

**MEETING SUMMARY  
CUTLER RELICENSING STUDY PLAN MEETING  
OCTOBER 8, 2019**

**RIVERWOODS CONFERENCE CENTER  
LOGAN, UTAH**

**Meeting Summary  
Cutler Relicensing Study Plan Meeting  
Riverwoods Conference Center  
Logan, Utah  
October 8, 2019**

This meeting was the third in a series of public workshops held by Rocky Mountain Power in support of Cutler Hydroelectric Project relicensing and in accordance with the Federal Energy Regulatory Commission's (FERC) Integrated Licensing Process per 18 CFR § 5.11. This workshop included afternoon and evening sessions staffed by PacifiCorp/Rocky Mountain Power representatives and consultants. The same information was covered at both sessions. Meeting materials, including the agenda, PowerPoint presentation, and copies of posters on display are available on PacifiCorp's Cutler webpage.<sup>1</sup> A total of 15 participants attended, including members of the public and representatives from federal and state agencies and non-governmental organizations (see Attachment 1). There was no representation from any Native American/Indian tribe.

The purpose of the study plan meeting was as follows:

- Review the FERC licensing process, PacifiCorp's collaborative process, and where the two processes differ and converge
- Provide clarifications to FERC Scoping Document 2 (SD2) Tables 1 and 2
- Provide an update on the proposed October 25 – November 18, 2019 reservoir drawdown
- Review proposed study plans
- Review June workshop and Scoping Document 1 comments incorporated into study plans
- Review study plan scope requiring further discussion.

### **Welcome and Introduction**

The sessions opened with a review of the workshop's purpose and agenda and included team members introductions.

### **Licensing Schedule**

Gangemi (PacifiCorp consultant/facilitator) reviewed the project schedule. He emphasized that comments on the study plans are due to be filed on FERC's eLibrary no later than December 11, 2019. Comments on the revised study plan are due to be filed on FERC's eLibrary no later than January 27, 2019. Hogan (FERC staff) said that in revised study plan comments, stakeholders should focus on any unresolved issues. Gangemi encouraged stakeholders to let PacifiCorp know about any of these issues in advance.

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<sup>1</sup> <https://www.pacificorp.com/energy/hydro/cutler.html>

## **Scoping Process**

Holmes explained the FERC Scoping process to stakeholders in attendance, and that the scoping is intended to define and refine the scope of FERC's future environmental analysis. Hogan said it has not been decided whether an environmental assessment or environmental impact statement will be required.

## **PacifiCorp's Cutler Website**

PacifiCorp has updated its website and the web address for the Cutler Hydroelectric Project has changed. The new address for the Cutler webpage is:

<https://www.pacificorp.com/energy/hydro/cutler.html>

Project materials will be posted here, including meeting agendas, meeting notes, a project timeline, etc.

## **SD2 Clarifications**

Davies (PacifiCorp staff) noted that Table 1 should have shown the 2002 amended license elevation. Table 2 shows an evaluation range rather than a proposed operating range. She also discussed changes in sources of generation (i.e., phasing out coal-fired plants) in the future and increased use of load following technologies. Davies said PacifiCorp's new Integrated Resource Plan (IRP) was recently issued. The IRP forecasts the needs of PacifiCorp's customers out 20 years into the future and indicates that PacifiCorp will need to increase flexibility in operations at projects like Cutler in order to balance the intermittent resources like solar and wind, which can be less reliable than hydropower.

## **Reservoir Drawdown**

Davies said the drawdown was formally approved by FERC earlier in the day. The purpose of the drawdown is to facilitate studies and conduct maintenance at the project. She said signs providing notice of the drawdown will be posted at all recreation sites and locally. A copy of the notice was shown to attendees and will be posted on the Cutler website.<sup>2</sup>

Hogan asked about potential impacts to Bear River Bird Refuge (Refuge). Davies said she and Baldwin are coordinating with the Refuge.

Nielson noted there are contractual obligations to the Bear River Canal Company. Pratt noted safety concerns at Wheelon Dam during drawdown in case any recreationists plan to approach it. Davies said it is safe to approach, but anyone doing so needs to be aware Wheelon is there. Pratt noted the potential for hazards at the historic Wheelon Dam. Davies said there may be additional

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<sup>2</sup>Notice to Recreationists:

[https://www.pacificorp.com/content/dam/pcorp/documents/en/pacificorp/energy/hydro/cutler/NOTICE\\_CUTLER\\_RECREATIONISTS\\_2019.pdf](https://www.pacificorp.com/content/dam/pcorp/documents/en/pacificorp/energy/hydro/cutler/NOTICE_CUTLER_RECREATIONISTS_2019.pdf)

hazards elsewhere that are not possible to predict. Mud was specifically mentioned as a known hazard during drawdown. Hogan asked about booming. Davies said she doesn't want to create the illusion of safety by "labeling" or closing only one place when there may be many unknown hazards, but also noted she will follow up with legal and safety staff.

