5.0 PRELIMINARY LISTING OF POTENTIAL ISSUES, INFORMATIONAL NEEDS, AND MITIGATION BY RESOURCE (18 CFR 5.6(D)(4))

5.1 ISSUES PERTAINING TO THE IDENTIFIED RESOURCES

Based on the resource descriptions and impacts discussion in Section 4, the following is a list of preliminary issues identified by SCE. Study Plans have been identified to address the identified issues in each resource area. A complete description of each Study Plan is identified in Section 5.2. In developing this list of issues and corresponding studies, SCE has undergone an extensive outreach process to:

- Notify interested governmental agencies, NGOs, Indian tribes, and individuals of the upcoming relicensing proceeding;
- Identify any existing, relevant, and reasonably available information that describes the Project's existing or historical environment; and
- Identify resource agencies' interests for consideration during the relicensing process.

This process is summarized in Volume III and information is summarized in the following sections according to key resource area. During the public scoping process that begins with FERC issuing SD1, federal and state resource agencies, NGOs, Indian tribes and interested parties will have the opportunity to provide additional input and refine the resource issues to be addressed SCE's license application and analyzed in FERC's NEPA process.

5.1.1 Geology and Soils

During the TWG meetings, stakeholders identified the need to understand the sediment dynamics in Bishop Creek, including what flows mobilize sediment and what Project operations could be modified to mobilize sediments and large woody material from forebays above the diversion dams into reaches that have a low sediment supply. Such relationships could constitute a direct or indirect effect on geology and soils in the Project area.

To address these questions, a Sediment and Geomorphology Study Plan and an Operations Modeling Plan (Section 4.2) were developed. Additional details on study objectives and methods are as described in the Draft Proposed Study Plan, included with this submittal.

Consistent with Section 10(a)(2)(A) of the Federal Power Act (FPA), 16 USC Section 803 (a)(2)(A), requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing or conserving a waterway or waterways affected by the Project. SCE reviewed approved comprehensive plans and believe the following are relevant to the geology and soils resources of this Project:

- California State Water Resources Control Board. 1995. Water Quality Control Plan Report. Sacramento, California. Nine volumes.
- Forest Service. 1988. Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988.

Additionally, the proposed license application will be evaluated for consistency with the following resource management plans:

- Land Management Plan for the Inyo National Forest (USFS 2018)
- Bureau of Land Management's Bishop Resource Management Plan Record of Decision (BLM 1993)

5.1.2 Water Resources

Although the Project is located in a relatively clean granitic watershed with limited factors to impact water quality, stakeholders have expressed a need to establish baseline conditions to establish a point of reference for the future. Water storage and diversion activities could directly or indirectly affect water quality in Project waters or cumulatively contribute to water quality issues downstream. A Water Quality Technical Study is described in Section 4.3 to address this issue.

Continued Project O&M can potentially affect the timing and magnitude of flow allocated to various bypass reaches and may potentially be used to enhance the delivery of sediment and woody debris necessary to maintain stream habitat integrity. For this reason, SCE will develop a

Bishop Creek Operations Model, an Instream Flow Condition Study Plan and a Sediment and Geomorphology Study Plan.

Consistent with Section 10(a)(2)(A) of the FPA, 16 USC Section 803 (a)(2)(A), requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE reviewed approved comprehensive plans and believes the following are relevant to the water resources of this Project:

- California State Water Resources Control Board. 1995. Water Quality Control Plan Report. Sacramento, California. Nine volumes.
- Forest Service. 1988. Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988.

Additionally, proposed license application will be evaluated for consistency with the following resource management plans:

- Land Management Plan for the Inyo National Forest (USFS 2018)
- Bureau of Land Management's Bishop Resource Management Plan Record of Decision (BLM 1993)

5.1.3 Fish and Aquatic Resources

Project operations may indirectly or directly influence fish resources occupying Project waters, primarily by regulating water levels of the reservoirs or by flows throughout the Bishop Creek basin. The effect may be direct (e.g., altered hydrology due to flow management), or indirect (e.g., public access to Project areas). To understand potential impacts of Project operations on fisheries resources, SCE will develop a Bishop Creek Operations Model, and implement an Instream Flow Condition Study Plan, and a Sediment and Geomorphology Study Plan.

SCE will implement a Bishop Creek Fish Distribution Baseline Study and Bishop Creek Reservoirs Baseline Fish Distribution Study to determine the potential effects of Project facilities and operations on the presence and distribution of fish species within the creek and the reservoirs, respectively.

