

2.0 LICENSING PROCESS PLAN AND SCHEDULE

This Section includes four sub-sections: Section 2.1 describes Licensees' approach to relicensing the Project; Section 2.2 includes a detailed process plan and schedule; Section 2.3 presents Licensees' proposed dates and locations for FERC's early relicensing meetings; and Section 2.4 provides Licensees' communication guidelines for the relicensing.

2.1 PROPOSED RELICENSING APPROACH

Licensees intend to use the FERC ILP, as outlined in Title 18 of the Federal Code of Regulations (CFR), Part 5, to relicense the Project.

2.2 PROCESS PLAN AND SCHEDULE

FERC's ILP regulations outline sequential relicensing activities and prescribed timeframes to which an applicant and relicensing participants must adhere. Many activities and filing milestones in the ILP regulations are contingent upon a previous activity (e.g., a party may file comments within 30 days of a FERC ruling) and may be amended by FERC. However, some milestone dates are fixed by the existing license expiration date. These fixed milestone dates for the Project relicensing are:

- August 1, 2016 – The earliest date Licensees may file with FERC a Notice of Intent to File an Application for a New License (NOI) and PAD.
- January 31, 2017 – The latest date Licensees may file with FERC an NOI and PAD.
- September 3, 2019 – The latest date Licensees may file with FERC a Preliminary License Proposal (PLP) or a Draft Application for a New License (DLA).
- January 31, 2020 – The latest date that Licensees may file with FERC a Final Application for a New License (FLA).
- January 31, 2022 – The date the initial FERC license for the existing Project, FERC Project No. 2426, expires.

Table 2.2-1 presents a schedule for pre-filing stages of relicensing the Project (through filing of the FLA) using FERC's ILP regulations. Licensees developed the schedule using the timeframes set forth in 18 CFR, Part 5, and based the schedule on anticipated NOI and PAD filing dates of August 1, 2016, the earliest possible filing date. Table 2.2-1 shows: (1) pertinent ILP regulations; (2) the party or parties responsible for initiating the activity; (3) a description of the activity including, where appropriate, a previous activity linked to the activity; and (4) the calendar duration of the activity.

Table 2.2-1. Process Plan and Schedule for Licensees' Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016

| Sub-section(s) | Lead | Activity ¹ | Timeframe (Start and Finish) ^{2,3} | |
|--|-----------|--|---|------------------------|
| 18 CFR § 5.5. NOTIFICATION OF INTENT | | | | |
| (a)-(g) | Licensees | File NOI and request for non-federal representative status under § 7 of the ESA and § 106 of the NHPA. <i>(No earlier than 5.5 years and no later than 5 years prior to expiration of the current license)</i> | 8/1/16 (Monday) | |
| 18 CFR § 5.6. PRE-APPLICATION DOCUMENT | | | | |
| (a)-(e) | Licensees | File PAD. <i>(No earlier than 5.5 years and no later than 5 years prior to expiration of the current license)</i> | 8/1/16 (Monday) | |
| 18 CFR § 5.7. TRIBAL CONSULTATION | | | | |
| -- | FERC | Hold meeting with each Indian tribe likely to be affected by the potential license application | 8/2/16 (Tuesday) | 8/31/16 (Wednesday) |
| 18 CFR § 5.8 CONSULTATION COMMENCES | | | | |
| (a) | FERC | Issue Notice of NCP. <i>(No later than 60 days from date NOI and PAD filed)</i> | 8/2/16 (Tuesday) | 9/30/16 (Friday) |
| (b) | FERC | Initiate informal consultation under § 7 of the ESA and/or § 106 of the NHPA, if appropriate. <i>(No later than 60 days from date NOI and PAD filed)</i> | 8/2/16 (Tuesday) | 9/30/16 (Friday) |
| 18 CFR § 5.8. ISSUE SCOPING DOCUMENT 1 | | | | |
| (c) | FERC | SD1. <i>(No later than 60 days from date NOI and PAD filed)</i> | 8/2/16 (Tuesday) | 9/30/16 (Friday) |
| 18 CFR § 5.8. HOLD NEPA SCOPING MEETING AND SITE VISIT | | | | |
| (e) | FERC | Post notice of NEPA scoping meeting in Federal Register and local newspapers. <i>(No later than 30 days from date NCP issued)</i> | 8/2/16 (Tuesday) | 9/30/16 (Friday) |
| (e) | FERC | Notify relicensing participants by mail of scoping meeting. <i>(No later than 30 days from date NCP issued)</i> | 8/2/16 (Tuesday) | 9/30/16 (Friday) |
| (d) | FERC | Hold NEPA scoping meeting and conduct site visit. <i>(No later than 30 days from date NCP issued)</i> | 10/1/16 (Saturday) | 10/31/16 (Monday) |

