

CUTLER HYDROELECTRIC PROJECT

FERC NO. 2420

Pre-Application Document

Volume II – Appendices A-E

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APPENDIX A
CUTLER 1994 PROJECT LICENSE

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

PacifiCorp Electric Operations

Project No. 2420-001
Utah

ORDER ISSUING NEW LICENSE
(Major Project)
(Issued April 29, 1994)

PacifiCorp Electric Operations (PacifiCorp) filed a license application under Part I of the Federal Power Act (FPA) for the continued operation and maintenance of the 30-megawatt (MW) Cutler Project located on the Bear River, in Cache and Box Elder Counties, near Logan, Utah.¹ The project would produce about 106 gigawatthours (GWh) of electricity annually.

Notice of the application has been published. No agency or intervenor objected to issuance of this license. Comments received from interested agencies and individuals have been fully considered in determining whether to issue this license.

The staff issued a draft environmental assessment (EA) for this project on January 27, 1994. The staff analyzed and considered all the comments filed pursuant to the draft EA. The staff issued a final EA on April 7, 1994, which is attached to and made part of this license order. The staff also prepared a Safety and Design Assessment (S&DA), which is available in the Commission's public file for this project.

The American Whitewater Affiliation and American Rivers, Inc. filed a timely joint motion to intervene seeking to protect the nondevelopmental values of the Bear River. They believe there are significant opportunities on the Bear River for enhancing fish, wildlife, and recreation resources.

The Bear River Canal Company (BRCC) filed a late motion to intervene which was granted by a notice issued on June 17, 1993. BRCC is concerned that operational changes at the project could affect water delivery for irrigation.

Mr. Paul Stewart also filed a late motion to intervene which was granted by a notice issued on September 7, 1993. Mr. Stewart is a local farmer and owns land adjacent to the project

¹ The original license was issued on December 23, 1968, and expired on December 31, 1993. 40 FPC 1494. The project is currently operating under an annual license that went into effect when the original license expired, per Section 15(a)(1) of the FPA.

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reservoir. He is concerned about impacts to landowners that may occur from PacifiCorp's plans to enhance public access and wildlife habitat.

The concerns raised in these motions are addressed in appropriate sections of the EA.

PROJECT DESCRIPTION

The existing project consists of a 109-foot-high concrete gravity arch dam with a spillway containing four 14-foot-high radial gates, a reservoir with a surface area of about 5,459 acres and a storage capacity of about 13,200 acre-feet, an 18-foot-diameter steel-lined conduit passing through the dam, a 1,160 foot-long steel penstock, an 81-foot-high steel surge tank, two 112-foot-long steel penstocks, a powerhouse with a total installed capacity of 30 MW, and appurtenant facilities. See a detailed project description in ordering paragraph B(2).

PACIFICORP'S PLANS AND CAPABILITIES

PacifiCorp's Record as a Licensee

In accordance with Sections 10 and 15 of the FPA, the staff evaluated PacifiCorp's record as a licensee for these areas: (1) conservation efforts; (2) compliance history and ability to comply with the new license; (3) safe management, operation, and maintenance of the project; (4) ability to provide efficient and reliable electric service; (5) need for power; (6) transmission line improvements; and (7) project modifications. I accept the staff's findings in each of these areas.

Here are their findings:

1. Section 10(a)(2)(C): Conservation Efforts

The staff reviewed PacifiCorp's efforts to conserve electricity and found that it: (1) uses all the energy generated by the project in its system; (2) encourages conservation by its customers; and (3) maintains extensive ongoing programs to reduce system peak demand.

Its plans and activities to promote and achieve conservation of electric energy and to reduce the peak demand for generating capacity include: (1) energy audits; (2) water heater insulation; (3) implementation of demand-side management programs; and (4) making loans available for residential weatherization.

PacifiCorp's plans meet the statutory requirements of the

File: Cutler

Public Service Commission of Utah. Its efforts also conform to the development plans and programs of the Pacific Northwest Electric Power and Conservation Planning Council and its Regional Energy Plan.

Therefore, PacifiCorp is making a good faith effort to conserve electricity.

2. Sections 15(a)(3)(A) and 15(a)(2)(A): Compliance History and Ability to Comply with the New License

The staff reviewed PacifiCorp's compliance with the terms and conditions of the existing license and found that PacifiCorp's overall record of making timely filings and compliance with its license is satisfactory.

