

# **Wallowa Falls Hydroelectric Project**

**FERC Project No. P-308**

**Revised Study Plans – Land Use**

**December 2011**

*Prepared by:*

PacifiCorp Energy

Hydro Resources

825 NE Multnomah, Suite 1500

Portland, OR 97232



*For Public Review*

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## 1.0 INTRODUCTION

PacifiCorp Energy (PacifiCorp) plans to file an application for new license for the Wallowa Falls Hydroelectric Project (Project), Federal Energy Regulatory Commission (FERC) Project No. P-308, on the East Fork Wallowa River, West Fork Wallowa River and Royal Purple Creek in Wallowa County, Oregon. The current license will expire on February 28, 2016. The Project has a generation capacity of 1,100 kilowatts and is located on private land owned by PacifiCorp and federal lands managed by the Wallowa-Whitman National Forest.

PacifiCorp filed a Notice of Intent (NOI) and the associated Pre-Application Document (PAD) to commence the FERC Integrated Relicensing Process of the Project on February 22, 2011. As part of the FERC Integrated Relicensing Process, prospective license applicants are required to submit relevant resource study plans (18 CFR 5.11). This includes a study of land uses within and adjacent to the Project boundary.

PacifiCorp proposes to conduct a Land Use Study to meet FERC licensing requirements. The study will include the following 3 components: 1) an inventory of applicable federal, state, and local plans, 2) an inventory of existing land uses adjacent to the Project, and 3) an analysis of potential conflicts with existing or proposed land use plans.

## 2.0 STUDY DESCRIPTION AND OBJECTIVES

Per 18 CFR §5.11(d)(1), this section describes the goal and objectives of the study and the information to be obtained. FERC guidelines identify the requirement to describe recreational and non-recreational land use and management within and adjacent to the Project boundary and identify any inconsistencies with applicable land use plans in the license application. The goal of this study is to assess the consistency of the Project with applicable agency land use plans and zoning requirements to support a new FERC license application for continued operation of the Project.

The study has two principal objectives:

- Document the existing land uses in the Project Area.
- Evaluate Project features and operations within the context of applicable federal, state and local land use plans.

## 3.0 RESOURCE MANAGEMENT GOALS

Per 18 CFR §5.11(d)(2), this section describes resource management goals of the two agencies (U.S. Forest Service and Wallowa County) with jurisdiction over land uses in the Project vicinity.

### 3.1 Wallowa County

The Wallowa County Comprehensive Plan and Zoning Ordinance Articles (Wallowa County Planning Department. No date) are available online at

[http://www.co.wallowa.or.us/community\\_development/land\\_use\\_planning/index.html](http://www.co.wallowa.or.us/community_development/land_use_planning/index.html). Portions of the Project occupy the following three land use zones:

- Resort Recreation Commercial
- Resort Park-Restricted
- Timber Commercial

The powerhouse and a portion of the lower penstock are zoned Resort Recreation Commercial (Wallowa County Planning Ordinance Article 55). This classification is designed to provide minimum standards for commercial development and uses in areas of the County that are used primarily by visitors outside the County. While industrial uses such as hydroelectric power are not specifically addressed, this is a relatively recent designation and the Project is permitted as a pre-existing use (Pers. Comm. Harold Black, Wallowa Co. Planning Department, July 2011).

A section of the lower penstock is zoned Resort Park-Restricted. This is a sub-class of the Resort Park Zone (Wallowa County Planning Ordinance Article 56). Under this classification only those uses which are consistent with passive private and commercial recreational uses and which do not involve the construction of buildings are permitted. However, the Project is permitted as a pre-existing use (Pers. Comm. Harold Black, Wallowa Co. Planning Department, July 2011).

The portions of the Project that are on National Forest system land (including the upper penstock, two dams and forebay) are zoned Timber Commercial in Wallowa County Planning Ordinance Article 27. This classification is designed to provide areas for commercial forest activities and permits the establishment of only those new uses which are compatible with forest activities. Section 27.020 of this Article allows for utility facilities including reservoirs and water impoundments within this zone.

