STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Water Quality Certification for

SOUTHERN CALIFORNIA EDISON COMPANY'S

SEDIMENT MANAGEMENT PRACTICES AT DEMOCRAT DAM FOR THE KERN RIVER NO. 1 HYDROELECTRIC PROJECT

Sources: **Kern River**

County: **Kern**

WATER QUALITY CERTIFICATION FOR FEDERAL PERMIT OR LICENSE

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Abbreviations

2007 Sediment Management Practices	*2007 Revised Sediment Management Practices*
ac-ft	*acre-feet*
Antidegradation Policy	*Statement of Policy with Respect to Maintaining High Quality Waters in California*
Applicant	*Southern California Edison Company*
CDFW	California Department of Fish and Wildlife
Central Valley Regional Water Board	*Central Valley Regional Water Quality Control Board*
CEQA	*California Environmental Quality Act*
certification	*water quality certification*
cfs	*cubic feet per second*
Deputy Director	*Deputy Director of the Division of Water Rights*
Dredge or Fill Procedures	*State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*
ESA	*Endangered Species Act*
Executive Officer	*Executive Officer of Central Valley Regional Water Board*
FERC	*Federal Energy Regulatory Commission*
Hydroelectric Project	*Kern River No. 1 Hydroelectric Project*
NTU	*Nephelometric Turbidity Unit*
Project	*Sediment Management Practices at Democrat Dam for the Kern River No. 1 Hydroelectric Project*
Regional Water Boards	*California Regional Water Quality Control Boards*
SCE	*Southern California Edison Company*
Sediment Management Practices	*2007 Revised Sediment Management Practices*
State Water Board	*State Water Resources Control Board*
Tulare Lake Basin Plan	*Water Quality Control Plan for the Tulare Lake Basin*
USACE	*United States Army Corps of Engineers*
USEPA	*United States Environmental Protection Agency*
Water Boards	*State Water Board and Regional Water Boards, collectively*

1.0 Project Description

Southern California Edison Company (SCE or Applicant) owns and operates Democrat Dam as part of the Kern 1 Hydroelectric Project (Hydroelectric Project; Federal Energy Regulatory Commission (FERC) Project No. 1930). The Hydroelectric Project is located in Kern County, approximately 15 miles east of Bakersfield, California on approximately 140 acres of federal lands managed by the United States Forest Service in the Sequoia National Forest. SCE is proposing the Sediment Management Practices at Democrat Dam for the Kern River No. 1 Hydroelectric Project (Project) to implement ongoing sediment management actions at Democrat Dam consistent with SCE's 2007 Revised Sediment Management Practices (2007 Sediment Management Practices). The 2007 Sediment Management Practices is included as Attachment D in SCE's June 6, 2024, Project Certification Application (SCE 2024).

Democrat Dam is an overflow cyclopean-concrete[1] gravity dam with a crest length of 204 feet and a height of 29 feet. When full, the Democrat Dam impoundment stores 274 acre-feet (ac-ft) of water and has a surface area of approximately 27 acres. As part of Hydroelectric Project operations, water is released from Democrat Dam to the Kern River: (1) by overtopping the dam[2]; (2) through a flowline valve located along the southeast bank of the Kern River directly downstream of Democrat Dam; or (3) through a low-level outlet (also known as the drain gate) located at the bottom of the impoundment immediately in front of the flowline intake. The flowline diverts up to 412 cubic feet per second (cfs) of water from the Democrat Dam impoundment to the Kern River No. 1 Powerhouse from which water discharges back to the Kern River. The drain gate can pass approximately 800 cfs of water when fully open.

SCE implements the 2007 Sediment Management Practices at Democrat Dam which includes the following sediment management activities: (1) operational sluicing, (2) full pond drain, and (3) peak flow sediment bypass. Each of these practices is further described below.

Operational Sluicing

Operational sluicing is a maintenance procedure used to pass sediment downstream of Democrat Dam that has accumulated in front of the drain gate. As proposed by SCE, annual sluicing should optimally occur outside of the period between March 15 and June 30 when pools of the bypassed reach[3] are used by smallmouth bass for spawning and fry rearing. However, per SCE's 2007 Sediment Management Practices, sluicing may occur between March 15 and June 30 when flows in the bypassed reach exceed

[1] A form of concrete construction in which large boulders or chunks of rubble are incorporated in the concrete.
[2] Democrat Dam acts as a run-of-river dam with a full-crest spillway that regularly spills. The impoundment water levels are governed by Kern River flows.
[3] The bypassed reach is the approximately 10.2-mile-long segment of the Kern River between Democrat Dam and Kern No. 1 Powerhouse.

1,200 cfs. Between July 1 and March 14, sluicing should occur only when flow in the bypassed reach exceeds 600 cfs, at which point the transport capacity of the river prevents significant sediment deposition in pools and other habitats.

Full Pond Drain

Full pond drain involves fully opening the drain gate and releasing flow to the Kern River through the drain gate, thereby scouring accumulated sediment in the Democrat Dam impoundment and releasing it downstream. A full pond drain is only feasible when inflows to the impoundment are less than the capacity of the drain gate (800 cfs). To prevent excessive sediment deposition downstream during full pond drains, SCE proposes to conduct full pond drains just before anticipated rain events or when Lake Isabella releases flows that will help transport sediment through the bypass reach.[4] Based on consultation with the California Department of Fish and Wildlife (CDFW), full pond drains are limited to the period between July 1 and March 14 to avoid impacting hardhead minnow spawning and rearing, which occurs from March 15 to June 30. SCE proposes to implement full pond drains annually, when possible (e.g., may not occur annually during a drought as drought conditions would not facilitate sediment transport).

Peak Flow Sediment Bypass

Peak flow sediment bypass involves fully opening the drain gate during high flow events that are associated with sediment mobilization (e.g., storm events) to allow mobilized sediment to continue downstream of Democrat Dam.

On December 16, 2008, the State Water Resources Control Board (State Water Board) issued a water quality certification (certification) for implementation of the 2007 Sediment Management Practices and associated construction maintenance upgrades (i.e., replacement of the intake structure and trash rack system at Democrat Dam[5]). The certification was issued in relation to a United State Army Corp of Engineers' (USACE) Clean Water Act Section 404 permit (Letter of Permission SPK-2005-00615). Since 2008, USACE has extended its letter of permission associated with the 2008 certification on February 9, 2012, and February 6, 2017, to allow for ongoing sediment management at Democrat Dam. These extensions were made prior to the expiration of

[4] The hydrology of the lower Kern River is controlled by the operation of Lake Isabella, which is upriver of the Hydroelectric Project. Operation of Lake Isabella is determined by the United States Army Corps of Engineers and the Kern River Watermaster. Outside of Lake Isabella flood releases, peak flows normally occur in the midsummer with releases to support agricultural water supply. During some wet years, natural peak flows occur during the winter due to storms, and in the summer and fall because of thunderstorm events.

[5] Construction maintenance upgrades were completed in June 2010 and are not part of this Project.

USACE's letter of permission and maintained the December 16, 2008 certification and its conditions.