Based on past performance, PacifiCorp has the ability to comply with terms of the new license.

3. Section 15(a)(2)(B): Safe Management, Operation, and Maintenance of the Project

PacifiCorp's proposal wouldn't adversely affect the project's operation and safety.

Under Part 12 of the Commission's regulations, PacifiCorp filed the fourth Part 12 Safety Inspection Report on December 20, 1985. PacifiCorp also has an emergency action plan (EAP) on file in the plant office. PacifiCorp-East, regional office for the licensee, conducts annual unannounced tests of the EAP and all personnel receive annual scheduled training. The staff found that the report and plan are adequate.

PacifiCorp shows regard for public safety by: (1) installing fences and gates at the powerhouse and dam to deter unauthorized access; (2) placing warning signs at dangerous areas; and (3) installing safety barriers at the dam to keep boaters away from the spillway.

Therefore, the project is safe for continued use and operation.

4. Section 15(a)(2)(C): Ability to Provide Efficient and Reliable Electric Service

The staff examined PacifiCorp's record of lost generation due to unscheduled outages and found that the outages have been

minimal and lost generation was not significant compared to the total annual generation for this project.

Therefore, PacifiCorp is operating in an efficient and reliable manner.

5. Section 15(a)(2)(D): Need for Power

The project is located in the Northwest Power Pool area of the Western Systems Coordinating Council. Utah Power and Light Company (UP&L) is an operating utility system owned by PacifiCorp. The Cutler Project is part of UP&L's system operating in the state of Utah.

PacifiCorp's operation of electrical systems, including the operation of the project, is coordinated using guidelines prescribed by the region's Northwest Power Planning Council (Council). The Council forecasts that the region will need new resources sometime between 1995 and 2004 in the most likely medium scenario.

The Bonneville Power Agency places a somewhat higher probability on the medium forecast than the Council does. Its forecast shows that additional resources would be needed by 1994. The Pacific Northwest Utilities Conference Committee's 1993 regional firm energy loads and resources projections show resource deficits occurring sometime in 1993.

The project's average annual generation of 106 GWh, which is a small part of UP&L's total requirement, helps to lower system deficits, reduces costs to ratepayers, and reduces emission of noxious byproducts caused by the combustion of fossil fuels.

Therefore, the Cutler Project provides a necessary source of power for PacifiCorp.

6. Section 15(a)(2)(E): Transmission Line Improvements

PacifiCorp proposes no changes to the existing transmission system of the project.

The existing transmission system is sufficient, and no changes to the service affected by the project operation would be necessary whether the Commission issues a license for the project or not.

7. Section 15(a)(2)(F): Project Modifications

PacifiCorp is not proposing any major modifications to the project.

The staff looked at installing more capacity at the site and

determined that it is not feasible at this time. Therefore, no other project modifications are necessary.

WATER QUALITY CERTIFICATION

On August 13, 1991, PacifiCorp applied to the Utah Department of Environmental Quality (DEQ) for a water quality certification for the project, as required by section 401 of the Clean Water Act. On November 20, 1991, the DEQ accepted PacifiCorp's application, certified compliance to applicable state water quality standards, and granted the certificate (letter from Don A. Oster, Executive Secretary, Utah State Water Quality Board to Jim Burruss, Senior Environmental Analyst, Utah Power, November 20, 1991).

RECOMMENDATIONS OF FISH AND WILDLIFE AGENCIES

Section 10(j)(1) of the FPA requires the Commission to include license conditions based on recommendations of federal and state fish and wildlife agencies submitted pursuant to the Fish and Wildlife Coordination Act for the protection, mitigation, and enhancement of fish and wildlife. No fish and wildlife agency recommendations were filed for the project in response to our notice that the application was ready for environmental analysis.

COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, or conserving waterways affected by the project. Federal and state agencies have filed 5 plans that address various resources in Utah. Four plans are relevant to this project.² No conflicts were found.

² (1) Whooping Crane recovery plan, Fish and Wildlife Service, 1986, Albuquerque, New Mexico; (2) North American Wildlife Management Plan, Fish and Wildlife Service and Canadian Wildlife Service, 1986, Department of the Interior, Twin Cities, Minnesota; (3) North American Waterfowl Management Plan, 1986, Fish and Wildlife Service and Canadian Wildlife Service, Department of the Interior; (4) Statewide Comprehensive Outdoor Recreation plan, 1985, Utah Department of Natural Resources, Division of Parks and Recreation, Salt Lake City, Utah.