Table 2.2-1. Process Plan and Schedule for Licensees' Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016 (continued)

| Sub-section(s) | Lead | Activity ¹ | Timeframe (State and Finish) ^{2,3} | |
|--|--------------------------------------|---|---|------------------------|
| (d) | Relicensing Participants | Relicensing participants may attend the meeting to identify issues for NEPA scoping and preliminary study needs, and discuss process plan and schedule. <i>(No earlier than 30 days but no later than 60 days from date NCP issued)</i> | 10/1/16 (Saturday) | 10/31/16 (Monday) |
| 18 CFR § 5.9. COMMENTS AND INFORMATION OR STUDY REQUESTS | | | | |
| (a) | Licensees & Relicensing Participants | File comments on SD1 <i>(No later than 60 days from date NCP issued)</i> | 10/1/16 (Saturday) | 11/29/16 (Tuesday) |
| (a) | FERC & Relicensing Participants | File comments on the PAD and requested studies <i>(No later than 60 days from date NCP issued)</i> | 10/1/16 (Saturday) | 11/29/16 (Tuesday) |
| 18 CFR § 5.10. SCOPING DOCUMENT 2 | | | | |
| -- | FERC | SD2. <i>(No later than 45 days from end of PAD and SD1 comment period)</i> | 11/30/16 (Wednesday) | 1/13/17 (Friday) |
| 18 CFR § 5.11. APPLICANT'S PROPOSED STUDY PLAN AND STUDY PLAN MEETINGS | | | | |
| (a) | Licensees | File Proposed Study Plan. <i>(No later than 45 days from end of PAD and SD1 comment period)</i> | 11/30/16 (Wednesday) | 1/13/17 (Friday) |
| (e) | Licensees | Hold Proposed Study Plan meeting. <i>(No later than 30 days after date Proposed Study Plan filed)</i> | 1/14/17 (Saturday) | 2/13/17 (Monday) |
| 18 CFR § 5.12. COMMENTS ON PROPOSED STUDY PLAN | | | | |
| -- | Relicensing Participants | File comments on Proposed Study Plan. <i>(No later than 90 days after date Proposed Study Plan is filed)</i> | 1/14/17 (Saturday) | 4/13/17 (Thursday) |
| 18 CFR § 5.13. REVISED STUDY PLAN AND STUDY PLAN DETERMINATION | | | | |
| (a) | Licensees | File Revised Study Plan. <i>(No later than 30 days from date Proposed Study Plan comment period ends)</i> | 4/14/17 (Friday) | 5/15/17 (Monday) |
| (b) | Relicensing Participants | File comments on Revised Study Plan. <i>(No later than 15 days from date Revised Study Plan is filed)</i> | 5/18/17 (Thursday) | 5/30/17 (Tuesday) |
| (c) | FERC | Issue Study Plan Determination. <i>(No later than 30 days from date Revised Study Plan is filed)</i> | 5/18/17 (Thursday) | 6/14/17 (Wednesday) |