Watterson asked about stock watering along the Bear River Canal. Davies said she is working with BRCC to address this concern. She also noted that lessees are being asked to get cattle off all PacifiCorp grazing leases so they don't get stuck in the mud, etc. Those cattle are the only grazing animals with known access to the reservoir.

### **Study Plan Comments**

Hogan noted this stakeholder comment window is unofficially the 90-day informal dispute resolution period. He said this is a good time to work out any issues. Gangemi noted that FERC study request criteria will be posted on the Cutler website.<sup>3</sup>

### **Requested Studies/Not Adopted**

Davies discussed requested studies that PacifiCorp has noted they will not be adopting, pending FERC's final Study Plan Determination. Davies noted fish screens versus a fish ladder as an example of a study brought forward by the U.S. Fish and Wildlife Service. She said a summer 2019 survey showed no native fish in the Bear River below Cutler and noted there have been three coordination phone conferences between PacifiCorp, Utah Division of Wildlife Resources, and U.S. Fish and Wildlife Service. Hogan asked that PacifiCorp engage FERC staff in advance when such discussions take place so that they may participate if desired.

Hogan said further discussion may be needed on some studies requested but not adopted. He said FERC may see a nexus to the project but did not name the specific studies requested during the meeting. Hogan requested that PacifiCorp set up an off-line discussion to identify if these studies have a nexus.

Cottle (stakeholder) noted two additional aquatic weeds have recently been found in Bear Lake. Hogan said if found, Protection Mitigation and Enhancement (PM&E) measures could be included. Nielson noted that aquatic weeds are BRCC's largest expenditure. He asked how PacifiCorp defined nexus. He said PacifiCorp's response to comments submitted by BRCC regarding aquatic weeds was that there was no nexus to the project. Nielsen said he'd like to know how much of BRCC's aquatic weed problem is coming out of Cutler, and that weeds from Bear Lake are a big concern for BRCC. Davies said the 90-day comment period is a good time to find a middle ground and engage collaboratively with any stakeholder that believes a further discussion is necessary. She will follow up with BRCC. The following items were noted for follow up:

- PacifiCorp to meet with BRCC regarding their study plan comments
- BRCC's Total Canal Control (TCC) objective

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<sup>3</sup> Study Plan Criteria: <https://www.ferc.gov/industries/hydropower/gen-info/guidelines/guide-study-criteria.pdf>

- BRCC is looking for partnership with PacifiCorp in objectives
- BRCC measurement analysis concern is not just sedimentation (that’s the smaller part)

LiDAR - Nielson said he believed BRCC’s comments were misunderstood and that measurement was the most important point. He said BRCC needs better measurements. BRCC noted a U.S. Geologic Survey (USGS) sampling that was conducted in collaboration with PacifiCorp in the canals, and that BRCC later used an independent sampler to re-do sampling in the canals and determined the results did not match. PacifiCorp was not aware of a second analysis done outside of the sampling USGS had conducted.

Hogan noted some requested studies that need additional discussion, including:

- Downstream influence on Bear River Migratory Bird Refuge
- Aquatic weeds and algae
- Temporal and spatial characteristics of the avian community (Davies noted that there has already been further discussion with the commenter on this study).

### Study Plan Review and Comment

Nine study plans were developed for Cutler Relicensing, including:

- Recreation
- Threatened and Endangered Species (Ute ladies’-tresses orchid)
- Sedimentation
- Shoreline Habitat Characterization
- Hydraulic Modeling
- Fish and Aquatic Resources (including benthic macroinvertebrates and mussels)
- Land Use
- Cultural Resources
- Water Quality

Study plan authors presented a brief synopsis of each study plan and took questions and comments from attendees. Comments were recorded on flip charts and are shown in Table 1.