COMPREHENSIVE DEVELOPMENT

Sections 4(e) and 10(a)(1) of the FPA, 16 U.S.C. §§ 797(e) and 803(a)(1), respectively, require the Commission to give equal consideration to all uses of the waterway on which the project is located. When the Commission reviews a hydropower project, the recreational, fish and wildlife, and other nondevelopmental values of the involved waterway are considered equally with its electric energy and other developmental values. In determining whether, and under what conditions, a hydropower license should be issued, the Commission must weigh the various economic and environmental tradeoffs involved in the decision.

To protect, mitigate continuing project impacts to, and enhance the environmental resources of the project area, PacifiCorp proposes to:

- Conduct a Bear River Basin study to aid in the development of new operating procedures for stabilizing reservoir elevations at the Cutler Project in order to enhance waterfowl nesting, fish spawning, and recreational use.
- Establish a permanent vegetated buffer strip, up to 200 feet wide, on project lands adjacent to the reservoir between State Highway 30 and the State Highway 23 bridge to limit shoreline erosion, remove sediments and nutrients from runoff, and enhance wildlife habitat. Under its buffer proposal, within 3 years of issuance of a new license, PacifiCorp would: (1) install up to 1.5 miles of gabions or riprap along the reservoir shoreline in this area; (2) stabilize an additional 2.0 miles of shoreline by planting deep-rooted shrubs and willows to reestablish vegetation; (3) reseed about 50.0 acres of tilled ground to create a grassland buffer strip; and (4) construct about 6.0 miles of fence to control cattle.
- Install four fish cover structures in the reservoir.
- Reduce impacts to spawning fish and waterfowl nesting by limiting reservoir water level fluctuations as an interim measure until completion of the above Bear River Basin study.
- Modify existing leases and land use practices on about 4,500 acres of currently leased project lands. Leases would be rewritten on about 300 acres of currently tilled ground to provide food and cover for migratory waterfowl, and up to an additional 6 miles of fence to enhance wildlife habitat would be installed.
- Notify the Utah State Historic Preservation Officer (SHPO)

if any historic sites are discovered during any maintenance or construction activities within the project area, and work with the SHPO to develop and install interpretive signs to describe the historical significance of the Cutler hydroelectric facilities.

- Enhance recreational opportunities by improving and enlarging the existing Benson marina, establishing seven new public access areas, constructing a walking trail, providing additional parking for hunters, and conducting a user survey.
- Mitigate impacts on wetlands due to the development of new recreation facilities.
- Incorporate the above proposals into a single resource management plan (RMP) for all project lands.

In addition to PacifiCorp's proposed environmental enhancement measures, the staff recommended that PacifiCorp prepare and implement a cultural resources management plan.

Based on the staff's independent review and evaluation of PacifiCorp's proposal, PacifiCorp's proposal with staff's additional recommendation, and the no-action alternative, I am issuing this license for the continued operation of the project as proposed with staff's additional recommendation.

Several elements of the the proposed project with staff's recommended cultural resources management plan would involve tradeoffs between environmental resources or would substantially affect project economics. The fish cover structures, the buffer zone and related wildlife habitat enhancements, and the enhancements to the recreational facilities would all involve significant costs. The staff's basis for our recommending these measures is as follows.

Fish Cover Structures

The four structures proposed by PacifiCorp would provide cover for game and forage fish in an area where cover is needed. The staff believes that the increase in fish habitat that would result would lead to increased public use of the reservoir fishery such that the \$8,000 to \$10,000 cost would be balanced by at least as much public benefits over the term of the license. Therefore, PacifiCorp should prepare a plan for installing the proposed fish cover structures in consultation with the Utah Division of Water Resources and the Fish and Wildlife Service.

Vegetative Buffer Zone, Wildlife Habitat Enhancement, and Management Plans

PacifiCorp has proposed to develop a RMP to protect and enhance wildlife habitat, recreation, and for the continuation of managed agricultural uses at the project. PacifiCorp has proposed a number of specific measures to enhance riparian areas and wildlife habitat north of State Highway 30. The RMP would also contain the same kind of enhancement measures for all project lands south of State Highway 30.