Table 2.2-1. Process Plan and Schedule for Licensees' Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016 (continued)

| Sub-section(s) | Lead | Activity ¹ | Timeframe (State and Finish) ^{2,3} | |
|--|---|---|---|----------------------------------|
| (d) | FERC | Revised Study Plan deemed approved. <i>(20th day after FERC Determination, if no study plan disputes filed)</i> | 7/5/17 (Wednesday) | |
| 18 CFR § 5.14. FORMAL STUDY DISPUTE RESOLUTION PROCESS | | | | |
| (a) | Agencies and Tribes with Mandatory Conditioning Authority under FPA 4(e) and 18 and CWA 401 | File NOD. <i>(No later than 20 days of date FERC Determination issued)</i> | 6/14/17 (Wednesday) | 7/5/17 (Wednesday) |
| (d) | FERC | Convene Dispute Resolution Panel. <i>(No later than 20 days from date NOD filed)</i> | 7/6/17 (Thursday) | 7/25/17 (Tuesday) |
| (i) | Licensees & Relicensing Participants | File comments on NOD. <i>(No later than 25 days from date NOD filed)</i> | 7/6/17 (Thursday) | 7/31/17 (Monday) |
| (k) | Dispute Resolution Panel (DRP) | Deliver to FERC finding on NOD. <i>(No later than 50 days from date NOD filed)</i> | 7/6/17 (Thursday) | 8/24/17 (Thursday) |
| (l) | FERC | Director of Office of Energy Projects issues written determination regarding NOD. <i>(No later than 70 days from date NOD filed)</i> | 7/6/17 (Thursday) | 9/13/17 (Wednesday) |
| 18 CFR § 5.15. CONDUCT STUDIES | | | | |
| (a) | Licensees | Conduct studies | 6/15/17 (Thursday) ⁴ | 1/31/20 (Friday) ⁴ |
| (b) | Licensees | File periodic progress reports | FERC determines frequency | |
| (c)(1) | Licensees | File Initial Study Report. <i>(No later than 1 year after FERC's approval of Revised Study Plan)</i> | 6/15/17 (Thursday) | 6/14/18 (Thursday) |
| (c)(2) | Licensees | Hold Initial Study Report meeting. <i>(No later than 15 days of date Initial Study Report filed)</i> | 6/15/18 (Friday) | 6/29/18 (Friday) |
| (c)(3) | Licensees | File Initial Study Report meeting summary, including proposed plan modifications and new studies. <i>(No later than 15 days after Initial Study Report meeting)</i> | 6/30/18 (Saturday) | 7/16/18 (Monday) |

Table 2.2-1. Process Plan and Schedule for Licensees' Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016 (continued)

| Sub-section(s) | Lead | Activity ¹ | Timeframe (State and Finish) ^{2,3} | |
|----------------|--------------------------------------|--|---|------------------------|
| (c)(7) | FERC | Approve meeting summary and study plan modifications, if no disagreements filed. <i>(30th day after meeting summary filed)</i> | 8/15/18 (Wednesday) | |
| (c)(4) | Relicensing Participants | File disagreements with meeting summary, including Licensees' proposed study plan modifications and new studies. <i>(No later than 30 days after Initial Study Report meeting summary filed)</i> | 7/17/18 (Tuesday) | 8/15/18 (Wednesday) |
| (c)(5) | Licensees & Relicensing Participants | File responses to disagreements. <i>(No later than 30 days after disagreement period ends)</i> | 8/16/18 (Thursday) | 9/14/18 (Friday) |
| (c)(6) | FERC | Resolve disagreements and amend study plan. <i>(No later than 30 days after responses to disagreements period ends)</i> | 9/15/18 (Saturday) | 10/15/18 (Monday) |
| (f) | Licensees | File Updated Study Report, including election of the Licensees to file a DLA rather than a PLP, if Licensees chose to do so | 6/15/18 (Friday) | 6/14/19 (Friday) |
| (c)(2) | Licensees | Hold Updated Study Report meeting. <i>(No later than 15 days from date Updated Study Report filed)</i> | 6/15/19 (Saturday) | 7/1/19 (Monday) |
| (c)(3) | Licensees | File Updated Study Report meeting summary, including the Licensees' proposed study plan modifications and new studies. <i>(No later than 15 days after Updated Study Report meeting)</i> | 7/2/19 (Tuesday) | 7/16/19 (Tuesday) |
| (c)(7) | FERC | Approve meeting summary and study plan modifications, if no disagreements filed. <i>(No later than 30 days after meeting summary filed)</i> | 8/15/19 (Thursday) | |
| (c)(4) | Relicensing Participants | File disagreements with meeting summary, proposed study modifications, and new studies. <i>(No later than 30 days after Updated Study Report meeting summary filed)</i> | 7/17/19 (Wednesday) | 8/15/19 (Thursday) |