**TABLE 1. COMMENTS RECEIVED AT THE OCTOBER 8, 2019 STUDY PLAN MEETING**

STUDY PLAN/ PRESENTER	COMMENT	COMMENTER
<b>Hydraulic Modelling</b> Ben Cary, Kleinschmidt	Upstream boundary is FERC boundary; downstream is ~2 miles down from Cutler	Ken Hogan, FERC
	Ensure we explain which points and why	Ken Hogan, FERC
	Consider looking as far as Amalga Bridge	Jim Watterson
	Evaluate impacts at SR 218 (Amalga) bridge	Jason Watterson
	Consider flying LiDar over Amalga Bridge	Jim Watterson
	Pressure transducer at bridge	Ken Hogan, FERC Connely Baldwin, PacifiCorp

STUDY PLAN/ PRESENTER	COMMENT	COMMENTER
<b>Sedimentation</b> Justin Barker, Cirrus	Are you studying livestock-induced bank erosion?	Elliot Mott, Utah Outdoors, R +T, PNUT
	Looking for source or type of sediment?	Ken Hogan, FERC
	Will study quantify what deposition is coming in from other streams?	Mike Allred, UDWQ
	Define ‘critical areas’ – hydraulic model should identify	Ken Hogan, FERC
	What is the sample size and how do you define that?	Ken Hogan, FERC
	Double check phosphorus sampling locations	N/A
	~10 or 11 sites were selected for phosphorus study. Ensure there are enough sites to adequately characterize the very large reservoir	Jason Watterson
	Sample sites – will there be enough sample sites to inform water quality (sediment core samples specifically)?	Ken Hogan, FERC
	Consider moving Little Bear and Logan sites upstream (however, PacifiCorp wants to sample sites that have been sampled in the past).	Bryan Dixon, Bridgerland Audubon Society
<b>Water Quality</b> Eve Davies, PacifiCorp	Where will sampling be downstream? –directly below the dam and 2 miles downstream	Ken Hogan, FERC
	Double check on temperature	Ken Hogan, FERC
	Review transects for dissolved oxygen monitoring for 2020 sampling.	Bryan Dixon, Bridgerland Audubon Society
	Turbidity and temperature will only be gathered during drawdown (we’re collecting new data).	N/A
	Summarize existing studies referenced in study plans.	Ken Hogan, FERC
<b>Aquatic Resources</b> Eve Davies, Todd Olson PacifiCorp	Drawdown mechanics = water will pass through the units?	Elliott Mott, Utah Outdoors
	Will you identify all areas of stranding?	Ken Hogan, FERC
	Define: –Number of species “too great” --pools “too large” –Sample size and location	Ken Hogan, FERC
	If UDWR doesn’t do it what’s the plan (re: freshwater mollusks)?	Ken Hogan, FERC
	How are transects selected?	Ken Hogan, FERC
	Make sure to use the right technique on macroinvertebrate study – match geology.	Jason Watterson
<b>Shoreline Habitat Characterization</b> Matt Westover, Cirrus	Build on existing info in study plan so we can understand what does not need to be ground-truthed	Ken Hogan, FERC

STUDY PLAN/ PRESENTER	COMMENT	COMMENTER
	How many sites, what percentage, define that in the methodology	Ken Hogan, FERC
	Vegetation/nesting concern. Modeling may speak to new habitats as a result of reservoir going up/down?	Ken Hogan, FERC
	How to characterize weed transport from upstream?	Bryan Dixon, Bridgerland Audubon Society
	Should study area or FERC boundary extend upstream to include PacifiCorp-owned land (non-Cutler) re: Bear River Bottoms [FERC response: no nexus]	Bryan Dixon, Bridgerland Audubon Society
	Can wildlife tracks be documented [used to identify predators]? Attraction may not be there in the fall, so results may not be representative.	Jason Watterson
<b>Land Use</b> Eric Duffin, Cirrus	Define how far downstream. Where and how many? Define selection criteria used to pick locations.	Ken Hogan, FERC
	Use model to help inform site selection.	N/A
	Time lapse may show elevation changes better than 3 feet and all the way down at scenic viewpoint.	Ken Hogan, FERC
<b>Recreation</b> John Gangemi	Develop survey questions and forms. Work with Kyle Olcott (FERC) and submit with Recreation Study Plan.	Ken Hogan, FERC
	Where is the deep [main] channel?	
	Signs getting shot. USA sticker possible PM&E measure	Mike Dunphy, USFWS
	Visitor use survey will tease out recreationists and their impacts on wildlife.	Jim Watterson
	Evaluate types of access at different sites	Jim Watterson
	How could the state work with PacifiCorp to manage issues (like noise) across jurisdictions? "No Wake Zone"	Jason Watterson
<b>Threatened and Endangered Species</b> John Stewart, Cirrus	Is there anything that may be added to T&E during licensing?	
<b>Cultural Resources</b> Lindsey Kester, SWCA	Cultural study indicates old canal channel but only to the boundary.	Trevor Nielson, Bear River Canal Company
	Check with Jim Watterson on cultural sites.	Jim Watterson
<b>Overall [General] Comments</b>	PacifiCorp meet with Bear River Canal Company (BRCC) regarding their study plan comments before comment submittal	PacifiCorp Trevor Nielson, BRCC
	BRCC looking to their TCCC objective	Trevor Nielson, BRCC
	BRCC looking for partnership with PacifiCorp in objectives.	Trevor Nielson, BRCC