### 3.2 Wallowa-Whitman National Forest

Part of the Project is located within the Wallow-Whitman National Forest. The current Wallowa-Whitman National Forest Land and Resource Management Plan (Forest Plan) became final in 1990. A revised plan is currently being developed by the U.S. Forest Service (USFS) under the Blue Mountains Forest Plan Revision. The revised plan includes the Malheur, Umatilla and Wallowa-Whitman National Forests. It is scheduled to be released for public review and comment in 2011 with a final decision expected in 2012.

Chapter 4, Forest Management Direction, of the current Forest Plan (USFS 1990) identifies the Project as being within the Backcountry Management Area. Management in this classification emphasizes opportunities for those dispersed recreation activities usually recognized within the relatively high elevation areas (upper forest, subalpine, or alpine areas). These areas are to remain relatively natural and undeveloped. No specific management direction for hydroelectric power facilities is provided in this management class.

## 4.0 EXISTING INFORMATION

Existing land uses in the area of the Project include timber production, hydroelectric generation, residential development, and recreation. There are no shoreline buffer zones within the Project Area, nor is there a shoreline management plan for the approximately 0.2 acre Project forebay. The Project is located on lands owned by PacifiCorp and federal land managed by the U.S. Forest Service as part of the Wallowa-Whitman National Forest. There are additional lands outside the Project boundary and adjacent to it also owned by PacifiCorp and the U.S. Forest Service. In general, the Project facilities appear to be consistent and compatible with existing land uses; federal, state, and local land use plans; and zoning. However, a more detailed analysis of applicable land use plans and zoning of the Project Area is needed.

## 5.0 NEXUS TO PROJECT

Per 18 CFR §5.11(d)(4), this section describes any nexus between Project operations and effects on the resource (land use) to be studied in the proposed study.

The Project is located on lands subject to land use controls by Wallowa County and the Wallowa-Whitman National Forest. The Project appears to be consistent with the zoning, planned land uses and adopted land use policies of Wallowa County and the management directives of the Wallowa-Whitman National Forest. Although apparently consistent with nearby land uses, the Project has the potential for direct and indirect effects on existing land uses (timber production, recreation, residential, etc.) in the Project Area.

## 6.0 STUDY AREA

The primary Study Area consists of lands and waters within and adjacent to the proposed Project boundary.

## 7.0 METHODS

Per 18 CFR §5.11(b)(1) and §5.11(d)(5), this section provides a description of the proposed study methodology, including data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration.

PacifiCorp will conduct a land use study for the Project consisting of a description of existing development and use of Project lands and all adjoining lands; a review and summary of existing local and regional land use plans, zoning regulations, or requirements; and a description of wetlands or floodplains within or adjacent to the Project boundary. The study will also evaluate the consistency of the Project with local and regional land use ordinances, discuss suggested changes to the Project, and identify the potential for noncompatibility with zoning and planning requirements.

The study methods involve the following three subtasks described below:

- Inventory of applicable federal, state, and local plans;
- A generalized inventory of existing land uses;

- A review of potential conflicts with existing land uses and land use and management plans.

### 7.1 Inventory of Applicable Federal, State, and Local Plans

The published plans of federal, state, and county agencies in the Project Area will be inventoried and reviewed. The review will focus specifically on the Wallowa Whitman National Forest Land and Resource Management Plan (Forest Plan) and the Wallowa County Comprehensive Plan. Additional consideration will be given to the Oregon Department of Land Conservation and Development-Statewide Planning Goals. A geographic information system map will be developed identifying Project-occupied lands within the jurisdiction of each plan, and identifying the land use zones and management plan areas that apply to the Project.