Consistent with Section 10(a)(2)(A) of the FPA, 16 USC Section 803 (a)(2)(A), requires the FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE reviewed approved comprehensive plans and believe the following are relevant to the fish and aquatic resources of this Project:

- California Department of Fish and Game. 2003. Strategic Plan for Trout Management: A Plan for 2004 and Beyond. Sacramento, California. November 2003.

There is no formal CDFW management plan for Projects waters, however the plan has been informally described by Nick Buckmeister and Steve Parmenter (CDFW) at the October 2018 TWG meeting in Bishop, California.

Additionally, the recently updated Land Management Plan for the Inyo National Forest (USFS 2018) will be evaluated for consistency with the proposed license application.

5.1.4 Wildlife and Botanical Resources

As described in Section 4, the TWG and SCE identified several special status plant and wildlife (i.e. non-rare, threatened and endangered) species with a confirmed presence or that have the potential to occur in and around the Project and the Project vicinity. For example, the potential affects of the Project on the resident mule deer herd, northern goshawk, and on potentially occurring bats have been expressed by the USFS. It is important to identify other sensitive plant and wildlife species that may be affected by Project operations. An Assessment of Special Status Plants Study Plan and Wildlife Study Plan is described in Section 4.3

Invasive plant species have been observed near Plant 4, along stream reaches, and along access roads in the study area. An Assessment of Invasive Plants in the Project area will be important to plan for appropriate long-term O&M BMPs under a new license. As well, populations of special status plant species have been reported within the study area. Many of these occur in the habitat types present adjacent to Project facilities and along stream reaches affected by the Project. For both invasive species and sensitive plants, questions regarding ongoing and future impacts of Project operations will be evaluated with an Assessment of Invasive Plants and an Assessment of Special Status Plants, as described in Section 4.5.

Consistent with Section 10(a)(2)(A) of the FPA, 16 USC Section 803 (a)(2)(A), requires the FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE has reviewed approved comprehensive plans and believe the following are relevant to the Wildlife and Botanical Resources of this Project:

- Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988. (USFS 1988).
- California Wildlife: Conservation Challenges, California's Wildlife Action Plan. Sacramento, California (CDFG 2007).
- Sierra Nevada National Forest Land and Resource Management Plan, Amendment. Department of Agriculture, Vallejo, California. January 2004. (USFS 2004).
- Bishop Resource Management Plan. Department of the Interior. Bishop, California. April 1993. (BLM 1993).

Additionally, the recently updated Land Management Plan for the Inyo National Forest (USFS 2018) will be evaluated for consistency with the proposed license application.

5.1.5 Wetlands, Riparian and Littoral Habitat

While riparian habitat appears to be generally healthy and robust in the Project area, results from license-compliance riparian monitoring reported from the 2014 field season (Read 2015) indicated a decline in cottonwood abundance at all three sites that were monitored on Bishop Creek, and analysis of the five-year riparian monitoring results indicated a possible decline and lack of recruitment for black cottonwood. In consultation with the TWG, SCE identified a need to determine if the reported decline may be directly or indirectly related to Project operations, and relationships (if any) to condition of the riparian community. SCE proposes to address these questions with an Assessment of the Bishop Creek Riparian Community (Section 4.6).

Consistent with Section 10(a)(2)(A) of the FPA, 16 USC Section 803 (a)(2)(A), requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE reviewed approved comprehensive plans and believe the following are relevant to the wetland, riparian and littoral resources of this Project:

- Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988. (USFS 1988).
- Bishop Resource Management Plan Record of Decision. (BLM 1993).

Additionally, proposed license application will be evaluated for consistency with the following resource management plans:

- Land Management Plan for the Inyo National Forest (USFS 2018).

5.1.6 Rare, Threatened and Endangered Species

As stated above, no plants listed as rare, threatened or endangered by federal or state agencies are known to occur within the Project vicinity. However, three wildlife species designated as threatened or endangered by the USFWS or CDFW have the potential to occur within the Project vicinity, and three other wildlife species designated as threatened or endangered by the USFWS or CDFW were determined to may have the potential to occur within Project vicinity. Many of these occur in the habitat types adjacent to Project facilities and along stream reaches affected by the Project; therefore, SCE will address potential direct, indirect or cumulative impacts of ongoing and proposed facilities and operations on for threatened and endangered wildlife species through the Wildlife Study Plan (Section 5.2). As well, the potential for the threatened and endangered amphibians to be present in the Project vicinity will be included in survey methods as described in the fish and aquatic studies described below.