On June 8, 2023, the USACE letter of permission associated with the 2008 certification expired and on January 23, 2023, SCE requested a new letter of permission for the Project from USACE. Since SCE is seeking a new federal permit for an activity that may result in a discharge to navigable waters, a certification is required. The Project is for ongoing implementation of the 2007 Sediment Management Practices, which provide for the discharge of up to 20,000 cubic yards of sediment to the Kern River annually, or up to 40,000 cubic yards if no release occurs in the prior year.

Project maps can be found in Attachment A: Project Overview Maps.

2.0 Water Rights

Table A lists SCE's water right claims associated with the Project:

Table A. SCE's Water Right Related to the Project*

Application ID.	Water Right Type	Priority Date	Direct Diversion Amount (cfs)	Sources/Locations	Purpose of Use
S007761	Pre-1914 claim	1906	420	Kern River	Industry, Domestic

* Information is from the State Water Board's electronic Water Rights Information Management System.

3.0 Regulatory Authority

3.1 Water Quality Certification and Related Authorities

The federal Clean Water Act (33 U.S.C. §§ 1251-1388) was enacted "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." (33 U.S.C. § 1251(a).) The Clean Water Act relies significantly on state participation and support in light of "the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution" and "plan the development and use" of water resources. (33 U.S.C. § 1251(b).) Section 101 of the Clean Water Act (33 U.S.C. § 1251(g)) requires federal agencies to "co-operate with State and local agencies to develop comprehensive solutions to prevent, reduce and eliminate pollution in concert with programs for managing water resources." (33 U.S.C. § 1251(g).)

Section 401 of the Clean Water Act (33 U.S.C. § 1341) requires any applicant for a federal license or permit that may result in a discharge into navigable waters to provide the licensing or permitting federal agency with certification that the project will comply with specified provisions of the Clean Water Act, including water quality standards and implementation plans promulgated pursuant to section 303 of the Clean Water Act

(33 U.S.C. § 1313). Clean Water Act section 401 directs the agency responsible for certification to prescribe effluent limitations and other conditions necessary to ensure compliance with the Clean Water Act and with "any other appropriate requirement of State law." (33 U.S.C. §1341(d).) Section 401 further provides that certification conditions shall become conditions of any federal license or permit for the project. (*Ibid.*)

The State Water Board is the state agency responsible for Clean Water Act section 401 certification in California. (Wat. Code, § 13160.) The State Water Board has delegated authority to act on applications for certification to the Executive Director of the State Water Board. (Cal. Code Regs., tit. 23, § 3838, subd. (a).)

Water Code section 13383 authorizes the State Water Board to "establish monitoring, inspection, entry, reporting, and recordkeeping requirements" and obtain "other information as may be reasonably required" for activities subject to certification under section 401 of the Clean Water Act. For activities that involve the diversion of water for beneficial use, the State Water Board delegated this authority to the Deputy Director of the Division of Water Rights (Deputy Director), as provided for in State Water Board Resolution No. 2012-0029 (State Water Board 2012). In the *Redelegation of Authorities* memo issued by the Deputy Director on April 20, 2023, this authority is redelegated to the Assistant Deputy Directors of the Division of Water Rights (State Water Board 2023).

3.1.1 Procedure, Application, and Noticing

On June 6, 2024, SCE filed a certification application with the State Water Board under section 401 of the Clean Water Act. On July 3, 2024, State Water Board staff provided public notice of the application, pursuant to California Code of Regulations, title 23, section 3858, by posting information describing the Project on the State Water Board's website. No comments were received in response to this notice.

On May 2, 2025, State Water Board staff requested comments from the Central Valley Regional Water Quality Control Board (Central Valley Regional Water Board) on a draft certification for the Project. (See Cal. Code Regs., tit. 23, § 3855, subd. (b)(2)(B).) No comments were received.

3.2 Water Quality Control Plans and Related Authorities

The State Water Board's certification for the Project must ensure compliance with applicable water quality standards in the Central Valley Regional Water Board's *Water Quality Control Plan (Basin Plan) for the Tulare Lake Basin* (Tulare Lake Basin Plan) (Central Valley Regional Water Board 2018).

Water quality control plans designate the beneficial uses of water that are to be protected (such as municipal and domestic supply, industry, agriculture, and fish and wildlife habitat), water quality objectives for the reasonable protection of the beneficial uses and the prevention of nuisance, and a program of implementation to achieve the water quality objectives. (Wat. Code, §§ 13241, 13050, subds. (h), (j).) The beneficial uses, together with the water quality objectives contained in the water quality control

plans and applicable state and federal anti-degradation requirements, constitute California's water quality standards for purposes of the Clean Water Act. In issuing certification for a project, the State Water Board must ensure consistency with the designated beneficial uses of waters affected by the project, the water quality objectives developed to protect those uses, and anti-degradation requirements. (*PUD No. 1 of Jefferson County v. Washington Dept. of Ecology* (1994) 511 U.S. 700, 714-719.)

The California Regional Water Quality Control Boards (Regional Water Boards) have primary responsibility for the formulation and adoption of water quality control plans for their respective regions, subject to State Water Board and United States Environmental Protection Agency (USEPA) approval, as appropriate. (Wat. Code, §§ 13240 et seq.) As noted above, the State Water Board may also adopt water quality control plans, which will supersede regional water quality control plans for the same waters to the extent of any conflict. (Wat. Code, § 13170.) The State Water Board and Regional Water Boards (collectively Water Boards) adopt the plans pursuant to their authorities under the Porter-Cologne Water Quality Control Act (Wat. Code, §§ 13000 et seq.) and the federal Clean Water Act (33 U.S.C. § 1313).

3.2.1 Tulare Lake Basin Plan

The Central Valley Regional Water Board adopted, and the State Water Board and USEPA approved, the Tulare Lake Basin Plan. The Tulare Lake Basin Plan designates the beneficial uses of water to be protected along with the water quality objectives necessary to protect those uses. The Tulare Lake Basin Plan specifies that the beneficial uses of any specifically identified waterbody generally apply to its tributary streams. The Tulare Lake Basin Plan identifies existing beneficial uses for the Kern River from Lake Isabella to SCE's Kern River No. 1 Powerhouse as: hydropower generation; water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; wildlife habitat; and rare, threatened, or endangered species. The Tulare Lake Basin Plan identifies existing beneficial uses for the Kern River below the Kern River No. 1 Powerhouse as: municipal and domestic supply; agricultural supply; hydropower generation; contact water recreation; non-contact water recreation; warm freshwater habitat; wildlife habitat; rare, threatened, or endangered species; and groundwater recharge.