PacifiCorp's proposed measures for lands north and south of State Highway 30 would enhance wildlife habitat. The buffer strip and seeded areas would provide food and cover for waterfowl and other wildlife. Also, the buffer strip would assist in reducing shoreline erosion and removing sediment and nutrients from sheet runoff, which would improve water clarity and may ultimately increase duck production. Including similar management techniques in the RMP, as PacifiCorp proposes, would enhance wildlife habitat south of State Highway 30. Enhancing project wildlife habitat would offset, in part, the cumulative impacts that agriculture, irrigation, hydroelectric projects, and industry have had on waterfowl in the Bear River Basin.

The staff believes that the public benefits that would accrue over the term of a new license through increased public use of the project area as a result of these measures (buffer zone - \$200,000; habitat enhancements - \$50,000; RMP - \$50,000) justifies their cost. Therefore, PacifiCorp should prepare a final RMP that includes the location and final design of the proposed measures for the buffer zone and wildlife habitat enhancements.

Recreation Enhancements

There is an obvious need for additional, designated public access on the project reservoir. The lake is large, and is a significant recreation resource that is very near to a major population center. Further, this area of Utah has a growing population and many other lakes in this region are being used at near-capacity levels. Because PacifiCorp's proposed recreation developments would greatly enhance public access to the Cutler reservoir, and should lead to significantly greater use of the project area, the \$440,000 cost is justified.

Conclusion

Fish and wildlife resources, water quality, and recreation would be enhanced under PacifiCorp's proposal. This order generally adopts, as have the resource agencies, PacifiCorp's proposal. The only change that is required is that a cultural resources management plan be prepared and implemented for the

project. This measure wouldn't add a significant cost to PacifiCorp's proposal.

The combined cost for PacifiCorp's proposed enhancement measures for the project is \$751,000, plus \$55,000 per year for operation and maintenance. This equates to an average annual net cost, over the term of a 30-year license, of \$221,600.

With these measures, the project would continue to have net benefits to ratepayers based on the cost of power from alternative sources over the new license period.

I believe that the benefits explained above justify the cost to PacifiCorp. With these measures, the project would provide 106 GWh of energy annually helping to meet a part of the projected power need in the area. The clean energy that would be produced by the project would continue to displace fossil-fueled power generation, thereby conserving nonrenewable energy resources and reducing the emissions of noxious gases that contribute to atmospheric pollution and global warming.

LICENSE TERM

In 1986, the Electric Consumers Protection Act (ECPA) modified section 15 of the FPA to specify that any license issued shall be for a term that the Commission determines to be in the public interest, but not less than 30 years, nor more than 50 years. The Commission's policy, which establishes 30-year terms for those projects that propose little or no redevelopment or new construction, 40-year terms for those projects that propose moderate redevelopment or new construction, and 50-year terms for those projects that propose extensive redevelopment or new construction, is consistent with the FPA as modified by ECPA.

Since PacifiCorp does not propose any changes in the existing project works for the Cutler Project, I am issuing the new license for a term of 30 years.

SUMMARY OF FINDINGS

Background information, analysis of impacts, support for related license articles, and the basis for a finding of no significant impact on the environment are contained in the attached EA. Issuance of the license is not a major federal action significantly affecting the quality of the human environment.

The project will be safe if operated, and maintained in accordance with the requirements of this license. Analysis of related issues is provided in the S&DA.

I conclude that the Cutler Project does not conflict with any planned or authorized development, and is best adapted to the comprehensive development of the Bear River for beneficial public use.

The Director orders:

(A) This license is issued to the PacifiCorp Electric Operations (licensee) for a period of 30 years, effective the first day of the month in which it is issued, to operate and maintain the Cutler Project. This license is subject to the terms and conditions of the FPA, which is incorporated by reference as part of this license, and to the regulations the Commission issues under the provisions of the FPA.

(B) The project consists of:

(1) All lands, to the extent of the licensee's interests in those lands, as shown on exhibits G-1 through G-5 (FERC Drawing Numbers 18 through 22) of the application.