Consistent with Section 10(a)(2)(A) of the FPA, 16 USC Section 803 (a)(2)(A), requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing or conserving a waterway or waterways affected by the Project. SCE has reviewed approved comprehensive plans and believe the following are relevant to the rare, threatened and endangered resources of this Project:

- Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988. (USFS 1988).
- Bishop Resource Management Plan. Department of the Interior. Bishop, California. April 1993. (BLM 1993).

Additionally, proposed license application will be evaluated for consistency with the following resource management plans:

- Land Management Plan for the Inyo National Forest (USFS 2018)
- Bishop Resource Management Plan Record of Decision (BLM 1993)

Additionally, the recently updated Land Management Plan for the Inyo National Forest (USFS 2018) will be evaluated for consistency with the proposed license application.

5.1.7 Recreation and Land Use

It will be necessary to ensure that an accurate representation of both Project boundary and land classification is presented in a FLA. A Project Boundary and Lands study as described in Section 4.8 will reconcile projected use of lands for Project purposes with the current Project boundary and recommend changes to ensure future Project operations and facilities are fully accounted for in the boundary.

Most recreation within or adjacent to the Project are located on Inyo National Forest lands and managed by the Inyo National Forest. The direct and indirect impact of Project operations on the condition of other National Forest recreation sites that intersect or are immediately adjacent to the Project boundary should be assessed. It is important to assess the extent to which Project operations may affect trout angling. Therefore, SCE proposes a Recreation Facilities Condition and Public Accessibility Study and a Recreation Use and Needs Study (Section 5.2).

Consistent with Section 10(a)(2)(A) of the FPA, 16 USC Section 803 (a)(2)(A), requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE has reviewed approved comprehensive plans and believe the following are relevant to the geology and soils resources of this Project:

- Bishop Resource Management Plan. Department of the Interior. Bishop, California. April 1993. (BLM 1993).
- Public Opinions and Attitudes on Outdoor Recreation in California. Sacramento, California. March 1998. (CDPR 1998).

- California Outdoor Recreation Plan (SCORP). Sacramento, California. April 1994. (CDPR 1994).
- Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988 (USFS 1988).
- The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993. (NPS 1993).

Additionally, proposed license application will be evaluated for consistency with the following resource management plans:

- 2015 California Statewide Comprehensive Outdoor Recreation Plan (CDPR 2015)
- Land Management Plan for the Inyo National Forest (USFS 2018)
- Bureau of Land Management's Bishop Resource Management Plan Record of Decision (BLM 1993)
- Inyo County General Plan (IC 2001)

5.1.8 Aesthetic Resources

While no direct, indirect or cumulative impacts of Project operations have been identified with respect to aesthetic resources, the TWG identified that understanding how the Project's recreation facilities adhere to scenic guidelines for the Land Management Plan for the Inyo National Forest (USFS 2018) is needed. Therefore, as part of the Recreation Facilities Condition and Public Accessibility Study Plan (Section 4.9), SCE will include a visual and aesthetic evaluation at South Lake Recreation Area, Lake Sabrina Recreation Area and Intake No. 2 Recreation Area.

Consistent with Section 10(a)(2)(A) of FPA, 16 USC Section 803 (a)(2)(A) requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE has reviewed approved comprehensive plans and believe the following are relevant to the aesthetic resources of this Project:

- Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988 (USFS 1988)

Additionally, the recently updated LMP for the Inyo National Forest (USFS 2018) will be evaluated for consistency with the proposed license application.

5.1.9 Cultural Resources

No direct or indirect impacts associated with Project facilities and O&M have been identified to date. Continued Project O&M and other activities, including public recreation activities, may have an adverse effect on historic properties. The effect may be direct (e.g., result of ground-disturbing activities), indirect (e.g., public access to Project areas), or cumulative (e.g., caused by a Project activity or public access in combination with other past, present and reasonably foreseeable future projects). As described in Section 5.2 below, a Cultural Resource study is proposed to meet NEPA standards under Section 106 of the NHPA to determine if Project-related activities and public access will have an adverse effect on historic properties. The goal of this study is to identify cultural resources including resources related to traditional interests of non-Tribal groups within the APE, evaluate their eligibility to the NRHP, and to identify direct and indirect Project effects to historic properties.

Consistent with Section 10(a)(2)(A) of FPA, 16 USC Section 803 (a)(2)(A), requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE has reviewed approved comprehensive plans and believe the following are relevant to the cultural resources of this Project:

- Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988 (USFS 1988).

Additionally, the proposed license application will be evaluated against the recently updated Land Management Plan for the Inyo National Forest (USFS 2018).