Table 2.2-1. Process Plan and Schedule for Licensees' Project Relicensing Using the ILP Based on Filing the NOI and PAD on August 1, 2016 (continued)

| Sub-section(s) | Lead | Activity ¹ | Timeframe (State and Finish) ^{2,3} | |
|--|--------------------------------------|---|---|-------------------------|
| (c)(5) | Licensees & Relicensing Participants | File response to disagreements. <i>(No later than 30 days after disagreement period ends)</i> | 8/16/19 (Friday) | 9/16/19 (Monday) |
| (c)(6) | FERC | Resolve disagreement and amend study plan. <i>(No later than 30 days after response to disagreements period ends)</i> | 9/17/19 (Tuesday) | 10/16/19 (Wednesday) |
| 18 CFR § 5.16. PRELIMINARY LICENSING PROPOSAL OR DRAFT LICENSE APPLICATION | | | | |
| (a)-(d) | Licensees | File PLP or DLA. <i>(No less than 150 days prior to deadline for filing license application)⁸</i> | 9/3/19 (Tuesday) | |
| (e) | Relicensing Participants | File comments on PLP/DLA. <i>(No later than 90 days from date PLP or DLA filed)</i> | 9/4/19 (Wednesday) | 12/2/19 (Monday) |
| (a) | Licensees | File an FLA. <i>(No later than 2 years prior to expiration of the current license)</i> | 1/31/20 (Friday) | |

Source: Licensees

Notes:

¹The activity description is a good faith effort to summarize the pertinent regulation. The reader is encouraged to read the specific regulation.

²When an activity is contingent on completion of a previous activity, the schedule assumes the previous activity is completed the latest date possible for that previous activity, unless otherwise indicated.

³According to 18 CFR § 385.2007(a)(2), if a filing date falls on a Saturday, Sunday, or federal legal public holiday, the deadline for filing becomes the next business day. The schedule includes this consideration.

⁴This ILP schedule assumes that studies begin when FERC issues its Study Determination and may continue for two years or more.

Key:

DLA = Draft License Application

DRP = Dispute Resolution Panel

ESA = Endangered Species Act

FERC = Federal Energy Regulatory Commission

FLA = Final License Application

ILP = Integrated Licensing Process

NCP = Notice of Commencement of Proceeding

NHPA = National Historic Preservation Act

NOD = Notice of Dispute

NOI = Notice of Intent

PAD = Pre-Application Documents

PLP = Preliminary Licensing Proposal

SD1 = Issue Scoping Document 1

SD2 = Issue Scoping Document 2

Licensees anticipate that FERC will issue its own schedule after Licensees file the NOI and PAD.

Table 2.2-1 provides a schedule of regulatory deadlines that must be adhered to by relicensing participants and Licensees, unless otherwise amended by FERC. However, within the confines of those regulations, Licensees may choose to undertake discretionary activities to facilitate the relicensing.

2.3 LICENSEES' PROPOSED LOCATION AND DATES FOR THE NEPA SCOPING MEETING AND SITE VISIT

Section 5.6(d)(1) of 18 CFR requires an applicant using the ILP to include in its PAD a proposal to FERC for dates and locations for FERC's scoping meeting and site visit.

Based on the ILP process schedule in Table 2.2-1, FERC's ILP scoping meeting and site visit would occur in October 2016. Licensees' proposed location and date for FERC's site visit are as follows:

- Proposed Site Visit – 9 a.m. to 3 p.m. on October 25, 2016, (Tuesday) at the Project site.

Licensees expect that FERC will want to hold two National Environmental Policy Act (NEPA) scoping meetings on the day after FERC's site visit: one meeting in the morning to focus on resource agency concerns; and one in the evening to focus on the public's views. The agenda for the meetings would be set by FERC. Specifically, Licensees recommend:

- Proposed Scoping Meetings – 9 a.m. to 12 p.m. and from 6 p.m. to 9 p.m. on October 26, 2016 (Wednesday) at the Embassy Suites by Hilton 28508 Westinghouse Place, Valencia, CA 91355.