3.2.2 Antidegradation Policy

The State Water Board's *Statement of Policy with Respect to Maintaining High Quality Waters in California* (Antidegradation Policy)[6] (State Water Board 1968) requires that the quality of existing high-quality water be maintained unless any change will be consistent with the maximum benefit to the people of the state, will not unreasonably impact present or anticipated future beneficial uses of such water, and will not result in

[6] State Water Board Resolution No. 68-16 and any amendments thereto. Available at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1968/rs68_016.pdf. Accessed on June 2, 2025.

water quality less than that prescribed in water quality control plans or policies. The Antidegradation Policy further requires best practicable treatment or control of the discharge necessary to assure that pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the state will be maintained. The state Antidegradation Policy incorporates the federal Antidegradation Policy (40 C.F.R. § 131.12 (a)(1)), which requires "[e]xisting instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected." (Id., § 131.12(a)(1))

3.3 Clean Water Act Section 303(d) Listing

On February 6, 2024, the State Water Board adopted the *2022-2024 California Integrated Report (Clean Water Act Section 303(d) List/305(b) Report)* (California Integrated Report; State Water Board 2024) and it was partially approved by USEPA on December 12, 2024.[7] The Kern River and nearby waterbodies are not identified as impaired waterbodies in the California Integrated Report.

3.4 State Wetland Definition and procedures for Discharges of Dredged or Fill Materials to Water of the State

The *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (Dredge or Fill Procedures)[8] (State Water Board 2019 and 2021)[9] provide California's definition of wetland, wetland delineation procedures, and procedures for submitting applications for activities that could result in discharges of dredged or fill material to waters of the state. The Dredge or Fill Procedures ensure that State Water Board regulatory activities will result in no net loss of wetland quantity, quality, or permanence, compliant with Water Code sections 16200-16201.

SCE must comply with the Dredge or Fill Procedures when conducting dredge or fill activities that may impact waters of the state, including wetlands.

4.0 California Environmental Quality Act

The California Environmental Quality Act (CEQA) applies to discretionary projects that may cause a direct or indirect physical change in the environment. (Pub. Resources Code, § 21000 et seq.) When proposing to undertake or approve a discretionary project, state agencies must comply with the procedural and substantive requirements of CEQA.

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[7] USEPA's partial approval approves the adopted California Integrated Report but proposes an additional 53 stream segments that were omitted by the State Water Board. None of the proposed stream segments are in the Project watershed.

[8] The Dredge or Fill Procedures and any amendments thereto. Available at: https://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.html. Accessed on June 2, 2025.

[9] Resolution No. 2021-0012 is available online at: https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/wrapp/rs2021_0012.pdf. Accessed on June 3, 2025.

For the Project, the State Water Board is the lead agency for the purpose of compliance with CEQA and CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). The State Water Board determined that the Project is categorically exempt from CEQA under Class 1 Exemption, Existing Facilities (Cal. Code Regs, tit. 14, § 15301) and no exceptions to the exemption apply. The State Water Board will file a Notice of Exemption with the State Clearinghouse within five working days of issuing this certification.

5.0 Rationale for Water Quality Certification Conditions

This section of the certification explains that the grant of certification, as conditioned, is warranted and why the conditions in Section 7.0 are necessary to ensure that the Project activities will comply with water quality requirements. This section also includes, as necessary, citations to federal, state, or tribal laws that authorize the conditions, and sets forth citations to applicable regulatory authority. Section 3.0 also sets forth citations to applicable regulatory authority. The explanation and citations should be evaluated in the context of the certification as a whole, but the certification conditions are set forth only in Section 7.0.

As explained in this section, the conditions in this certification are generally required pursuant to the Tulare Lake Basin Plan, as described in Section 3.2, Water Quality Control Plans and Related Authorities.

The Dredge or Fill Procedures, adopted pursuant to Water Code sections 13140 and 13170, authorize approval of dredge or fill projects subject to satisfaction of specified requirements. California Code of Regulations, title 23, section 3830 et seq., set forth state regulations pertaining to certifications. In particular, section 3856 sets forth information that must be included in certification requests, and section 3860 sets forth standard conditions that shall be included in all certification actions.

Water Code sections 13267 and 13383 authorize the Water Boards to establish monitoring and reporting requirements for persons discharging or proposing to discharge waste to navigable waters. Water Code section 1051 additionally authorizes the State Water Board to investigate waters diverted for beneficial use. Moreover, this certification ensures continued monitoring, reporting, and assessment of water quality for the Project activities that may impact waters of the state.

Fish and Game Code section 5937 requires any owner of a dam to allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist downstream. Section 5937 and requirements to maintain or monitor flow or other water quality characteristics as required to meet section 5937 are appropriate conditions of state law necessary to protect fishery beneficial uses.

In general, the code citations, plans, and policies that support issuance of this certification that are described in Section 3.0 are not duplicated in this section. The conditions in this certification were developed to ensure compliance with water quality standards and water quality requirements established under the Porter-Cologne Water

Quality Control Act and the federal Clean Water Act, including requirements in applicable water quality control plans, and other appropriate requirements of state law. The conditions in Section 7.0 of this certification are necessary to protect the beneficial uses of waters of the state identified in water quality control plans, prevent degradation of water quality, and help ensure compliance with state and federal water quality requirements and other applicable requirements of state law.

When preparing the conditions in this certification, State Water Board staff reviewed and considered the following information:

- SCE's June 6, 2024 Project certification application (SCE 2024) including its attachments (Attachments A-E);
- SCE's March 12, 2025 Kern River No. 1 Hydroelectric Project, FERC Project No. 1930 Initial Study Report (SCE 2025);
- Beneficial uses, water quality objectives, and implementation measures and programs described in the Tulare Lake Basin Plan (Central Valley Regional Water Board 2018);
- Applicable water quality information, permits, policies, objectives, implementation measures, and programs (e.g., Dredge or Fill Procedures, etc.);
- Project-related controllable factors (e.g. diversions, flowline maintenance); and
- Other information in the record.

This certification is issued pursuant to the final 2023 Clean Water Act Section 401 Water Quality Certification Rule (Fed. Reg. 66558-66666 (September 27, 2023) [amending 40 C.F.R. Parts 121, 122, 124]) that went into effect on November 27, 2023 (2023 Rule), but also complies with the previous USEPA Clean Water Act Section 401 Certification Rule, 85 Fed. Reg. 42,210 (July 13, 2020) (2020 Rule) that was in effect for portions of 2020-2023 should it reemerge as a result of litigation or any other reason. To the extent the USACE considers any certification condition to include requirements outside the substantive scope of the 2020 Rule—including but not limited to 40 C.F.R. §§ 121.1(f) and (n), 121.3, 121.7(d)(1), and 121.9(b)—the 2020 Rule is inconsistent with federal law and controlling case law. The 2023 Rule restores the scope of certification "that is consistent with not only the statutory language and congressional intent but also longstanding [USEPA] guidance and decades of Supreme Court case law." (Fed. Reg. 65591-66606 [Scope of Certification].) Under section 401 of the Clean Water Act, when an activity requiring a federal permit or license "may result in any discharge into the navigable waters," the applicant is required to obtain a certification that states the activity will comply with applicable water quality standards and that also sets forth any "limitations" and "monitoring requirements" necessary to assure that the "applicant" will comply with water quality standards and "any other appropriate requirement of State law." (33 U.S.C. § 1341(a) & (d).) Certification is required for such activity as a whole, not merely for its point-source discharges to waters of the United States. (*PUD No. 1*, supra, 511 U.S. at pp. 711-712.) USEPA replaced the 2020 Rule because, among other faults, it "may prevent state and tribal authorities from adequately protecting their water quality," "may result in a state or tribe's certification or conditions being permanently waived as a result of non-substantive and easily fixed procedural concerns," and "may limit the flexibility of certifications and permits to adapt to changing circumstances."