### 7.2 Generalized Inventory of Existing Land Uses

Actual land uses within and immediately adjacent to the FERC Project boundary will be identified and categorized. This will be accomplished through a combination of a review of aerial photography, discussions with PacifiCorp's Property Management Department, a review of active leases within PacifiCorp-owned lands, and field observation. Floodplains and wetlands will be identified from existing inventories and maps. The product of this subtask will be a GIS map showing generalized existing land uses within and immediately adjacent to the Project, and other coverages showing floodplains and wetlands. Land use categories to be inventoried and mapped will depend on actual uses encountered and on the classification schemes used in applicable plans (for consistency with maps from Subtask 1). Likely categories include open space, timber production, hydroelectric generation, residential development, and recreation (commercial and public).

### 7.3 Review of Potential Conflicts with Existing Land Use Plans

This task will identify areas of potential conflict between the Project as it currently exists and is operated, and current land use plans. The task also will review proposed changes to Project facilities and operations in terms of potential conflict with applicable plans. As noted earlier, there are currently no obvious areas of conflict with applicable local and state land use plans and policies. It is possible that the Project would have consistency issues with some resources area directives in the Forest Plan of the Wallowa-Whitman National Forest. This potential will be reviewed closely and in consultation with Wallowa-Whitman National Forest staff.

## 8.0 PROGRESS REPORTING

Per 18 CFR §5.11(b)(3), this section describes provisions for periodic progress reports, including the manner and extent to which information will be shared; and the time allotted for technical review of the analysis and results.

A study progress meeting will be held in October of 2012. A study progress report (draft Technical Report) will be made available for 30 day stakeholder review and comment in November, 2012. Stakeholder comments will be addressed in the initial study report. The initial

study report will be made available for review in mid January, 2013; followed by an initial study report meeting in late January, 2013.

## 9.0 FINAL PRODUCT

A final Technical Report will be made available for stakeholder review in June, 2013. The final Technical Report will include descriptive text, maps, and data tables and will describe study objectives, methods, and the final results. This report will discuss any Project effects on existing land uses for the term of the new license (50 years).

## 10.0 SCHEDULE

Per 18 CFR §5.11(b)(2), the schedule for conducting the study is provided in Table 10.0-1 below.

**Table 10.0-1 Land Use Study Schedule.**

<b>Component</b>	<b>Completion Date</b>
Inventory Applicable Plans	February-May 2012
Inventory of Existing Land Uses	May-September 2012
Review of Potential Conflicts With Existing or Proposed Land Use Plans	September-December 2012
Study Progress Meeting	October 2012
Study Progress Report	November 2012
Initial Study Report filed with FERC	January 2013
Initial Study Report meeting	January 2013
Meeting Summary filed with FERC	February 2013
Final Technical Report filed with FERC	June 2013*

\* Assumes one season of data collection

## 11.0 LEVEL OF EFFORT AND COST

Per 18 CFR §5.11(d)(6), the anticipated level of effort and cost are provided in Table 11.0-1 below. Study costs are estimates based on a labor rate of \$95 per hour and \$200 per diem.

**Table 11.0-1 Anticipated level of effort and costs for Land Use Study.**

<b>Activity</b>	<b>Labor</b>	<b>Per-Diem</b>	<b>Materials and Equipment</b>	<b>Total</b>
Inventory of Applicable Plans	\$6,000	\$0	\$0	\$6,000
Inventory of Land Uses	\$6,000	\$800	\$0	\$6,800
Review of Conflicts with Plans	\$6,000	\$0	\$0	\$2,000

Reporting and Meetings	\$1,800	\$0	\$0	\$1,800
<b>Total</b>	\$19,800	\$800	\$0	<b>\$20,600</b>

## 12.0 REFERENCES

Wallowa County Planning Department. No date. Wallowa County Comprehensive Plan and Zoning Ordinance Articles. On the web at:

[http://www.co.wallowa.or.us/community\\_development/land\\_use\\_planning/index.html](http://www.co.wallowa.or.us/community_development/land_use_planning/index.html)

USFS. 1990. Wallowa-Whitman National Forest Land and Resource Management Plan. U.S. Forest Service. Baker City, Oregon.