However, FERC will verify the schedule and location, and issue a notice for FERC's site visit and NEPA scoping meeting.

2.4 LICENSEES' RELICENSING COMMUNICATION GUIDELINES

2.4.1 Communication Goals

The purposes of these communication guidelines are to facilitate consistent practices and document communication associated with the Project relicensing effort, and to provide methods and tools for exchanging information among Licensees and relicensing participants. These communication guidelines primarily focus on Licensees' responsibilities for communication management with the goals of:

- facilitating consistent practices and communication among Licensees and relicensing participants;
- providing a mechanism for establishing the formal consultation record required for the license application;
- encouraging broad agency, tribal and public participation in the relicensing process;
- providing ample notice of meetings open to attendance by relicensing participants;
- documenting and maintaining all communication and contacts with specific groups and individuals through which actions may be taken or decisions made that could affect the relicensing;
- providing a mechanism for public access to relicensing documentation as part of the Public Reference Files maintained by Licensees; and

- ensuring compliance with the confidentiality requirements of sensitive information including cultural resource information, Critical Energy Infrastructure Information (CEII), and other sensitive information.

These communication guidelines, which are not hard rules, establish a communication framework and identify mechanisms for achieving the above communication goals.

These communication guidelines do not supersede, or in any way modify, FERC's regulations or any other federal or State regulations related to the relicensing.

2.4.2 Participation in the Relicensing

2.4.2.1 Relicensing Participants

Participation in the Project relicensing is open to agencies, Native American tribes, NGOs, and the public, and broad participation is encouraged.

During the relicensing, Licensees are required to consult with resource agencies, local governments, NGOs and members of the public. A resource agency is a federal, State, or interstate agency with jurisdiction in the areas of flood control, navigation, irrigation, recreation, fish, and wildlife, as well as water resource management, including water rights, cultural, or other relevant resources of the State. Examples of agencies with federal and State statutory authorities that may be involved in the Project relicensing include:

- National Marine Fisheries Service (NMFS)
- U.S. Department of Agriculture, Forest Service (USFS)
- U.S. Department of the Interior, Fish and Wildlife Service (USFWS)
- U.S. Department of the Interior, National Park Service (NPS)
- U.S. Department of the Interior, Bureau of Indian Affairs (BIA)
- USFS, ANF
- USFS, LPNF
- U.S. Environmental Protection Agency (EPA)
- Advisory Council on Historic Preservation (ACHP)
- California Department of Fish and Wildlife (CDFW)
- SWRCB
- Lahonton Regional Water Quality Control Board (RWQCB)

- Los Angeles RWQCB
- California Department of Parks and Recreation (DPR)
- DPR, State Historic Preservation Officer (SHPO), under the Office of Historic Preservation (OHP)

In addition, Licensees are required to consult with Native American tribes during the Project relicensing. Native American tribes are sovereign governments that have authority over their members and territory, and are knowledgeable about Native American history and resources in the State. The term “Indian Tribe” is used in the NHPA and by FERC to mean an Indian community or group who are recognized by the federal government. The term “Native American” is used herein to encompass all indigenous communities potentially interested in or affected by the relicensing, regardless of federal recognition. Consultation with Native American tribes will be conducted at the government-to-government level. Additionally, if FERC grants Licensees’ request that FERC designate Licensees as FERC’s non-federal representatives for consultation under Section 106 of the National Historic Preservation Act (NHPA) and implementing regulations, Licensees will coordinate with FERC to undertake pre-filing consultation with tribes consistent with Section 106 of the NHPA (36 CFR § 800.2[c][4]).

2.4.2.2 Relicensing Participants Mailing List

Licensees have created and will maintain a list of parties that are likely to be interested in the Project relicensing or that have specifically expressed to Licensees an interest in the relicensing. Interested individuals can request to be included on the Relicensing Participants Mailing List by contacting Licensees through a link provided on the relicensing website, as described in Section 2.4.3, or by contacting Licensees, as described in Section 2.4.4.