(86 Fed. Reg. 29,543-29,544 (June 2, 2021).) As explained in this certification, each certification condition is authorized by applicable state and federal law and is necessary to ensure compliance with such laws. This paragraph is hereby incorporated as part of the explanatory statement for each condition of this certification.

5.1 Rationale for Condition 1: Project Activities

As described in Section 5.0, this certification is granted based on the application and supporting information submitted, in accordance with the State Water Board's regulations and subject to requirements of the Porter-Cologne Water Quality Control Act. Condition 1 requires SCE to implement the Project as described in its June 6, 2024 certification application and as modified by conditions of this certification. Condition 1 will help ensure that the Project is implemented in a manner that protects water quality and avoids unreasonable impacts to beneficial uses. Any changes to the Project description that are inconsistent with the Project application and supplemental information provided to the State Water Board prior to certification issuance could impact the findings, conclusions, and conditions of the certification and may necessitate the filing of a new certification application as well as trigger additional environmental review.

Additionally, Condition 1 requires that SCE comply with flow requirements of the Hydroelectric Project's FERC license during Project implementation. Reduced flows could potentially impact water quality and associated beneficial uses of the Kern River, as identified in the Tulare Lake Basin Plan. Beneficial uses in the Kern River from Lake Isabella to the Kern River No.1 Powerhouse that may be impacted by reduced flow include: water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; and rare, threatened, or endangered species. Beneficial uses for the Kern River below the Kern River No. 1 Powerhouse that may be impacted by reduced flow include: municipal and domestic supply; agricultural supply; contact water recreation; non-contact water recreation; warm freshwater habitat; rare, threatened, or endangered species; and groundwater recharge. Further, Fish and Game Code section 5937 requires any owner of a dam to allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist downstream.

5.2 Rationale for Condition 2: Sediment Management Practices

Erosion and sedimentation can contribute to degradation of the waters of the state; therefore, it is necessary to implement actions to eliminate or limit such discharges to protect water quality and associated beneficial uses. Condition 2 requires implementation of sediment management strategies consistent with the 2007 Sediment Management Practices to reduce potential water quality and beneficial uses impacts associated with Project activities.

Beneficial uses in the Kern River from Lake Isabella to the Kern River No.1 Powerhouse that may be impacted by the Project include: water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; and rare, threatened,

or endangered species. Beneficial uses for the Kern River below the Kern River No. 1 Powerhouse that may be impacted by the Project include: municipal and domestic supply; agricultural supply; contact water recreation; warm freshwater habitat; and rare, threatened, or endangered species.

5.3 Rationale for Condition 3: Notification and Reporting

Condition 3 requires SCE to annually provide the Deputy Director and interested parties[10] with notification of its plan for full pond drains and implementation of peak flow sediment bypass events. SCE shall also annually provide the Deputy Director and interested parties with a Sediment Management Report that describes sediment management practices implemented in the previous calendar year. The Sediment Management Reports will inform the Deputy Director of compliance with water quality objectives and protection of beneficial uses during Project implementation.

5.4 Rationale for Condition 4: Water Quality Monitoring

Monitoring required by Condition 4 will: (1) help ensure the Project complies with Tulare Lake Basin Plan turbidity water quality objectives; and (2) support the Water Boards' authority to investigate waters of the state, including for quality, and to require necessary monitoring and reporting pursuant to Water Code sections 1051, 13165, 13267 and 13383.

Beneficial uses in the Kern River from Lake Isabella to the Kern River No. 1 Powerhouse that may be impacted by Project implementation and associated erosion and sediment discharges include: water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; and rare, threatened, or endangered species. Beneficial uses for the Kern River below the Kern River No. 1 Powerhouse that may be impacted by the Project include: municipal and domestic supply; agricultural supply; contact water recreation; warm freshwater habitat; rare, threatened, or endangered species; and groundwater recharge.

5.5 Rationale for Conditions 5 through 24

This certification imposes additional conditions regarding approvals, monitoring, enforcement, and potential future revisions. This section explains why a condition is necessary to assure that the authorized activities will comply with water quality requirements, and cites to federal, state, or tribal law that authorizes the condition. (40 C.F.R. § 121.7(d)(1).) The statements in this section correspond with the conditions set forth in Conditions 5 through 24. In addition, the code citations, plans, and policies

[10] Per the Sediment Management Practices, interested parties include: CDFW, United States Forest Service, Central Valley Regional Water Board, Kern County Water Agency, USACE, United States Fish and Wildlife Service, Pacific Gas and Electric Company, Rio Bravo Hydroelectric Plant Operator, Bakersfield Water District, North Kern Water Storage District, and Cal Water – Olcese Water Treatment Plant Operator.

that support issuance of this certification are described in Section 3.0 and are not duplicated in this section but are incorporated herein. Conditions 5 through 24 are necessary to protect the beneficial uses of waters of the state identified in water quality control plans, prevent degradation of water quality, and help ensure compliance with state and federal water quality requirements.

Condition 5 is necessary to comply with Water Code section 13167 and Conditions 6 through 9 contain important clarifications concerning the scope and legal effect of this certification, as well as other legal requirements that may apply to the Project.

Monitoring, reporting, and assessment actions, and the information developed through such actions, must be readable, shared, and coordinated with other appropriate entities, and accessible to ensure that an activity complies with water quality requirements. Water Code section 13167 requires the Water Boards to ensure that monitoring data and assessment information are available in a single location and that the information is presented in a manner easily understandable by the public. To fulfill this legislative mandate, Condition 5 requires electronic data submittal in a compatible format with existing system specifications. Compliance with this condition enhances the accessibility of data and transparency of regulatory actions. This allows regulatory agencies and the public to better assess compliance and understand water quality trends or data anomalies by compiling data and making it readily available.

Pursuant to the California Endangered Species Act (Fish & G. Code, §§ 2050 et seq.) and federal Endangered Species Act (16 U.S.C. §§ 1531 et seq.), Condition 6 of the certification does not authorize any act which results in the taking of a threatened, endangered, or candidate species.

An applicant for certification is required to identify other licenses, permits, and agreements in the application. In the event an applicant for certification needs authorization from the state or federal authorities, California Code of Regulations, title 23, section 3856, subdivision (e), requires that the applicant provide copies of “any final and signed federal, state, and local licenses, permits, and agreements (or copies of the draft documents, if not finalized) that will be required for any construction, operation, maintenance, or other actions associated with the activity. If no final or draft document is available, a list of all remaining agency regulatory approvals being sought shall be included.” Water Code section 13160, subdivision (b)(1), allows the State Water Board to issue a certification when there is “reasonable assurance that an activity of any person subject to the jurisdiction of the state board will comply with applicable requirements” of state and federal law. To help ensure the integrity of the certification process and its focus on the protection of water quality and compliance with other applicable state requirements, Condition 7 serves to notify applicants that there may be additional applicable federal, state, or local laws or ordinances with which they must comply.

