission denies relicensing a project or a licensee decides to surrender an existing project, the Commission must approve a surrender "upon such conditions with respect to the disposition of such works as may be determined by the Commission." 18 C.F.R. § 6.2 (2020). This can include simply shutting down the power operations, removing all or parts of the project (including the dam), or restoring the site to its pre-project condition.

[12] *See* generally *Project Decommissioning at Relicensing*; Policy Statement, FERC Stats. & Regs., Regulations Preambles (1991-1996), ¶ 31,011 (1994); *see also City of Tacoma, Washington,* 110 FERC ¶ 61,140 (2005) (finding that unless and until the Commission has a specific decommissioning proposal, any further environmental analysis of the effects of project decommissioning would be both premature and speculative).

4.0 SCOPE OF CUMULATIVE EFFECTS AND SITE-SPECIFIC RESOURCE ISSUES

4.1 CUMULATIVE EFFECTS

According to the Council on Environmental Quality's regulations for implementing NEPA (40 C.F.R. 1508.7), a cumulative effect is the effect on the environment that results from the incremental effect of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

4.1.1 Resources that could be Cumulatively Affected

Based on information in the PAD for the Lundy Project, ***information received during the scoping process,*** and preliminary staff analysis, we have identified water quantity and quality, and aquatic species and their habitats as resources that could be cumulatively affected by the proposed continued operation and maintenance of the Lundy Project.

4.1.2 Geographic Scope

Our geographic scope of analysis for cumulatively affected resources is defined by the physical limits or boundaries of: (1) the proposed action's effect on the resources, and (2) contributing effects from other hydropower and non-hydropower activities within the Mono Lake Subbasin. We have identified the geographic scope for water quantity and quality to include Lundy Lake and Mill Creek to Mono Lake, ***including all stream reaches of Mill Creek between Lundy Lake and Mono Lake, as well as the Mill Creek Return Ditch***, all within the Mono Lake Subbasin. We chose this geographic scope because the operation and maintenance of the Lundy Project, in combination with other hydroelectric projects in the Mono Lake Subbasin may affect water quality of Mill Creek.

4.1.3 Temporal Scope

The temporal scope of our cumulative effects analysis in the EA will include a discussion of past, present, and reasonably foreseeable future actions and their effects on each resource that could be cumulatively affected. Based on the potential term of a new license, the temporal scope will look 30 to 50 years into the future, concentrating on the effect on the resources from reasonably foreseeable future actions. The historical discussion will, by necessity, be limited to the amount of available information for each resource. The quality and quantity of information, however, diminishes as we analyze resources further away in time from the present.

4.2. RESOURCE ISSUES

In this section, we present a preliminary list of potential environmental issues to be addressed in the NEPA document. We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's public record for the Lundy Project, ***including information received during the scoping process***. This list is not intended to be exhaustive or final, but contains the issues raised to date. After the scoping process is complete, we will review the list and determine the appropriate level of analysis needed to address each issue in the NEPA document. Those issues identified by an asterisk (*) will be analyzed for both cumulative and site-specific effects.

4.2.1 Geologic and Soils Resources

- Effects of continued project operation on shoreline erosion and sediment transport downstream Mill Creek.
- Potential effects of sediment movement from or within Deer Creek to the project shorelines and streambanks along Mill Creek.
- Effects of hillslope erosion downstream of Lundy Lake and Deer Creek.

4.2.2 Water Resources

- Effects of continued project operation on water quality downstream of the powerhouse. *
- Effects of continued project operation on water quality in Lundy Lake. *
- Effects of continued project operation on downstream water rights and users. *
- Effects of continued project operation on water quality in the project bypassed reach and downstream of the powerhouse. *

4.2.3 Aquatic and Fishery Resources

- Effects of continued project operation on fish ***and aquatic*** habitat and fish ***and aquatic*** resources ***within*** the project impoundment, bypassed reach, and downstream of the powerhouse. *
- Effects of fish entrainment at the Lundy powerhouse on fish resources in the project area. Effects of continued project operation on fish stranding. *
- Effects of project water diversions and instream flow on fish habitat in the project bypassed reach. *