STUDY PLAN/ PRESENTER	COMMENT	COMMENTER
	BRCC delivery measurement analysis concern → Not just sedimentation (that is the smaller part)	Trevor Nielson, BRCC
	FERC reservoir follow up: <ul style="list-style-type: none"> <li>• Flow downstream of Cutler to refuge</li> <li>• Algae, weeds</li> <li>• Temporal and spatial characteristics of the avian community</li> </ul>	Ken Hogan, FERC

An attendee asked what would happen during LiDAR collection, in case of bad weather for example, and some studies cannot be completed. Olson (PacifiCorp staff) said if something unforeseen happens, and some aspect of a particular study cannot be completed, PacifiCorp will document this and notify FERC. PacifiCorp would also try to find another way to complete it. Davies said it's already known that mud will be a problem, for example. Any difficulties that affect the study plans will be documented in the revised study plans.



**ATTACHMENT 1**  
**ATTENDEES**

**CUTLER RELICENSING  
OCTOBER 8, 2019 STUDY PLAN MEETING ATTENDEES**

<b>ENTITY</b>	<b>NAME</b>	<b>TITLE</b>
<b>Federal</b>		
Federal Energy Regulatory Commission	Hogan, Ken	Fish Biologist (OEP)
	Melick, Khatoon (by phone)	Environmental Engineer (OEP), FERC Project Lead
U.S. Fish and Wildlife Service	Dunphy, Mike	Deputy Project Leader, Bear River Migratory Bird Refuge
<b>State</b>		
Utah Dept of Agriculture and Food	Murray, Gabriel	Bear River Coordinator
Utah Dept of Environmental Quality/Division of Water Quality	Allred, Mike	Watershed Scientist
Utah Dept of Natural Resources/Division of Water Resources	Egbert, Marisa	Engineer
Utah Dept of Natural Resources/Division of Wildlife Resources	Kramer, Pam	Wildlife Biologist
<b>Elected Officials</b>		
Val Potter	Utah State House of Representatives	State Representative, District 3
<b>Non-Governmental Organizations</b>		
Bear Lake Watch	Cottle, David	Co-Executive Director
Bridgerland Audubon Society	Dixon, Bryan	BAS member
The Nature Conservancy	Ann Neville	Northern Utah Mountains Regional Director
Utah Outdoors, R+T, PNUT	Elliott Mott	
<b>Water Conservancy District</b>		
Cache Water District	Daug, Nathan	Executive Director
<b>Irrigation/Canal Companies</b>		
Bear River Canal Company	Nielson, Trevor	General Manager
<b>Interested Parties</b>		
Watterson, Barbara	Landowner	
Waterson, Jim	Landowner	
Watterson, Jason	Landowner	

**CUTLER RELICENSING  
OCTOBER 8, 2019 STUDY PLAN MEETING ATTENDEES, CONTINUED**

<b>NAME</b>	<b>TITLE/AFFILIATION</b>
<b>Rocky Mountain Power/PacifiCorp</b>	
Baldwin, Connely	Hydrologist
Davies, Eve	Principal Scientist, Relicensing Project Manager
Eskelsen, Dave	Public Relations
Holt, David	Property
Liechty, Steven	Regional Business Manager
Morris, Buffi	Property
Pharis, Devin	Director of Plant Operations, Hydro East
Olson, Todd	Director of Compliance
<b>Consultants</b>	
Barker, Justin	Cirrus Ecological Solutions
Cary, Ben	Kleinschmidt Associates
Duffin, Eric	Cirrus Ecological Solutions
Gangemi, John	River Science Institute
Holmes, Nuria	Kleinschmidt Associates
Hugentobler, Miriam	Project Coordinator
Kester, Lindsey	SWCA
Pratt, Scott	PMG Vegetation
Stewart, John	Cirrus Ecological Solutions
Westerberg, Bryan	PMG Vegetation
Westover, Matt	Cirrus Ecological Solutions