Because agency organization and authorities change over time, Condition 8 provides direction for continuity of oversight in the event an agency’s authority or responsibility is transferred to or subsumed by another agency.

The State Water Board is responsible for the water rights, water quality, and drinking water functions of the California state government. (Wat. Code, § 174.) Certain certifications involve an appropriation of water subject to part 2 of division 2 of the Water Code or the diversion of water for certain beneficial uses. (See, e.g., Cal. Code Regs., tit. 23, § 3855, subd. (b)(1)(A).) Condition 9 explains the State Water Board's issuance of this certification is not adjudicating or approving the validity of water rights that may be related to the Project. It also recognizes the State Water Board's authority, independent of its water quality authority, to prevent unauthorized or threatened unauthorized diversions of water. This helps to ensure that an applicant for a federal license or permit that involves a discharge to navigable waters understands that, except as specified in the certification, the certification does not constitute, or excuse the applicant from obtaining any other State Water Board approvals required for the activity.

Conditions 10 through 12 are necessary to assure that any Project activities authorized under the certification will comply with water quality requirements. These conditions are included to comply with California Code of Regulations, title 23, section 3860, which sets forth conditions that must be included in all certifications. Condition 10 is a standard condition that "shall be included as conditions of all certification actions" pursuant to California Code of Regulations, title 23, section 3860, subdivision (a). This condition places the permittee on notice that the certification action may be modified or revoked following administrative or judicial review. Condition 11 is a standard condition that "shall be included as conditions of all water quality certification actions" pursuant to California Code of Regulations, title 23, section 3860, subdivision (b). This condition clarifies the scope of the certification's application and ensures that any applicant for a federal license or permit, which may result in a discharge into navigable waters, is subject to the appropriate State certification. Condition 12 is a standard condition that "shall be included as conditions of all water quality certification actions" pursuant to California Code of Regulations, title 23, section 3860, subdivision (c). This fee requirement condition is also required pursuant to California Code of Regulations, title 23, section 3833, subdivision (b), which requires payment of fees by project proponents applying for certification. Fees are essential to support the Water Boards certification program, which includes the development of certifications and related inspections to ensure the protection of water quality and beneficial uses that may be impacted by a project.

Conditions 13 through 24 are necessary to ensure that the Project operates to meet water quality standards and other appropriate requirements of state law, or that adjustments are made to ensure continued compliance with water quality standards in light of new information, changes to the Project, or changes to the standards themselves.

This certification requires monitoring, reporting, and analysis as important elements to ensure that Project activities will comply with state and federal water quality requirements and other appropriate requirements of state law. Conditions 13, 14, and 15 provide for extensions of time to comply with requirements, prevention or remedy of violations, and notification of changed conditions to ensure compliance and prevent violations of water quality standards. In the event of non-compliance, modified

conditions may be necessary to return the Project to compliance and prevent violation of water quality standards. Conditions 16 and 17 require the applicant to comply with the Tulare Lake Basin Plan and to take all reasonable measures to protect water quality and beneficial uses, in accordance with plans adopted pursuant to state and federal water laws. Water Code section 13267 authorizes the State Water Board to require any person or entity who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste to furnish, under penalty of perjury, technical or monitoring reports when necessary to investigate the quality of any waters of the state. Condition 18 requires such reports that are necessary to ensure compliance with water quality standards.

Condition 19, related to site access requirements, is authorized pursuant to the Water Boards' authority to investigate the quality of any waters of the state, including specific site access authorized under Water Code sections 13267 and 13383. Site access is needed to ensure compliance with the certification and associated protection of water quality and beneficial uses. Condition 20 requires site personnel and agencies to be familiar with the content of the certification and availability of the document at the Project site. This condition is required to assure that site personnel are familiar with the conditions needed to protect water quality and any authorized discharge will comply with the terms and conditions of this certification, which requires compliance with water quality objectives and beneficial uses adopted or approved under sections 13170 or 13245 of the Water Code, and with other appropriate requirements of state law.

Condition 21 requires that SCE use analytical methods approved by California's Environmental Laboratory Accreditation Program, when available, to ensure that such analyses are done in a consistent manner.

Condition 22 provides that the State Water Board will provide notice and an opportunity to be heard in exercising its authority to add or modify certification conditions.

Condition 23 ensures permanent physical loss and permanent ecological degradation of waters of the state are adequately mitigated. This condition is necessary to ensure compliance with state and federal antidegradation policies and is consistent with Section IV.B.1.a of the Dredge or Fill Procedures, which requires that the Water Boards will approve a project only after it has been determined that a sequence of actions has been taken to first avoid, then to minimize, and lastly compensate for adverse impacts to waters of the state that cannot be practicably avoided or minimized. (See also California Code of Regulations, section 3856, subdivision (h) [requiring submittal of proposed mitigation and description of steps taken to avoid, minimize, or compensate].) These compensatory mitigation conditions are also consistent Water Code sections 16200 – 16201. Further, compensatory mitigation requirements must comply with subpart J of the Supplemental State Guidelines. Mitigation requirements related to financial assurances are also required to ensure that compensatory mitigation will be provided. (Dredge or Fill Procedures, § IV.B.5.f.)

In the event that any provision of this certification is found invalid, Condition 24 ensures that all other provisions will remain effective and water quality will still be protected. (Wat. Code, § 13160.)

6.0 Conclusion

The State Water Board finds that, with the conditions and limitations imposed by this certification, the Project will be protective of state and federal water quality standards and other appropriate requirements of state law.

7.0 Water Quality Certification Conditions

ACCORDINGLY, BASED ON ITS INDEPENDENT REVIEW OF THE RECORD, THE STATE WATER RESOURCES CONTROL BOARD CERTIFIES that implementation of the Sediment Management Practices at Democrat Dam for the Kern River No.1 Hydroelectric Project (Project) will comply with sections 301, 302, 303, 306, and 307 of the Clean Water Act, and with applicable provisions of State law, under the following terms and conditions.

CONDITION 1: Project Activities

Unless otherwise modified by conditions of this water quality certification (certification), or approved by the State Water Resources Control Board's (State Water Board's) Deputy Director of the Division of Water Rights (Deputy Director), Southern California Edison Company (SCE or Applicant) shall implement the Project as described in SCE's June 6, 2024 certification application, including Resource Protection Measures listed in Attachment C (SCE 2024). The Applicant is responsible for obtaining any other necessary approvals prior to Project implementation.

Unless otherwise approved by the Federal Energy Regulatory Commission (FERC), during Project activities, the Applicant shall comply with all applicable minimum instream flow requirements in the FERC license for the Kern River No. 1 Hydroelectric Project (Hydroelectric Project; FERC Project No. 1930).

The sediment management practices covered by this certification should be part of the relicensing of the Hydroelectric Project[11], which will require a separate certification action by the State Water Board. To the extent the new license for the Hydroelectric Project includes certification conditions that cover sediment management practices at Democrat Dam, such conditions shall supersede the conditions of this certification.