- Effects of continued operation on aquatic invertebrates downstream of the Lundy dam. *

4.2.4 Terrestrial Resources

- Effects of continued operations and maintenance on special-status botanical resources.
- Effects of the introduction and/or spread of invasive plant populations potentially occurring due to maintenance activities.
- Effects of continued operations and maintenance on special-status wildlife species.
- Effects of continued project operation and maintenance activities including vegetation management and herbicide use on native vegetation and wildlife, game species, and the special-status species identified in SCE's PAD,[13] including Inyo National Forest Species of Conservation Concern and nesting migratory bird species.[14]

4.2.5 Threatened and Endangered Species

- Effects of continued project operation and maintenance activities on species designated as federally threatened, endangered, proposed, or candidates for listing, and designated critical habitat (proposed and final), under the Endangered Species Act (ESA), including the species and critical habitats listed below.[15]

  Endangered Species: Sierra Nevada bighorn sheep (*Ovis canadensis sierrae*), Sierra Nevada red fox (*Vulpes vulpes necator*), foothill yellow-legged frog (*Rana boylii*), Sierra Nevada yellow-legged frog

[13] Sections 5.4.4 *Special-status Plant Species, 5.5.4 Special-status Wildlife,* and *5.7.4 Special-status Species* of the PAD describe the special-status species known to occur or that may potentially occur in the vicinity of the project.

[14] Migratory birds include any species protected under the Migratory Bird Treaty Act (50 CFR 10.13).

[15] On April 2, 2024, staff accessed the U.S. Fish and Wildlife Service's Information for Planning and Consultation system to generate the official list of species and critical habitat designated under the ESA potentially affected by the project. The list can be accessed on the Commission's public record for the project at: https://elibrary.ferc.gov/eLibrary/filelist?accession_num=20240402-3058.

(*Rana sierrae*)

Threatened Species: North American wolverine (*Gulo gulo luscus*), yellow-billed cuckoo (*Coccyzus americanus*), whitebark pine (*Pinus albicaulis*)

Proposed Threatened Species: greater sage-grouse (*Centrocercus urophasianus*), northwestern pond turtle (*Actinemys marmorata*)

Candidate Species: Monarch butterfly (*Danaus plexippus*)

Final Critical Habitat: There is final critical habitat designated for Sierra Nevada bighorn sheep, yellow-billed cuckoo, and Sierra Nevada yellow-legged frog. Final critical habitat for the Sierra Nevada bighorn sheep is within the project boundary.

Proposed Critical Habitat: There is proposed critical habitat for greater sage-grouse located within the project boundary.

4.2.6 Recreation Resources

- Effects of continued project operation and maintenance on recreation resources.
- Adequacy of existing recreation facilities to meet current and future recreation demand.

4.2.7 Land Use and Aesthetic Resources

- Effects of continued project operation and maintenance on land use.
- Effects of continued project operation and maintenance on the aesthetic quality of the project area.

4.2.8 Cultural and Tribal Resources

- Effects of continued project operation and maintenance on historic or archaeological resources, and traditional cultural properties that may be eligible for inclusion in the National Register of Historic Places, or on other areas or places of religious, cultural, and traditional importance to Indian tribes.

4.2.9 Socioeconomics

- Effects of continued project operations and flow diversions on agriculture and other consumptive uses in Mono City.

- Effects of any reduction in the amount of water available for irrigation on agricultural production and pastureland for livestock in Mono Lake watershed.

4.2.10 Environmental Justice

- Effects of project operation and maintenance of identified environmental justice communities.

5.0 PROPOSED STUDIES

Depending upon the findings of studies completed by SCE and the recommendations of the consulted entities, SCE will consider, and may propose certain other measures to enhance environmental resources affected by the project as part of the proposed action. SCE's initial study proposals are identified by resource area in Table 4. Detailed information on SCE's initial study proposals can be found in the PAD. Further studies may need to be added to this list based on comments provided to the Commission and SCE from interested participants, including Indian tribes.

Table 4. SCE's initial study proposals for the Lundy Project (Source: SCE's PAD, Section 6, *Preliminary Issues and Studies List for each Resource Area,* modified by staff).

