

**DECISION MEMO**  
**USDA Forest Service, Sequoia National Forest**  
**Kern River Ranger District**  
**Kern County, California**

**Southern California Edison Company**  
**Borel Forebay Rehabilitation Project**

**BACKGROUND**

Southern California Edison Company's (SCE) Borel Hydroelectric Project, FERC Project No. 382, is located on the lower Kern River on the western side of the Sierra Nevada Mountains, located near Bodfish, California. The project is located on public land within the Sequoia National Forest, on the SW ¼ of the SW ¼ Section 10 T27S, R32E; Mount Diablo Base & Meridian.

The intake and rack structure at the Borel Forebay has deteriorated since placed in operation in 1904. SCE has proposed rehabilitation of the forebay facility, located at the terminus of the Borel Canal and adjacent to the Borel Penstocks. This project will replace various parts of the existing intake structure using the same general configuration and in the same footprint. Please refer to the attached Project Location Map for the location of project features.

**PROPOSED ACTION**

This project will replace the existing structure using the same general configuration and in the same footprint. The following work is proposed:

1. Install new grid trash rakes by Atlas Polar
2. Install new conveyor system for trash rakes
3. Realign grids as appropriate to optimize automated debris removal
4. Rebuild operating deck and control house/shack
5. Modify penstock gates and/or gate concrete frame to prevent water overflow into penstock when gates are shut or install new penstock gates
6. Modify and lower the forebay spillway wall by 4 to 6 inches to lower the spillway elevation
7. Install new incoming power source, which would include installing two new power poles with conductors for a 480-volt supply. One pole will be installed on the northeast side of the forebay, and the other on the adjacent embankment. Two pine trees at the bottom of the embankment are also proposed to be cut down for the installation of the power source lines.

**8. Install grounding grid adjacent to forebay.**

Construction will include replacement and realignment of the existing trash racks and trash rake systems. A new conveyor system will be installed to remove the accumulated moss and debris away from the rakes. Existing support structure will be replaced with new steel as needed to support the new rakes and grid system.

The wood operating deck and the building that houses the controls will be replaced. The penstock gates and spillway wall will also undergo modifications. Two new power poles will be installed; one on the northeast side of the forebay, and the other on the adjacent embankment. The new pole at the northwest side of the forebay is located at N 35° 35.259' W 118° 31.368', and the pole down the embankment is proposed to be located where an old burned pole exists. The second pole is located at N 35° 35.278' W 118° 31.385'. Two pine trees at the bottom of the embankment are proposed to be cut down for installation of the new power source lines.

All work will be performed on previously disturbed ground within the Borel FERC project boundaries. The vast majority of the project work will take place within the existing structure and footprint of the intake facility, which will not require any ground disturbance. Installation of two new power poles and trenching for grounding grid will require trenching and/or digging on previously disturbed ground. The staging and laydown area will be located in an existing cleared dirt area near the Borel Powerhouse. Some minor surface grading for leveling and fire protection may be required. Refer to the attached Project Location Map for an illustration of the proposed work area, staging and pole locations.

Improvements to the forebay and intake structure will be confined to an area approximately 100 x 500 feet and will be within the existing footprint of the facility. Trenching for the grounding grid will be approximately 200 x 10 feet (2,000 square feet) located immediately adjacent to the facility. Installation of the two power poles will require less than 500 square feet of ground disturbance. The laydown area is approximately 150 x 70 feet (10,000 square feet). Total ground disturbance is about 12,500 square feet which equals approximately 0.3 acres.

Equipment to be utilized during construction may include: backhoe, forklift, crane, concrete mixer, support vehicles and various power tools such as an air compressor, welder, concrete saw, etc. A helicopter may be utilized for lifting construction materials into place.

Proposed start date is fall of 2010. Estimated duration of construction is 3-4 months.

Project specific resource reports were approved by individual District Resource Officers, on July 26, 2010. The following resource specific plans have been incorporated into the project file: Sensitive Species Protection Plan (Condition 15), Erosion and Sediment Control Plan (Condition 16), Land Resource Plans for Mitigating Project Effects to NFS Resources (Condition 21), Fire Management and Response Plan (Condition 21A), Visual Management Plan (Condition 21B), Biological Resource Management Plans for Mitigating Project Effects to NFS Resources: Noxious Weed Risk Assessment and Plan (Condition 24), and Roads and Transportation Management Plan (Condition 27).