(2) The project consists of: (1) a 545-foot-long, 109-foot-high concrete gravity arch dam, with a spillway containing four 30-foot-wide by 14-foot-high radial gates; (2) a reservoir with a surface area of about 5,459 acres and storage capacity of about 13,200 acre-feet at an elevation of 4,407.5 feet mean sea level; (3) a 7-foot-diameter low-level sluiceway located near the base of the dam controlled by a slide gate; (4) an intake tower and cylinder gate with a maximum opening of 10 feet; (5) an 18-foot-diameter steel-lined conduit passing through the dam; (6) a 1,160 foot-long, 18-foot-diameter steel penstock; (7) an 81-foot-high, 45-foot-diameter steel surge tank; (8) two 112-foot-long, 14-foot-diameter steel penstocks that bifurcate from the surge tank; (9) a brick 60-foot by 123-foot powerhouse containing 2 generating units with a total installed capacity of 30 MW; and (10) appurtenant facilities.

The project works generally described above are more specifically described in exhibit A of the license application and shown by exhibit F:

<u>Exhibit F-</u>	<u>FERC No. 2420-</u>	<u>Title</u>
F-1	12	location of principal project works
F-2	13	plan and profile of flowline
F-3	14	plan, elevations, and sections of Cutler Dam
F-4	15	plan and sections of flowline intake

F-5	16	cross section and elevation of powerhouse
F-6	17	plan of powerhouse

(3) All of the structures, fixtures, equipment, or facilities used to operate or maintain the project and located within the project boundary, all portable property that may be employed in connection with the project and located within or outside the project boundary, and all riparian or other rights that are necessary or appropriate in the operation or maintenance of the project.

(C) Exhibits A, F and G of the license application are approved and made part of the license.

(D) This license is subject to the articles set forth in Form L-10, (October 1975), entitled "TERMS AND CONDITIONS OF LICENSE FOR CONSTRUCTED MAJOR PROJECT AFFECTING THE INTERESTS OF INTERSTATE OR FOREIGN COMMERCE" and the following additional articles:

Article 201. The licensee shall pay the United States an annual charge, effective the first day of the month in which this license is issued, for the purpose of reimbursing the United States for the cost of administration of Part I of the FPA, as determined by the Commission. The authorized installed capacity for that purpose is 40,000 horsepower.

Article 202. (a) In accordance with the provisions of this article, the licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for certain types of use and occupancy, without prior Commission approval. The licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the licensee shall also have continuing responsibility to supervise and control the use and occupancies for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed, under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy, that action includes, if necessary, canceling the permission to use and occupy the project lands and waters and requiring the removal of

any non-complying structures and facilities.

(b) The type of use and occupancy of project lands and water for which the licensee may grant permission without prior Commission approval are: (1) landscape plantings; (2) non-commercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 watercraft at a time and where said facility is intended to serve single-family type dwellings; (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline; and (4) food plots and other wildlife enhancement. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the use and occupancies for which it grants permission are maintained in good repair and comply with applicable state and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the licensee shall: (1) inspect the site of the proposed construction, (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site, and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the licensee's costs of administering the permit program. The Commission reserves the right to require the licensee to file a description of its standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.

(c) The licensee may convey easements or rights-of-way across, or leases of, project lands for: (1) replacement, expansion, realignment, or maintenance of bridges or roads where all necessary state and federal approvals have been obtained; (2) storm drains and water mains; (3) sewers that do not discharge into project waters; (4) minor access roads; (5) telephone, gas, and electric utility distribution lines; (6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary; (7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69 kV or less); and (8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir. No later than January 31 of each year, the licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the prior calendar year, the type of interest conveyed, the location of the lands subject to the

conveyance, and the nature of the use for which the interest was conveyed.

(d) The licensee may convey fee title to, easements or rights-of-way across, or leases of project lands for: (1) construction of new bridges or roads for which all necessary state and federal approvals have been obtained; (2) sewer or effluent lines that discharge into project waters, for which all necessary federal and state water quality certification or permits have been obtained; (3) other pipelines that cross project lands or waters but do not discharge into project waters; (4) non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary federal and state approvals have been obtained; (5) private or public marinas that can accommodate no more than 10 watercraft at a time and are located at least one-half mile (measured over project waters) from any other private or public marina; (6) recreational development consistent with an approved Exhibit R or approved report on recreational resources of an Exhibit E; and (7) other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from project waters at normal surface elevation; and (iii) no more than 50 total acres of project lands for each project development are conveyed under this clause (d) (7) in any calendar year. At least 60 days before conveying any interest in project lands under this paragraph (d), the licensee must submit a letter to the Director, Office of Hydropower Licensing, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked exhibit G or K map may be used), the nature of the proposed use, the identity of any federal or state agency official consulted, and any federal or state approvals required for the proposed use. Unless the Director, within 45 days from the filing date, requires the licensee to file an application for prior approval, the licensee may convey the intended interest at the end of that period.