5.1.10 Socio-economic Resources

No direct, indirect or cumulative impacts on socioeconomic resources associated with the Project area have been identified, therefore there are no specific socioeconomic studies proposed. However, to the extent that angler use, and recreation needs may be associated with Project facilities, economic data will be collected as part of the Recreation Use and Needs study to

understand the potential connections between Project facilities and operations and spending in the local economy.

Consistent with Section 10(a)(2)(A) of FPA, 16 USC Section 803 (a)(2)(A), requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE has reviewed approved comprehensive plans and believe the following are relevant to the socioeconomic resources of this Project:

- Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988 (USFS 1988).

Additionally, the proposed license application will be evaluated against the recently updated Land Management Plan for the Inyo National Forest (USFS 2018).

5.1.11 Tribal Resources

No direct or indirect impacts associated with Project facilities and O&M have been identified to date. Continued Project O&M and other activities, including public recreation activities, may have an adverse effect on historic properties, including Tribal resources. The effect may be direct (e.g., result of ground-disturbing activities), indirect (e.g., public access to Project areas), or cumulative (e.g., caused by a Project activity or public access in combination with other past, present and reasonably foreseeable future Projects). A Tribal Resources Study (Section 5.2 below), is proposed to identify Tribal resources and assess the potential impacts. As described in Section 4.12 above, there is concern that cumulative impacts of development and water resource allocation in the Owen's Valley affected traditional food and plant gathering patterns of the Native American communities. Therefore, this topic will be included in the ethnographic portion of the proposed study (Section 5.2 below). The goal of this study is to identify cultural resources within the APE, evaluate their eligibility for listing in the NRHP, and identify direct and indirect Project effects to historic properties.

Consistent with Section 10(a)(2)(A) of FPA, 16 USC Section 803 (a)(2)(A), requires FERC to consider the extent to which a Project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the Project. SCE

reviewed approved comprehensive plans and believe the following are relevant to the Tribal resources of the Project:

- Inyo National Forest Land and Resource Management Plan. Department of Agriculture. Bishop, California. August 1988 (USFS 1988).
- 2018 California Tribal Water Summit (https://water.ca.gov/About/Tribal-Policy) (documents in preparation).
- Owens Valley Indian Water Commission, http://www.oviwc.org/.

Additionally, the proposed license application will be evaluated against the recently updated LMP for the Inyo National Forest (USFS 2018).Although no Native American tribes interviews or outreach were conducted for the PAD, it is anticipated there may be issues and concerns related to ancestral homelands, ceremonial culturally-important activity areas, and issues related to plants, fungi, fish, animals, and other natural resources. Most tribal groups will communicate that the prehistoric sites discussed by the archaeologists have value to them and are part of the cultural continuity, that is, they are part of their ongoing history. Similarly, to put this in the perspective of the NRHP, all archaeological sites should be fully analyzed and evaluated for criteria other than criteria d, or research values. Criteria a and criteria b have particular relevance for some of the sites. Each of the historic components at the prehistoric sites should be investigated for their ability to inform ongoing cultural continuity in the historic period.

5.2 PROPOSED STUDIES

- **Assessment of Bishop Creek Riparian Community Study Plan (TERR 1)**: Characterize the riparian community using the long-term monitoring dataset generated from monitoring conducted in compliance with the existing license in terms of the goals and objectives of riparian ecosystem health contained in the LMP for the Inyo National Forest (USFS 2018); review and assess black cottonwood abundance and determine whether the decline observed in 2014 (baseline) is within a natural range of variability or could be related to Project operations; ensure that future Project facilities and operations are consistent with the desired conditions described in the LMP for the Inyo National Forest (USFS 2018) as they relate to ecological sustainability and diversity of plant and animal communities.
- **Assessment of Invasive Plants Study Plan (TERR 2)**: Classify and map the existing population of invasive plants in the Project area; assess the extent to which the Project may contribute to the spread of invasive plants which could adversely impact native ecosystems in the study area; ensure that future Project facilities and operations are

consistent with the desired conditions, goals and standards described in the LMP for the Inyo National Forest (USFS 2018) as they relate to ecological sustainability and biodiversity.