Licensees request that each interested party provide appropriate information (i.e., name, title, affiliation, mailing address, telephone and e-mail address) for a designated contact for the relicensing. To help expedite communication, Licensees request that the designated contact is authorized to speak on behalf of the agency, organization, or affiliation that he or she represents in the relicensing. Also, it would be helpful if designated contacts strive to keep the appropriate members of his or her agency, organization, or affiliation advised of relicensing activities. Licensees also anticipate that each individual, agency, tribe, and NGO will notify Licensees if contact information for its designated contact person changes.

Relicensing is a long process that will extend for at least five years. To keep the Relicensing Participants Mailing List current, Licensees will periodically issue an e-mail to all those on the list who have provided an email address asking for each contact to confirm that he or she wishes to remain on the list. Licensees will assume that those who do not respond in a timely fashion are no longer interested in the relicensing and delete those individuals from the mailing list.

2.4.3 Relicensing Website

Licensees have established and will maintain a publicly accessible website as a means of making information regarding the Project relicensing readily available to relicensing participants. The website can be accessed at <http://south-swp-hydropower-relicensing.com>.

Examples of information that will be provided on the website include:

- NOI
- PAD
- PLP or DLA
- FLA
- Public and special topic meeting notices and agendas
- Meeting materials and applicable handouts
- Calendar of events and important dates
- California Environmental Quality Act (CEQA) documents
- NEPA documents
- Study reports
- Other substantive correspondence and material related to the relicensing process

2.4.4 Licensees' Dedicated E-mail Address

Licensees have established and will maintain a dedicated e-mail address for general inquiries on the Project relicensing. The e-mail address is:
SSWPRElicensing@water.ca.gov

2.4.5 Formal Communication Methods

Licensees' formal communications include scheduled meetings with relicensing participants, reports and letters including letters from Licensees to FERC and other agencies. Each of these is discussed below.

2.4.5.1 Formal Meetings

Meetings (e.g., face-to-face, teleconference, and group gatherings, some of which will be public with published notice) will generally be used to disseminate and discuss relicensing information.

Public Meetings

Licensees will plan, arrange, and facilitate formal public meetings during the relicensing process for gathering comments from relicensing participants. Formal public meetings include, but may not be limited to, joint agency and public meetings, site visits, and meetings to receive comments on various documents and issues. Formal meetings have set procedures that may be governed by an agency's policies and State or federal laws, and are open to the public.

Unless otherwise agreed to, meetings will generally be located in southern California and held at an appropriate location near the Project.

Licensees believe that in-person participation in a meeting rather than by telephone is a more effective and desirable form of communication. However, to accommodate constrained schedules, encourage participation, and make meetings as accessible as possible to relicensing participants, Licensees will attempt to arrange a telephone call-in line for a relicensing participant if the meeting room has such capabilities and if requested by that relicensing participant at least seven days in advance of the meeting. If there is a call-in number available, Licensees will forward the call-in number to the relicensing participant who requested it. However, Licensees do not guarantee the quality of the phone connection or that the relicensing participant connecting by telephone will have access to all the materials that may potentially be reviewed at the meeting.

If a relicensing participant finds that he or she is unable to attend, or is unable to have a representative attend a Licensees-sponsored meeting, the relicensing participant may provide Licensees input by e-mail prior to the meeting. If this occurs, Licensees will make a good faith effort to convey the information and its source accurately to relicensing participants at the meeting.

Some meetings and information prepared for or shared during a meeting may be Privileged. For example, information on Native American resources and locations of sensitive environmental and cultural resources are considered Privileged material with restrictions on their distribution. Licensees expect any relicensing participant providing Privileged information will identify the information as such in advance of disclosure and will manage the information appropriately. Licensees will strive to provide meeting materials at least seven calendar days in advance of the scheduled meeting to all interested parties.