CONDITION 2: Sediment Management Practices

Consistent with SCE's 2007 Revised Sediment Management Practices (2007 Sediment Management Practices) (SCE 2024) and unless otherwise approved by the Deputy Director, Project operational sluicing, full pond drains, and peak flow sediment bypass procedures shall be implemented per the following seasonal and flow restrictions:

- Operational sluicing shall only be conducted between July 1 to March 14 when flow in the bypass reach is greater than or equal to 600 cubic feet per second (cfs) or between March 15 to June 30 when flow in the bypass reach is greater than or equal to 1,200 cfs.

- Full pond drains shall only be conducted between July 1 and March 14 when flow into the Democrat Dam impoundment is less than 800 cfs. The Applicant shall

[11] On May 5, 2023, SCE initiated relicensing of the Kern River No. 1 Hydroelectric Project through issuance of a Notice of Intent.

notify the Deputy Director and other interested parties via email at least a week or more in advance of any pond-draining event. Per the 2007 Sediment Management Practices, interested parties include: California Department of Fish and Wildlife, United States Forest Service, Central Valley Regional Water Quality Control Board (Central Valley Regional Water Board), Kern County Water Agency, United States Army Corps of Engineers (USACE), United States Fish and Wildlife Service, Pacific Gas and Electric Company, Rio Bravo Hydroelectric Plant Operator, Bakersfield Water District, North Kern Water Storage District, and Cal Water – Olcese Water Treatment Plant Operator.

- Peak flow sediment bypass procedures shall only be implemented during natural precipitation events in the lower Kern River that cause naturally elevated turbidity.

CONDITION 3: Notification and Reporting

3(A) Full Pond Drains

Consistent with the Sediment Management Practices, by March 1 of each year, the Applicant shall submit a Sediment Bypass Strategy to the Deputy Director and other interested parties (listed in Condition 2). The Sediment Bypass Strategy shall include the schedule of proposed full pond drains planned for that year. The Sediment Bypass Report shall include: (1) estimates of sediment volume in the Democrat Dam Impoundment from the most recent bathymetric analysis[12]; (2) sediment transport capacity; and (3) most recent forecasts or pre-forecasts of Lake Isabella release schedule from the USACE and/or Kern River Watermaster.[13]

3(B) Peak Flow Sediment Bypass

A peak flow sediment bypass is timed to occur during rain events and as a result little or no advance warning may be possible. The Applicant shall notify the Deputy Director and other interested parties as soon as possible following implementation of a peak flow sediment bypass and in all cases shall provide notice within 15 days of conducting a peak flow sediment bypass. The Applicant shall make every effort to provide notice prior to initiating a peak flow sediment bypass to the Deputy Director and other interested parties (listed in Condition 2).

The Applicant shall notify the Deputy Director and interested parties via email when a peak flow sediment bypass has ended and normal operations have resumed.

[12] Consistent with the 2007 Sediment Management Practices, bathymetric analyses shall be done annually prior to March 1st.

[13] Per the Sediment Management Practices, the Kern River Watermaster typically makes the “Isabella Dam & Reservoir – Snowmelt Operations Forecast” available in April and USACE normally makes “pre-forecasts” of flows from Lake Isabella available starting in February.

3(C) Annual Sediment Monitoring Report

The Applicant shall submit a Sediment Monitoring Report no later than March 15 of each year to the Deputy Director and other interested parties (listed in Condition 2) documenting compliance with the conditions of this certification for the previous calendar year. The Sediment Monitoring Report shall at minimum contain the following information:

- A summary of all sediment management activities performed during the previous calendar year.
- Information about compliance with each condition of this certification and details of any failure to meet the certification requirements, including requirements to comply with the Tulare Basin Plan turbidity water quality objective.
- A description of sediment conditions in the Democrat Dam Impoundment and downstream of Democrat Dam, including results of bathometric surveys.
- A summary of any quantitative monitoring data collected (including water quality monitoring required in Condition 4).
- Any adaptive management measures proposed by the Applicant to address water quality as a result of water quality monitoring (Condition 4).
- Photographs of the Project area.
- Any anticipated work (e.g., maintenance or planned outages associated with the Hydroelectric Project) scheduled for the following year.

The Deputy Director may require the Applicant to implement corrective actions in response to the information provided in a Sediment Monitoring Report. The Applicant shall provide any additional information or clarification requested by the Deputy Director related to a Sediment Monitoring Report.

CONDITION 4: Water Quality Monitoring

Each year during the first implementation of each sediment management practice (i.e., operational sluicing, full pond drain, and peak flow sediment bypass), the Applicant shall monitor turbidity to ensure sediment management practices are protective of water quality. Turbidity sampling shall be conducted a minimum of three times each day during the sediment management practice being monitored at: (1) a location on the Kern River upstream/outside the influence of sediment management practice; and (2) a location within 500 feet downstream of the sediment management practice's discharge.

The Applicant shall ensure that Project activities comply with the *Water Quality Control Plan for the Tulare Lake Basin* (Tulare Lake Basin Plan) (Central Valley Regional Water Board 2018 and any amendments thereto) water quality objectives. The current water quality objectives for turbidity are as follows:

- *Turbidity*. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in turbidity attributable to controllable water quality factors shall not exceed the following limits:

- Where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU.
- Where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent.
- Where natural turbidity is equal to or between 50 and 100 NTUs, increases shall not exceed 10 NTUs.
- Where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Unless otherwise approved by the Deputy Director, in determining compliance with the above limits, an appropriate averaging period, not to exceed 24 hours, may be applied, provided that beneficial uses will be fully protected.

Water quality monitoring reports shall be provided to the Deputy Director annually as part of the Sediment Monitoring Report (Condition 3).

The Deputy Director and the Central Valley Regional Water Board Executive Officer (Executive Officer) shall be notified promptly, and in no case more than 48 hours, following an exceedance of any water quality objective described in the Tulare Basin Plan. The notice shall describe the sediment management practice associated with the exceedance, turbidity water quality data, and proposed measures to prevent future exceedances associated with the sediment management practice. The Deputy Director may require additional actions to help prevent similar exceedances in the future.

The Applicant may submit a request to the Deputy Director for review and consideration of approval to cease water quality monitoring for specific sediment management activities no sooner than after three consecutive years of monitoring if no water quality exceedances have occurred. This request shall demonstrate consultation with interested parties (as listed in the Sediment Management Practices). The Deputy Director may require changes as part of any approval. The Applicant shall implement any Deputy Director-approved changes upon receipt of the Deputy Director and any other required approvals.

CONDITIONS 5 – 24

CONDITION 5. Unless otherwise specified in this certification or at the request of the Deputy Director, data and/or reports shall be submitted electronically in a format accepted by the State Water Board to facilitate the incorporation of this information into public reports and the State Water Board's water quality database systems in compliance with California Water Code section 13167.

CONDITION 6. This certification does not authorize any act which results in the take of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (ESA) (Fish & G. Code, §§ 2050 – 2097) or the federal ESA (16 U.S.C. §§ 1531 – 1544). If a "take" will result from any act authorized under this certification or water rights held by the Applicant, the Applicant must obtain authorization for the take

prior to any construction or operation of the portion of the Project that may result in a take. The Applicant is responsible for meeting all requirements of the applicable ESAs for the Project authorized under this certification.