PROPOSED STUDIES
Aquatic Resources
Study WQ 1 – Water Quality Monitoring: SCE proposes to: (1) assess water quality within Lundy Project affected stream reaches, and within Lundy Lake; and (2) provide data to inform CWA 401 water quality compliance with Basin Plan objectives.
Study WQ 2 – Water Temperature Monitoring: SCE proposes to: (1) assess water temperature within Lundy Project affected streams, and within Lundy Lake; and (2) provide data to inform CWA 401 water quality compliance with Basin Plan objectives.
Study AQ 1 – Fish Community Survey: SCE proposes to assess species composition, distribution, abundance, and age of fish communities in Lundy Lake and affected stream reaches.
Study AQ 2 – Fish Stranding Study: SCE proposes to evaluate stranding risk through the bypassed reach.
Terrestrial Resources
Study TERR 1 – Botanical: SCE proposes to document: (1) determine the presence and status and distribution of special status plants and invasive weeds; (2) map plant communities in the study area; and (3) characterize riparian and wet meadow vegetation in the study area and along Mill Creek.
Study TERR 2 – Wildlife: SCE proposes to: (1) determine the presence and distribution of special-status wildlife; and (2) document and characterize wildlife that use Mill Creek.

Recreation Resources
Study REC-1 – Recreation Use and Needs Assessment: SCE proposes to: (1) evaluate recreation use at the FERC-approved project recreation sites; and (2) assess the amount of use each site is receiving (including percent capacity) and the recreation activities that occur at each site.
Study REC-2 - Recreation Facilities Condition Assessment: SCE proposes to conduct an inventory of and map of existing FERC-approved project recreation sites, including locations, facilities/amenities, general condition, ownership, and management responsibilities.
Cultural and Tribal Resources
Study CUL-1 - Archaeology: SCE proposes to: (1) conduct additional background archival research of the study area; (2) identify and document archeological resources within or immediately adjacent to the Area of Potential Effects (APE); and (3) develop information sufficient for a Historic Properties Management Plan (HPMP).
Study CUL-2 – Built Environment: SCE propose to: (1) conduct additional background archival research of the study area; (2) identify and document built-environment resources within or immediately adjacent to the APE; and (3) develop information sufficient for the HPMP.
Study TRI 1 – Tribal Resources: SCE proposes to: (1) conduct background archival research of the study area; (2) identify and document tribal resources identified within or immediately adjacent to the APE; (3) conduct a thorough Native American ethnographic/ethnohistoric survey of the APE; (4) conduct interviews with knowledgeable informants; and (5) develop information sufficient for the HPMP.

6.0 CURRENT PROCESSING SCHEDULE

The decision on whether to prepare an EA or EIS will be determined after the license application is filed and we fully understand the scope of effects and measures under consideration. The NEPA document will be distributed to all persons and entities on the Commission's service and mailing lists for the Lundy Project. The NEPA document will include our recommendations for operating procedures, as well as environmental protection and enhancement measures that should be part of any license issued by the Commission. The comment period will be specified in the notice of availability of the NEPA document.

The major milestones, with pre-filing target dates, are as follows:

Major Milestone	Date
SCE Files Proposed Study Plan	August 6, 2024
FERC Issues Study Plan Determination	January 3, 2025
SCE Conducts Studies	Spring/Summer 2025
SCE's Final License Application Due	March 1, 2027

A process plan, which has a complete list of relicensing milestones for the Lundy Project is attached as Appendix A.