Special Topic Meetings

Licensees may organize and facilitate special topic meetings with relicensing participants, as needed, to clarify input on specific issues. Licensees will plan, arrange and facilitate the meetings. The meetings will generally be in southern California at an appropriate location near the Project, or another mutually agreed upon location. Licensees will strive to provide meeting materials at least seven calendar days in advance of the scheduled meeting to all interested parties.

Web-Based and Teleconference Meetings

The Licensees, at their discretion, will organize on-line and teleconference meetings to disseminate information and to encourage discussions, when appropriate.

Meeting Notifications

For all formal meetings, Licensees will provide prior notice of the meeting to contacts on the Relicensing Participants Mailing List. Notification will occur through e-mail, unless other arrangements are made, and will be posted on the relicensing website. Licensees may use discretion on a case-by-case basis on which relicensing participants are invited to certain meetings involving special topics. Licensees will strive to provide the meeting materials seven calendar days in advance of the meeting.

In some cases, FERC's regulations require that an applicant post notices in newspapers or periodicals in the county in which the project is located. In these cases, Licensees will publish the notice consistent with the applicable regulation.

LISTSERV™ is an electronic mailing list management software program that allows information to be broadcasted to subscribers. LISTSERV provides a process that can be used for distributing information to LISTSERV subscribers. If a LISTSERV capability is established, Licensees will have discretion on updating the Relicensing Participants Mailing List with LISTSERV-listed individuals. Individuals can request to be included on the LISTSERV list through a link provided on the relicensing website discussed above, or by contacting Licensees as described above. Individuals requesting to be on the list must provide to Licensees their first and last names, mailing address, phone number, e-mail address, and their affiliation, if applicable.

Meeting Action Item Log

For all meetings, Licensees will add any action items or decisions made at the meeting to an Action Item Log that Licensees will maintain on the relicensing website.

2.4.5.2 Formal Written Correspondence

Written communication includes but is not limited to letters, memoranda, technical reports, white papers, written analyses, legal pleadings, and e-mails. Licensees will use formal written correspondence for two purposes: to formally distribute relicensing documents and to communicate with FERC and relicensing participants.

Distribution of Documents

Consistent with DWR's sustainability policy and policy on waste reduction and recycling (Department Administrative Manual § 8000 et seq.), as well as FERC's paper reduction policies and objectives of Order No. 604 (May 26, 1999), to the extent feasible and where appropriate, Licensees will distribute documents utilizing available electronic communication mechanisms such as e-mail and the relicensing website. In most instances, Licensees will follow the procedure in Table 2.4-1 to disseminate relicensing documents.

Table 2.4-1. Normal Procedure for Disseminating Relicensing Documents

| Document | Primary | By Request |
|---------------------------|--|----------------------|
| Meetings Notices/Agenda | Website and e-mail | Hard copy, if needed |
| Major Documents | Website and e-mail noticing the availability of the document on Website or FERC eLibrary or both | USB or Hard copy |
| FERC filed Correspondence | E-mail or U.S. mail | Hard copy |

Source: Licensees

Key:

FERC = Federal Energy Regulatory Commission

U.S. = United States

USB = Universal Serial Bus

Written Correspondences

Licensees anticipate using FERC's eFiling when possible for Licensees' correspondences with FERC, and anticipate distributing such documents by notifying relicensing participants of Licensees' document's availability on the relicensing website and on the FERC eLibrary. The distribution will also be made to FERC's Service List after FERC establishes a formal Service List for the Project relicensing. Licensees plan to use e-mail to notify relicensing participants of new postings to the relicensing website that involve major filings with FERC. Licensees will have the date, name of the document, and page number on each page of each document that the Licensees produce.

For correspondence issued by FERC, Licensees anticipate FERC will distribute the correspondence in accordance with FERC's protocols. Licensees anticipate that all correspondence issued or received by FERC will be posted and publicly available in the eLibrary on FERC's website at www.ferc.gov. To view these, a relicensing participant should click on "Documents & Filing," "eLibrary," then "General Search." FERC's website provides further instructions for obtaining documents. Each relicensing participant can register to receive a notice each time FERC posts a document to the Project relicensing docket once FERC sets the docket. To register, a relicensing participant should go to FERC's website, click on "Documents & Filing," and then "eSubscription." FERC's website provides further instructions.