## DECISION

I have decided to authorize rehabilitation of the Borel Forebay and the new incoming power source. An environmental assessment (EA) or environmental impact statement (EIS) is not necessary. I have reviewed the resource conditions pertaining to extraordinary circumstances (see below) and have determined that no extraordinary circumstances exist that would preclude the use of a categorical exclusion in accordance with Council on Environmental Quality regulations at 40 CFR 1508.4. The project, as designed, will have little to no effect on the natural or human environment.

Further, I find that the Borel Forebay Project meets the requirements found at 36 CFR 220.6(d) (3): “Repair and maintenance of administrative sites” and 36 CFR 220.6(e) (2) – Categorical Exclusions. Specifically, the project meets category FSH 1909.15 Section 31.2 (2) – “Additional construction or reconstruction of existing telephone or utility lines in a designated corridor, such as: 1) Replacing an underground cable trunk and adding additional phone lines, and 2) Reconstructing a power line by replacing poles and wires.”

The purpose of this rehabilitation project is to allow SCE to maintain existing permitted facilities and continue operations of the hydroelectric project.

## REVIEW OF EXTRAORDINARY CIRCUMSTANCES

In deciding whether a categorical exclusion may be used, the responsible official must assure there are no extraordinary circumstances related to the proposed action that would warrant further analysis and documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS). In accordance with FSH 1909.15 Section 30.3, the following resource conditions were considered in determining whether extraordinary circumstances related to the proposed action warrant further analysis and documentation in an EA or EIS:

- **Federally listed, threatened or endangered species, designated critical habitat, species proposed for Federal listing, proposed critical habitat, or Forest Service sensitive species.**

All proposed work shall take place on previously disturbed ground within the Borel FERC project boundaries within the existing facility footprint and immediately adjacent to the forebay, intake and spillway. No negative effects to any listed or sensitive species are anticipated with implementation of the proposed project.

A biological survey of the Borel Forebay Rehabilitation Project area was completed on February 10 and March 18, 2010. The results of the survey concluded that no negative effects to any listed or sensitive species are anticipated with implementation of the proposed project. Survey results were summarized in the *Biological Determination, Determination of No Effect on Listed Species, Southern California Edison Company's Borel Forebay Rehabilitation Project, Kern County, California*. This document was reviewed and approved by Steve Anderson (USFS) via email on July 15, 2010.

Approximately 25 elderberry shrubs, host plant for the federally listed valley elderberry longhorn beetle (VELB), were identified near the project area. However, the locations of the elderberry shrubs are outside of the project impact area. No VELB were observed during the field surveys.

All appropriate measures will be used to avoid impacts to surrounding native habitats, and all known elderberries in the Forebay and Powerhouse facility areas, as described in the Sensitive Species Protection Plan and the VELB Management Plan for Borel. No other listed or otherwise protected sensitive animal species are known or expected to occur in the area of impact associated with the proposed project.

Rose-flowered larkspur (*Delphinium purpusii*), CNPS 1B.3 status species was observed within the Borel Forebay Rehabilitation Project area. Populations of this species were observed on the slope below the Forebay, within the area of the observed blue elderberry. The larkspur is outside of the impact area, and appropriate measures will be used to avoid any indirect impacts to this species. Biologists will flag the plants or the perimeter of the population prior to any construction activities.

The project would not likely impact VELB or any other listed or sensitive species, if present, because project activities are temporary and will be mostly be confined to previously disturbed areas, and existing access paths and roadways. The Borel Forebay Rehabilitation Project activities are scheduled in October; late enough in the breeding season so as to not affect breeding birds.

- **Floodplains, wetlands, or municipal watersheds.**

Floodplains: Executive Order 11988 provides direction to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as "...the lowland and relatively flat areas adjoining inland and coastal waters including flood prone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year." The project area is located within the 100-year floodplain of the Kern River; however, this project constitutes an upgrade to existing equipment, in an area where construction of such facilities has been authorized in the past.

The project is within and will not affect the Bakersfield municipal watershed.

- **Congressionally designated areas such as wilderness, wild and scenic rivers, or national recreation areas.**

The project area does not lie within any wilderness, wild and scenic river corridor, or national recreation area.

- **Inventoried Roadless Areas.**

The project is not within any designated roadless area.