(e) The following additional conditions apply to any intended conveyance under paragraph (c) or (d) of this article:

(1) Before conveying the interest, the licensee shall consult with federal and state fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.

(2) Before conveying the interest, the licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any approved exhibit R or approved report on recreational resources of an exhibit E; or, if the project does not have an approved exhibit R or approved report on recreational resources, that the lands to be conveyed do not have

recreational value.

(3) The instrument of conveyance must include the following covenants running with the land: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; (ii) the grantee shall take all reasonable precautions to insure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project; and (iii) the grantee shall not unduly restrict public access to project waters.

(4) The Commission reserves the right to require the licensee to take reasonable remedial action to correct any violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.

(f) The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be changed to exclude land conveyed under this article only upon approval of revised exhibit G or K drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposals to exclude lands conveyed under this article from the project shall be consolidated for consideration when revised exhibit G or K drawings would be filed for approval for other purposes.

(g) The authority granted to the licensee under this article shall not apply to any part of the public lands and reservations of the United States included within the project boundary.

Article 203. Pursuant to Section 10(d) of the FPA, a specified reasonable rate of return upon the net investment in the project shall be used for determining surplus earnings of the project for the establishment and maintenance of amortization reserves. The licensee shall set aside in a project amortization reserve account at the end of each fiscal year one half of the project surplus earnings, if any, in excess of the specified rate of return per annum on the net investment. To the extent that there is a deficiency of project earnings below the specified rate of return per annum for any fiscal year, the licensee shall deduct the amount of that deficiency from the amount of any surplus earnings subsequently accumulated, until absorbed. The

licensee shall set aside one-half of the remaining surplus earnings, if any, cumulatively computed, in the project amortization reserve account. The licensee shall maintain the amounts established in the project amortization reserve account until further order of the Commission.

The specified reasonable rate of return used in computing amortization reserves shall be calculated annually based on current capital ratios developed from an average of 13 monthly balances of amounts properly includible in the licensee's long-term debt and proprietary capital accounts as listed in the Commission's Uniform System of Accounts. The cost rate for such ratios shall be the weighted average cost of long-term debt and preferred stock for the year, and the cost of common equity shall be the interest rate on 10-year government bonds (reported as the Treasury Department's 10 year constant maturity series) computed on the monthly average for the year in question plus four percentage points (400 basis points).

Article 204. The Commission reserves authority, in the context of a rulemaking proceeding or a proceeding specific to this license, to require the licensee at any time to conduct studies, make financial provisions, or otherwise make reasonable provisions for decommissioning of the project. The terms of this article shall be effective unless the Commission, in Docket No. RM93-23, finds that the Commission lacks statutory authority to require such actions, or otherwise determines that the article should be rescinded.

Article 401. Within 6 months from the date of issuance of this license, the licensee shall file with the Commission, for approval, a plan for conducting a 3-year Bear River Basin Study as proposed in the license application on pages 7 and 8, Exhibit B.

The study plan shall include, but not be limited to:

- (1) the development of a basin-wide irrigation call system that includes irrigation companies and individual irrigators;
- (2) the development of an operational model to provide a statistical method for improving the operation of the Bear River system;
- (3) an assessment of reservoir levels at specific locations at Cutler reservoir to develop a reservoir level relationship between each location;
- (4) the testing of a 1-year operational plan to control reservoir fluctuations from mid-reservoir (near Benson Marina) to the south end of the reservoir while maintaining the current irrigation supply;

- (5) the development of a final Cutler reservoir operating plan that best meets the needs of wildlife, recreation, power generation, and irrigation based on meteorology, runoff and seasonal power requirements;
- (6) a schedule for implementing the study, consulting with the appropriate agencies and interested parties, and filing the results in a final report.