Licensees remind relicensing participants that FERC encourages parties when filing material to submit an electronic filing pursuant to § 385.2003(a), or file a complete

hardcopy original and required number of copies of the filing to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426. The filing should reference “South SWP Hydropower” and the appropriate FERC docket number. Licensees expect any relicensing participant who creates, files with FERC, or distributes a correspondence will be responsible for the distribution of the document.

2.4.6 Informal Communication

Informal communication is a casual form of information sharing and includes, but is not limited to, phone conversations and other verbal communications that generally involve procedural and administrative or coordination matters, and generally do not involve discussions regarding the merits of issues. Informal contacts and communications are anticipated during the relicensing process. Communications with FERC may be subject to certain restrictions, see 18 CFR 5.8(b)(3)(v) and 385.2201.

2.4.7 Public Access to Relicensing Documentation

2.4.7.1 Availability of Information in PAD

In accordance with 18 CFR § 5.6(c)(2) and § 5.2, Licensees will provide sources of publically available information on the existing environment and known or potential resource impacts included in the PAD to anyone who requests the information in writing. Licensees will make a good faith effort to provide the requested information within 30 days of receipt of request. The document may be provided electronically (e.g., by e-mail or on a Universal Serial Bus [USB]) or by link to the relicensing website, unless the requester asks for the information in hardcopy. Licensees may charge a reasonable cost for shipping and handling of the material.

2.4.7.2 Public Reference File

In accordance with FERC’s regulations at 18 CFR §§ 5.2 and 16.7, Licensees will maintain a Public Reference File that consists of records available for public inspection, review, and reproduction. Public records in the physical custody of the Licensees that are not exempt from disclosure, pursuant to California Government Code (CGC) § 6254 et seq., will be made available for public inspection and copying. This information is available on the relicensing website and during regular business hours (8 a.m. to 5 p.m., Monday through Friday, excluding federal and State holidays), at DWR’s place of business: California Department of Water Resources, 2033 Howe Avenue, Suite 220, Sacramento, CA 95825; or LADWP’s place of business, which is Los Angeles Department of Water and Power, 111 North Hope Street, Room 1555-H, 15th Floor, Los Angeles, CA 90012. The public may contact Ms. Molly White, or her designee, by telephone at (916) 557-4553 to make an appointment to review the information at DWR’s office. The public may contact Mr. Anton Sy, or his designee, by telephone at (213) 367-2332 to make an appointment to review the information at LADWP’s office. In addition, hard copies of relicensing documents are available upon request by contacting

Ms. White or Mr. Sy in writing. The requester may incur reasonable shipping and handling costs.

Examples of records exempt from public disclosure, pursuant to CGC § 6254 et seq., and 18 §§ 5.2(c) and 388.107, include, but are not limited to:

- Records of Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects described in §§ 5097.9 and 5097.993 of the Public Resources Code maintained by, or in the possession of, a federal agency, the Native American Heritage Commission (NAHC), another State agency, or a local agency
- Locations of sensitive historic resources pursuant to Section 304 of the NHPA and implementing regulations of the ACHP
- Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business if the public interest in withholding those records clearly outweighs the public interest in disclosure
- Records pertaining to pending litigation to which the public agency is a party, or to claims made pursuant to Division 3.6 (commencing with § 810) of Title 1 of the CGC until the pending litigation or claim has been finally adjudicated or otherwise settled
- Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy
- Attorney-client confidentiality of legally protected communications
- Pre-decisional and deliberative communications containing opinions, recommendations, or advice on agency policies, or other such communications under the deliberative process privilege
- Other documents developed during the relicensing process considered Privileged because the documents are otherwise required to be kept confidential due to federal or State laws and regulations

In addition, CEII material is not publically available. CEII is any “specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure” for which “the incapacity or destruction would negatively affect security, economic security, public health or safety, or any combination of those matters” (18 CFR § 388.113). Requests for privilege or CEII treatment and accessing CEII documents that are exempt from public disclosure can be obtained pursuant to FERC’s Rules of Practice and Procedure at 18 CFR §§ 388.112 and 388.113.