7.0 PROPOSED NEPA DOCUMENT OUTLINE

The preliminary outline for the Lundy Hydroelectric Project's NEPA document is as follows:

TABLE OF CONTENTS
LIST OF APPENDICES
LIST OF FIGURES
LIST OF TABLES
ACRONYMS AND ABBREVIATIONS

1.0 INTRODUCTION
- ***1.1 Application***
- ***1.2 Purpose of Action and Need for Power***
- ***1.3 Statutory and Regulatory Requirements***
  - ***1.3.1 Federal Power Act***
    - ***1.3.1.1 Section 18 Fishway Prescriptions***
    - ***1.3.1.2 Section 10(j) Recommendations***
  - ***1.3.2 Clean Water Act***
  - ***1.3.3 Endangered Species Act***
  - ***1.3.4 National Historic Preservation Act***
  - ***1.3.5 Executive Orders 12898 and 14008***
- ***1.4 Public Review and Comment***
  - ***1.4.1 Scoping***
  - ***1.4.2 Interventions***
  - ***1.4.3 Comments on the Application***
  - ***1.4.4 Comments on the Draft Environmental Document***

2.0 PROPOSED ACTION AND ALTERNATIVES
- ***2.1 No-action Alternative***
- ***2.2 Applicant's Proposal***
- ***2.3 Staff Alternative***
- ***2.4 Staff Alternative with Mandatory Conditions***
- ***2.5 Other Alternatives (as appropriate)***
- ***2.6 Alternatives Considered but Eliminated from Detailed Study***
  - ***2.6.1 Federal Government Takeover of the Project***
  - ***2.6.2 Issuing a Nonpower License***
  - ***2.6.3 Retiring the Project***

3.0 ENVIRONMENTAL ANALYSIS
- ***3.1 General Description of the River Basin***
- ***3.2 Proposed Action and Action Alternatives***
  - ***3.2.1 Geology and Soils***
  - ***3.2.2 Water Resources***

8.0 COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. section 803(a)(2)(A), requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by a project. Commission staff have preliminarily identified and reviewed the plans listed below that may be relevant to the Lundy Project. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 CFR 2.19 of the Commission's regulations. Please follow the instructions for filing a plan at https://cms.ferc.gov/media/list-comprehensive-plans.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the Lundy Project.

Federal Plans

Bureau of Land Management. 1987. *Final Environmental Impact Statement for 19 Wilderness Study Areas within the Benton-Owens Valley and the Bodie-Coleville Study Areas.* Department of the Interior, Bakersfield, California.

U.S. Forest Service. 1989. *Mono Basin National Forest Scenic Area Comprehensive Management Plan*. Department of Agriculture, Bishop, California.

U.S. Forest Service. 2004. *Sierra Nevada National Forest Land and Resource Management Plan, Amendment.* Department of Agriculture, Vallejo, California. January.

U.S. Fish and Wildlife Service. 2013. *Greater Sage-grouse (Centrocercus urophasianus) Conservation Objectives: Final Report.* Denver, Colorado. February.

California Plans

California Department of Parks and Recreation. 2013. *Outdoor Recreation in California's Regions 2013*. Sacramento, California.

California Department of Parks and Recreation. 2014. *2012 Survey on Public Opinions and Attitudes on Outdoor Recreation in California Complete Findings*. Sacramento, California.

California Department of Parks and Recreation. 2021. *California Statewide Comprehensive Outdoor Recreation Plan.* Sacramento, California.

Local Plans

Mono County. 2021. *Mono County General Plan*. Mono County Planning Division, Mammoth Lakes, CA.

9.0 MAILING LIST

The list below is the Commission's official mailing list for the Lundy Hydroelectric Project (FERC No. 1390). If you want to receive future mailings for the project and are not included in the list below, please send your request by email to efiling@ferc.gov or by mail to: Debbie-Anne Reese, Acting Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written and emailed requests to be added to the mailing list must clearly identify the following on the first page: **Lundy Hydroelectric Project No. 1390-069**. You may use the same method if requesting removal from the mailing list below.

Register online at https://ferconline.ferc.gov/FERCOnline.aspx to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Official Mailing List for the Lundy Hydroelectric Project

John Frederickson Conway Ranch PO Box 26 June Lake, CA 93529-0026	FERC Case Administration Southern California Edison Company 2244 Walnut Grove Ave Rosemead, CA 91770
Forest Supervisor Inyo National Forest 351 Pacu Ln Ste 200 Bishop, CA 93514-3101	Richard Izmirian, Vice President Federation of Fly Fishers 2215 Eaton Ave. San Carlos, CA 94070-4518
Richard Roos-Collins, Director, Legal Services American Rivers Natural Heritage Institute 2140 Shattuck Avenue, Ste. 801 Berkeley, CA 94704-1229	Mark Drew California Trout PO Box 3442 Mammoth Lakes, CA 93546-3442
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Patrick B Le Southern California Edison Company 1515 Walnut Grove Ave. Rosemead, CA 91770	Brittany Arnold 1 Pebbly Beach Rd Avalon, CA 90704