- **Research Natural Areas.**

There are no Research Natural Areas in or adjacent to the project area.

- **American Indian and Alaska Native religious or cultural sites.**

There are no American Indian or Alaska Native religious or cultural sites in the project area. Although no cultural resources were identified in the area of potential effect (APE), the following Tribes, Tribal Councils and Native American groups were notified of the project by a scoping letter and information package dated February 16, 2010:

Bishop Paiute Tribe, Dunlap Band of Mono Indians, Eshom Gathering, Kawaiisu Tribe, Kern Valley Indian Community, Kern Valley Indian Council, Kern Valley Paiute Council, Monache Intertribal Association, Sierra Nevada- Native American Coalition, Traditional Choinumni Tribe, Tubatulabals of Kern Valley, Tule River Tribal Council, Wukchumni Tribal Council, and Wuksachi-Michahai Tribe.

- **Archaeological sites, or historic properties or areas.**

A *Cultural Resource Assessment* of the project area was completed in April 2010, and approved by the District Archaeologist in June 2010. The current project poses no adverse affect to the identified cultural resources located within the Borel powerhouse complex property. The facility itself has been evaluated not eligible to the National Register of Historic Places (NRHP). The proposed project constitutes a screened undertaking pursuant to the Regional Programmatic Agreement (PA). No heritage resources will be adversely affected by the proposed project and no further action is required. If any additional or previously unidentified cultural resources are located during project implementation, the find must be protected from operations and reported immediately to the Heritage Resource Staff. All operations in the vicinity of the find will be suspended until the site is visited and appropriate recordation and evaluation is made by the District Archaeologist.

## **PUBLIC INVOLVEMENT**

A description of the proposed action was mailed to 64 interested parties on February 16, 2010. No comments were received during the public scoping period. The District Archaeologist, District Wildlife Biologist, and District Recreation Officer were also consulted during public scoping period.

## **FINDINGS REQUIRED BY OTHER LAWS**

**National Historic Preservation Act.** The requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, have been observed by following the stipulations of the *First Amended Regional Programmatic Agreement Among The USDA Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, And Advisory Council On Historic Preservation Regarding The Process For Compliance With Section 106 Of The National Historic Preservation Act For Undertakings On The National Forests Of The Pacific Southwest Region or 36CFR800.*

**Endangered Species Act.** No threatened, endangered, or candidate species are affected by this project.

**Migratory Bird Treaty Act.** This project will not affect snags, recruitment snags, green tree retention, down wood, and diversity which will provide for migratory bird habitat at the project scale.

Clean Water Act. The project will be conducted in accordance with requirements of the California Central Valley Regional Water Quality Control board to ensure compliance with the California Water Code and the Federal Clean Water Act.

Clean Air Act. The project will be conducted in accordance with the Clean Air Act, the conformity provisions of the Clean Air Act, California's Title 17 (Smoke Management for Agricultural and Prescribed Burning), and local air pollution control district regulations.

National Forest Management Act. This action is consistent with the goals, objectives, and management direction of continuing a minimum level of administration of special uses that meet current direction except where higher levels are warranted on a case by case basis and it does not conflict with forest management objectives of the Sequoia National Forest Land and Resource Management Plan, as amended by the 2004 Sierra Nevada Forest Plan Amendment supplemental EIS and ROD. It is also consistent with the Sequoia National Forest Mediated Settlement Agreement.

#### **IMPLEMENTATION DATE**

Project implementation is proposed for October 2010; contingent upon necessary approvals and contractor and equipment availability.

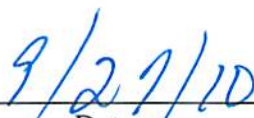
#### **ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITY**

This decision is not subject to appeal pursuant to Forest Service Regulations at 36 CFR 215, Notice, Comment, and Appeal Procedures for National Forest System Projects and Activities, section 215.4(a).

#### **CONTACT PERSON**

For additional information concerning this decision or any other questions, please contact Artie Colson, Special Use Officer, at (760) 379-5646, extension 562, or send to the Sequoia National Forest, Kern River Ranger District, P.O. Box 3810, Lake Isabella, CA 93240.