- **Assessment of Special Status Plants Study Plan (TERR 3)**: Classify and map the existing distribution of special status plants (including aquatic plants) in the Project area and Project-affected reaches; assess the extent to which the Project may affect rare, threatened, endangered or other special status species; and ensure that future Project facilities and operations are consistent with the desired conditions, goals and standards described for animal and plant species in the LMP for the Inyo National Forest (USFS 2018).
- **Wildlife Study Plan (TERR 4)**: Identify management and other special status species and assess for Project impact. Determine if the resident mule deer herd and/or other wildlife species are affected by or alter their migratory patterns in response to Project infrastructure or operation and evaluate the use at existing crossing structures to determine adequacy.
- **Assessment of Instream Flow Needs Study Plan (AQ 1)**: Determine the range of flows necessary to provide suitable habitat to support a self-sustaining population of brown trout in Bishop Creek in bypass reaches above and below Intake 2, and to support native, non-game aquatic species (Owens sucker and speckled dace) below Intake 2.
- **Bishop Creek Operations Model Study Plan (AQ 2)**: Develop a robust Operations Model (Model) to assist SCE and stakeholders in understanding how Project operations interact with Bishop Creek hydrology; this model would be used to make informed decisions regarding the implementation of other relicensing studies. Determine effective operating limits for all units to accurately represent installed and dependable capacity for licensing documents. Ensure that future Project facilities and operations are not inconsistent with the Desired Conditions described in the LMP for the Inyo National Forest (USFS 2018) as they relate to ecological sustainability and diversity of plant and animal communities.
- **Bishop Creek Fish Distribution Baseline Study Plan (AQ 3)**: Focuses on identifying the presence and distribution of fish species within the Project area that may be affected. Study Plan goals and objectives include characterizing fish populations and distribution in Project influenced stream reaches; evaluating select, localized water quality parameters that may affect the growth and distribution of fish species; and ensuring that future Project facilities and operations are not inconsistent with the desired conditions described in the LMP for the Inyo National Forest (USFS 2018) as they relate to ecological sustainability and diversity of plant and animal communities.
- **Bishop Creek Reservoirs Baseline Fish Distribution Study Plan (AQ 4)**: Focuses on identifying the presence and distribution of fish species within the two reservoirs (South Lake and Lake Sabrina) within the Project area that may be affected. Study Plan goals and objectives include characterizing populations and status of fish species in Lake Sabrina and South Lake; evaluating select, localized water quality parameters that may affect the growth and distribution of fish species; and ensuring that future Project facilities and operations are not inconsistent with the desired conditions described in the

LMP for the Inyo National Forest (USFS 2018) as they relate to ecological sustainability and diversity of plant and animal communities.

- **Water Quality Technical Study Plan (AQ 5)**: Monitor water quality for two years on a regular basis at multiple monitoring sites. Ensure that Project facilities and operations are consistent with the water quality goals and objectives for existing management plans.
- **Sediment and Geomorphology Study Plan (AQ 6)**: Focuses on the reaches between Plant No. 2 and Plant No. 6, will provide additional information pertaining to riparian and fisheries habitat assessments, and has the potential to reduce maintenance needs at the Project by limiting the accumulation of large woody material and sediment in the forebays. The goal of the study is to develop an understanding of sediment dynamics in Bishop Creek by analyzing relationships between sediment and flow dynamics in Bishop Creek to assist SCE and stakeholders in understanding how Project operations interact with sediment transport.
- **Project Boundary and Lands Study Plan (LAND 1)**: Designed as a desktop exercise to assess potential modifications to the Project boundary to account for future O&M of Project facilities.
- **Recreation Use and Needs Study Plan (REC 1)**: Characterize existing recreation use and needs (RUNs), including angling in the study area. Evaluate adequacy of existing recreation facilities for present and future needs.
- **Recreation Facilities Condition and Public Accessibility Study Plan (REC 2)**: Assess the condition of existing recreation facilities and analyze economics of current and future Project-related O&M of recreation facilities.
- **Cultural Resources Study Plan (CULT 1)**: Meet FERC compliance requirements under FERC protocols and Section 106 of the NHPA, as amended, by determining if Project-related activities and public access would have an adverse effect on historic properties. Identify historically significant cultural resources (archaeological, built environment, and non-Tribal traditional) within the APE to prepare a HPMP for implementation under the new license.
- **Bishop Creek Tribal Resources Study Plan (CULT 2)**: Meet FERC compliance requirements under FERC protocols and Section 106 of the NHPA to identify if Project-related activities and public access would have an effect on traditional or other Tribal Resources. Evaluate the eligibility of such resources for listing in the NRHP, and identify Project-related effects to historic properties within the APE to prepare a HPMP for implementation under the new license.

5.3 REFERENCES

Bureau of Land Management (BLM). 1993. Bishop Resource Management Plan Record of Decision. Bakersfield District, Bishop Resource Area.

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United States Forest Service (USFS). 2004. Sierra Nevada National Forest Land and Resource Management Plan, Amendment. Department of Agriculture, Vallejo, California. January 2004.

United States Forest Service (USFS). 1988. Inyo National Forest Land and Resource Management Plan. Department of Agriculture.