APPENDIX A

PROCESS PLAN AND SCHEDULE
LUNDY HYDROELECTRIC PROJECT NO. 1390

Shaded milestones are unnecessary if there are no study disputes. If the due date falls on a weekend or holiday, the due date is the following business day. Early filings or issuances will not result in changes to these deadlines.

Responsible Entity	Milestone	Date	FERC Regulation
SCE	Filed NOI and PAD	2/23/2024	5.5, 5.6
FERC	Consultation Meetings with Tribes	3/25/2024	5.7
FERC	Issue Notice of Commencement of Proceeding and SD1	4/23/2024	5.8
FERC	Scoping and Site Visit	5/23/2024	5.8(b)(viii)
All Stakeholders	File Comments on PAD/SD1 and Study Requests	6/24/2024	5.9
FERC	Issue SD2 (if necessary)	8/6/2024	5.10
SCE	File Proposed Study Plan	8/6/2024	5.11(a)
All Stakeholders	Study Plan Meeting	9/5/2024	5.11(e)
All Stakeholders	File Comments on SCE's Proposed Study Plan Due	11/4/2024	5.12
SCE	File Revised Study Plan	12/4/2024	5.13(a)
All Stakeholders	File Comments on SCE's Revised Study Plan	12/19/2024	5.13(b)
FERC	Issue Study Plan Determination	1/3/2025	5.13(c)
Mandatory Conditioning Agencies	File Any Study Disputes	1/23/2025	5.14(a)
Dispute Panel	Select Third Dispute Resolution Panel Member	2/7/2025	5.14(d)

Responsible Entity	Milestone	Date	FERC Regulation
Dispute Panel	Convene Dispute Resolution Panel	2/12/2025	5.14(d)(3)
SCE	File Comments on Study Disputes	2/18/2025	5.14(i)
Dispute Panel	Dispute Resolution Panel Technical Conference	2/24/2025	5.14(j)
Dispute Panel	Issue Dispute Resolution Panel Findings	3/14/2025	5.14(k)
FERC	Issue Director's Study Dispute Determination	4/3/2025	5.14(l)
SCE	Conduct First Study Season - typically, spring through fall, as necessary	2025	5.15(a)
SCE	File Initial Study Report	1/5/2026	5.15(c)(1)
All Stakeholders	Initial Study Report Meeting	1/20/2026	5.15(c)(2)
SCE	File Initial Study Report Meeting Summary	2/2/2026	5.15(c)(3)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	3/4/2026	5.15(c)(4)
All Stakeholders	File Responses to Disagreements/Amendment Requests	4/3/2026	5.15(c)(5)
FERC	Issue Director's Determination on Disagreements/Amendments	5/4/2026	5.15(c)(6)
SCE	Conduct Second Study Season - typically, spring through fall, as necessary	2026	5.15(a)
SCE	File Updated Study Report	1/4/2027	5.15(f)
All Stakeholders	Updated Study Report Meeting	1/18/2027	5.15(f)
SCE	File Updated Study Report Meeting Summary	2/2/2027	5.15(f)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	3/4/2027	5.15(f)
All Stakeholders	File Responses to Disagreements/Amendment Requests	4/5/2027	5.15(f)

Responsible Entity	Milestone	Date	FERC Regulation
FERC	Issue Director's Determination on Disagreements/Amendments	5/3/2027	5.15(f)
SCE	File Preliminary Licensing Proposal (or Draft License Application)	10/1/2026	5.16(a)-(c)
All Stakeholders	File Comments on Preliminary Licensing Proposal (or Draft License Application)	12/30/2026	5.16(e)
SCE	File Final License Application	3/1/2027	5.17
SCE	Issue Public Notice of Final License Application Filing	3/15/2027	5.17(d)(2)