  
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TINA J. TERRELL  
Forest Supervisor  
Sequoia National Forest

  
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Date

Attachments

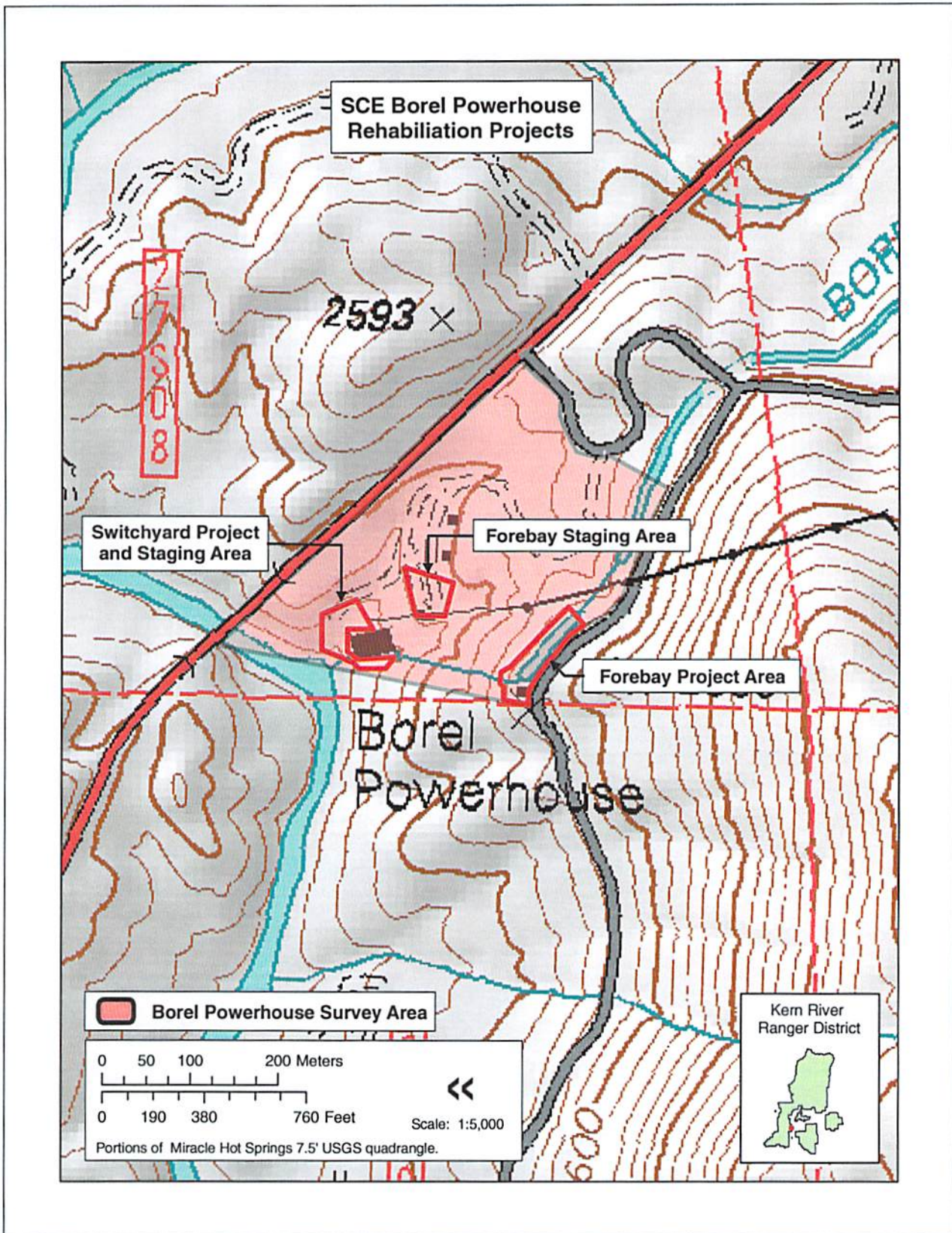


Figure 1. Borel Powerhouse Rehabilitation Projects: cultural survey area and project area locations.






Sequoia National  
Forest  
Kern River  
Ranger District

**Project  
Location Map**

Southern  
California Edison  
Company

*Borel Forebay  
Rehabilitation  
Project*

**Legend**

-  Approximate extent of work area
-  Proposed pole location
-  Proposed staging area



Imagery Date: Mar 31, 2008

35°35'19.05" N 118°31'23.14" W elev. 0 m

Eye alt 361 m

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