CONDITION 7. This certification shall not be construed as replacement or substitution for any necessary federal, state, and local approvals. The Applicant is responsible for compliance with all applicable federal, state, or local laws or ordinances and shall obtain authorization from applicable regulatory agencies prior to the commencement of Project activities.

CONDITION 8. Any requirement in this certification that refers to an agency whose authorities and responsibilities are transferred to or subsumed by another state or federal agency, will apply equally to the successor agency.

CONDITION 9. Nothing in this certification shall be construed as State Water Board approval of the validity of any water rights, including pre-1914 or riparian claims. The State Water Board has separate authority under the Water Code to investigate and take enforcement action, if necessary, to prevent any unauthorized or threatened unauthorized diversions of water.

CONDITION 10. This certification is subject to modification or revocation upon administrative or judicial review, including but not limited to review and amendment pursuant to Water Code section 13330 and California Code of Regulations, title 23, division 3, chapter 28, article 6 (commencing with section 3867).

CONDITION 11. This certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a FERC license or an amendment to a FERC license unless the pertinent application for certification was filed pursuant to California Code of Regulations, title 23, section 3855, subdivision (b), and that application for certification specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

CONDITION 12. This certification is conditioned upon total payment of any fee required under California Code of Regulations, title 23, division 3, chapter 28.

CONDITION 13. Notwithstanding any more specific provision of this certification, any plan or report developed as a condition of this certification requires review and approval by the Deputy Director. The State Water Board’s approval authority, including authority delegated to the Deputy Director or others, includes the authority to withhold approval or to require modification of a plan, proposal, or report prior to approval. The State Water Board may take enforcement action if the Applicant fails to provide or implement a required item in a timely manner. Notwithstanding any other condition of this certification, if a time extension is needed to submit an item for Deputy Director review and consideration of approval, the Applicant shall submit a written request for the extension, with justification, to the Deputy Director no later than 15 days prior to the deadline. The Applicant shall not implement any plan, proposal, or report until after the applicable State Water Board approval and any other necessary regulatory approvals.

CONDITION 14. In the event of any violation or threatened violation of the conditions of this certification, including if monitoring results indicate that Project activities could violate water quality objectives or impair beneficial uses, the violation or threatened violation is subject to any remedies, penalties, process, or sanctions as provided for under applicable state or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance with the water quality standards and other pertinent requirements incorporated into this certification. In response to any violation or threatened violation of the conditions of this certification, the Applicant shall, by a deadline required by the Deputy Director, submit a plan that documents why the violation occurred and steps the Applicant will implement to address the violation. The Applicant shall implement the plan upon approval from the Deputy Director, and the Deputy Director may require modifications as part of any approval.

CONDITION 15. The Applicant shall submit any change to the Project, including, operations, facilities, technology changes or upgrades, or methodology, which could have a significant or material effect on the findings, conclusions, or conditions of this certification, to the State Water Board for prior review and written approval. The State Water Board shall determine significance and may require consultation with other state and/or federal agencies. If the State Water Board is not notified of a change to the Project, it will be considered a violation of this certification.

CONDITION 16. This certification is contingent on compliance with all applicable requirements of the Tulare Lake Basin Plan.

CONDITION 17. Unless otherwise specified by conditions in this certification, Project activities shall be conducted in a manner consistent with all water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act. The Applicant shall take all reasonable measures to protect the beneficial uses of Project-affected waters of the state, including the Kern River.

CONDITION 18. In response to a suspected violation of any condition of this certification, the State Water Board or Central Valley Regional Water Board may require the holder of any federal permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the State Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. (Wat. Code, §§ 1051, 13165, 13267, and 13383.)

CONDITION 19. Upon request, a Project schedule shall be provided to State Water Board and Central Valley Regional Water Board staff. The Applicant shall provide State Water Board and Central Valley Regional Water Board staff access to Project sites to document compliance with this certification.

CONDITION 20. A copy of this certification shall be provided to any contractor and all subcontractors conducting Project-related work, and copies shall remain in their possession at the Project site. The Applicant shall be responsible for work conducted by its contractor, subcontractors, or other persons conducting Project-related work.

CONDITION 21. The Applicant shall use analytical methods approved by California's Environmental Laboratory Accreditation Program, where such methods are available. Samples that require laboratory analysis shall be analyzed by Environmental Laboratory Accreditation Program-certified laboratories.

CONDITION 22. The State Water Board shall provide notice and an opportunity to be heard in exercising its authority to add to or modify the conditions of this certification.

CONDITION 23. The Applicant shall ensure no net loss of wetland or riparian habitat functions under the standards and procedures set forth in the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (Dredge or Fill Procedures)[14] (State Water Board 2019 and 2021) and Water Code, Division 7, Chapter 28, sections 16200-16201, and any amendments thereto. The Applicant shall demonstrate compliance with the Dredge or Fill Procedures upon request from the Deputy Director.

CONDITION 24. Certification that the Project will be protective of water quality and beneficial uses and comply with the state and federal water quality standards and other appropriate requirements of state law is dependent upon the conditions and limitations imposed by this certification; however, to ensure the validity of this certification upon any challenge that is not addressed by another condition of this certification, the provisions of this certification are severable. If any provision of this certification is found invalid, affects the validity of the certification, or would result in a determination that the State Water Board has waived its section 401 certification authority for the Project, the remainder of this certification shall not be affected. Upon remand from determination on administrative or judicial review that a provision of this certification is invalid or affects the validity of the certification the State Water Board may adopt an alternative term that addresses the water quality issue while avoiding the invalidity.

Eric Oppenheimer
Executive Director

June 5, 2025
Date

[14] The Dredge or Fill Procedures and any amendments thereto. Available at: https://www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.html. Accessed on June 3, 2025.

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ATTACHMENT A:

PROJECT OVERVIEW MAPS

WATER QUALITY CERTIFICATION
FOR

SEDIMENT MANAGEMENT PRACTICES AT DEMOCRAT DAM FOR THE KERN RIVER NO. 1 HYDROELECTRIC PROJECT

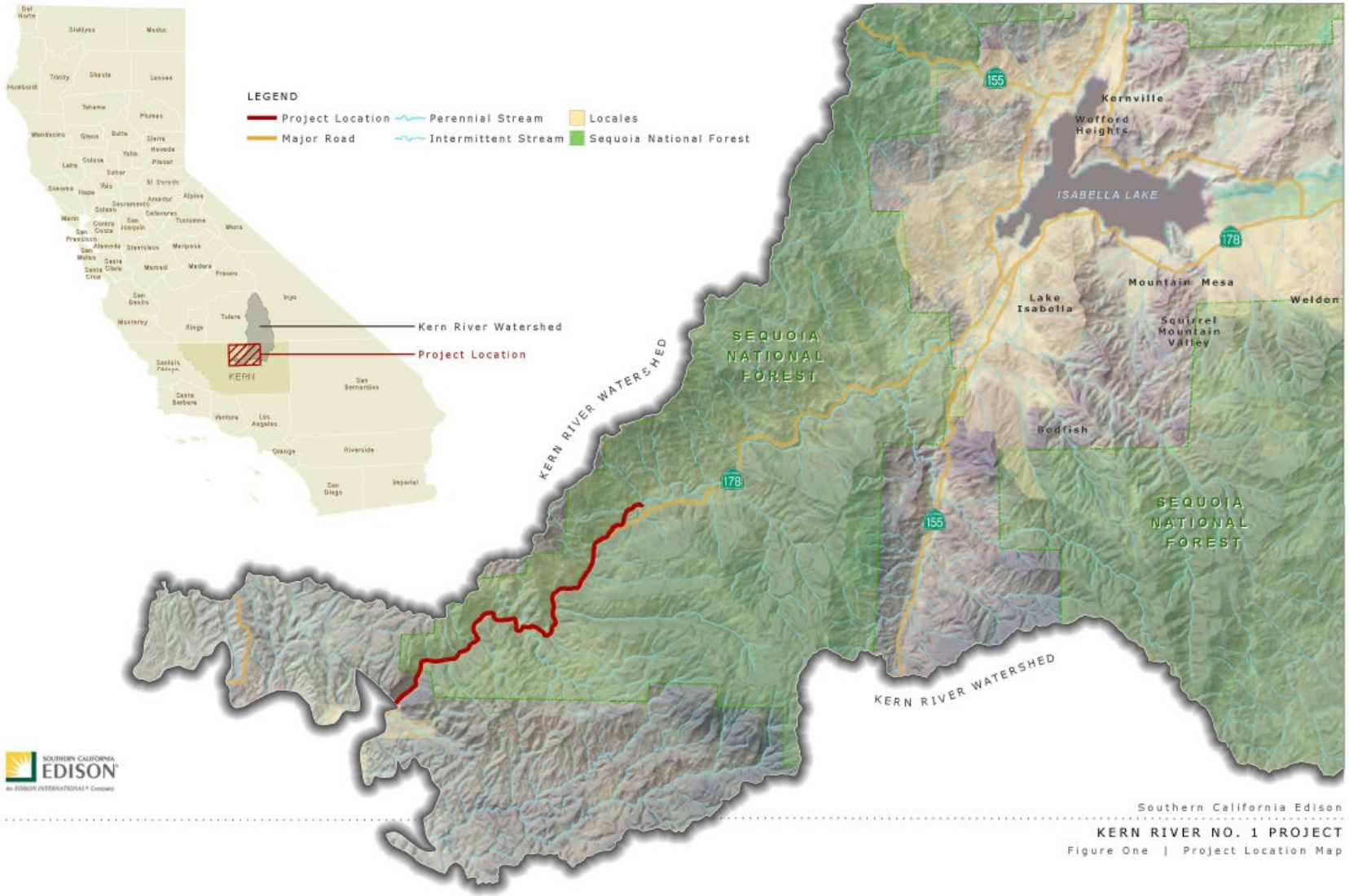

Figure A1. Kern River No. 1 Hydroelectric Project Area Map (SCE 2024)

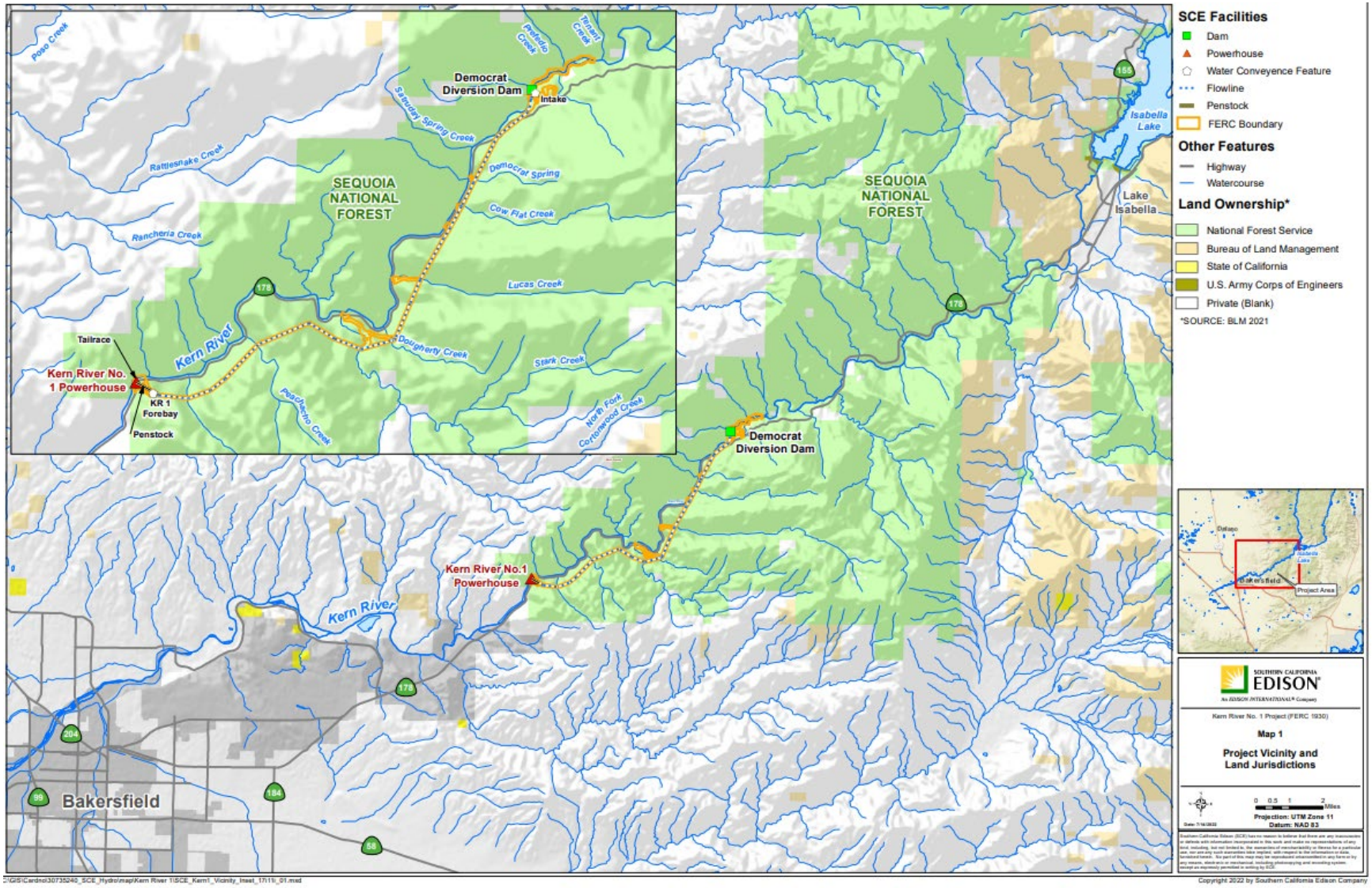

Figure A2. Kern River No. 1 Hydroelectric Project Map of Project Works (SCE 2023)