

**Notice of Exemption**

**Form D**

**To:** Office of Planning and Research  
P.O. Box 3044, Room 212  
Sacramento, CA 95812-3044

**From:** State Water Resources Control Board  
Division of Water Rights  
PO Box 2000  
Sacramento, CA 95812-2000

**Project Title:** Energy Recovery Aerator Project, Amendment to Federal Energy Regulatory Commission (FERC) License, Project No. 8377.

**Project Location:**

The Isabella Partners (Applicant) operates the Isabella Hydroelectric Project at Lake Isabella Dam on the Kern River on the western slope of the Sierra Nevada Mountains. The diversion and powerhouse are approximately 2.5 miles northwest of Lake Isabella, California. The public land survey description of Lake Isabella Dam is within the SW¼ of the SW¼, section 19, T26S, R33E, MDB&M.

**Project Location – City:** (not applicable)

**Project Location – County:** Kern

**Description of Nature, Purpose and Beneficiaries of Project:**

Applicant’s existing Francis turbines cannot effectively generate hydroelectric power when flows are below 100 cubic feet per second (cfs) and Applicant seeks to utilize bypass flows to optimize power production. The Energy Recovery Aerator Project consists of the installation of a third hydroelectric unit that will generate an additional 850 kilowatts of electrical power using a crossflow aerator/turbine unit. The project will divert a maximum of 100 cfs through a new powerhouse and will discharge directly into the bypass channel. Applicant applied to FERC for a non-capacity amendment of the license for Project No. 8377 on August 12, 2008.

**Name of Public Agency Approving Project:** State Water Resources Control Board, Division of Water Rights

**Name of Person or Agency Carrying Out Project:** Isabella Partners

**Exempt Status (check one)**

- Ministerial (Sec. No. 21080(b)((1); 15268);
- Declared Emergency (Sec. No. 21080(b)(3); 15269(a));
- Emergency Project (Sec. No. 21080(b)(4); 15269(b)(c));
- Categorical Exemption:** Class 1 section 15301. Existing Facilities, Class 3 section 15303. New Construction or Conversion of a Small Structure, Class 4 section 15304. Minor Alteration to Land, and Class 28 section 15328. Small Hydroelectric Project at Existing Facilities
- Statutory Exemption (State code number):

**Reason why project is exempt:**

Applicant’s diversion at Lake Isabella Dam is a run of the river operation for hydroelectric power generation that has been in operation since 1994. The site for the new facility is located within Applicant’s property and is about 100 feet east of the existing powerhouse. The imprint of the new powerhouse will be less than 2,500 square feet. The project will connect the existing small bypass conduit with the new powerhouse and will discharge into the dam bypass channel that becomes the Kern River. The project will not interfere with the existing flow regime of the river below the dam. Construction will not be conducted within the stream channel and there will be no impact to endangered, rare or threatened species.

The project is found to meet the categorically exemptions for construction of a small structure needing minor alteration of the land, and installation of a small hydroelectric facility to an existing facility as defined under sections 15301, 15303, 15304 and 15328 of the California Environmental Quality Act.

**Lead Agency**

**Contact Person:** Whalen Toy

**Area Code/Telephone/Extension:** 916-341-5408

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?

Signature: Dwight Riva Date: 8-25-09 Title: Executive Director

Signed by Lead Agency

Date received for filing at OPR: \_\_\_\_\_

Signed by Applicant