The licensee shall prepare the plan and final report after consultation with the Utah Division of Wildlife Resources, the U.S. Fish and Wildlife Service, and area irrigators including the Bear River Canal Company. The licensee shall include with the plan and study report documentation of consultation, copies of comments and recommendations on the completed plan and study report after it has been prepared and provided to the agencies and irrigators, and specific descriptions of how the agencies' and irrigators' comments are accommodated. The licensee shall allow a minimum of 30 days for the agencies and irrigators to comment and to make recommendations before filing the plan and study report with the Commission. If the licensee does not adopt a recommendation, the filing shall include the licensee's reasons, based on project-specific information.

The Commission reserves the right to require changes to the plan. Upon Commission approval, the licensee shall implement the plan, including any changes required by the Commission.

Article 402. Within 1 year after issuance of this license, the licensee shall file with the Commission, for approval, a Resource Management Plan (RMP) for project lands.

The plan shall include maps, final design drawings, an implementation schedule, provisions for the plan's periodic review and revision, and identify the entity responsible for operation and maintenance and shall provide for, but not be limited to, the following measures:

- (1) A plan to establish a permanent vegetated buffer strip, up to 200 feet wide, on project lands adjacent to the reservoir between State Highway 30 and the State Highway 23 bridge to limit shoreline erosion, remove sediments and nutrients from runoff, and enhance wildlife habitat. The buffer plan shall include a schedule for: (a) installing up to 1.5 miles of gabions or riprap along the reservoir shoreline; (b) stabilizing an additional 2.0 miles of shoreline by planting deep-rooted shrubs and willows to reestablish vegetation; (c) reseeding about 50.0 acres of tilled ground to create a grassland buffer strip; and (d) constructing about 6.0 miles of fence to control cattle, within 3 years of issuance of a new license.
- (2) The modification of existing leases and land use practices

on about 4,500 acres of currently leased project lands. Leases would be rewritten on about 300 acres of currently tilled ground to provide food and cover for migratory waterfowl, and up to an additional 6 miles of fence would be installed.

(3) A final recreation plan that includes the public recreation enhancements detailed on pages 5-28 through 5-36, and page 43 of the licensee's application for new license, Exhibit E, plus measures to ensure that the public uses only designated access areas.

(4) The final design of measures to replace the wetlands affected by recreational facility construction on a 1:1 acreage ratio; including a plan for monitoring the effectiveness of the measures to replace wetlands affected by recreational facility construction, and steps to be taken in the event that the measures are not effective in replacing the wetlands, including, but not necessarily limited to, modifying the measures or establishing or enhancing additional wetlands; a proposal to provide recommendations to the agencies and the Commission for alternative wetland mitigation if monitoring indicates that the implemented wetland establishment or enhancement is not successful; and schedules for establishing or enhancing wetlands, for filing the results of the monitoring program, and for filing recommendations for alternative wetland mitigation.

(5) Final plans for installing fish habitat enhancement structures in the reservoir; including a map of the structures' location; detailed descriptions and design drawings of the structures; a plan to manage, monitor, and maintain the structures; and an implementation schedule.

The licensee shall prepare the plan after consultation with the U.S. Fish and Wildlife Service, the Utah Divisions of Wildlife, Water Resources, and Parks and Recreation, the National Park Service, current leaseholders and neighboring landholders, and the Bear River Canal Company. The licensee shall include with the plan documentation of consultation, copies of comments and recommendations on the completed plan after it has been prepared and provided to the consulted entities, and specific descriptions of how the plan accommodates the consulted entities' comments. The licensee shall allow a minimum of 30 days for the entities to comment and to make recommendations before filing the plan with the Commission. If the licensee does not adopt a recommendation, the filing shall include the licensee's reasons, based on project-specific information.

The Commission reserves the right to require changes to the plan. No land-disturbing activities shall occur until the licensee is notified that the plan has been approved. Upon Commission approval, the licensee shall implement the plan, including any changes required by the Commission.

Article 403. The licensee shall consult with the Utah State Historic Preservation Officer (SHPO) and develop and implement a cultural resources management plan to avoid and mitigate any impacts to the historical integrity of the Cutler Project dam and powerhouse from maintenance and repair work conducted during project operation.

The licensee shall file within 1 year after the date of issuance of this license: (1) a copy of the cultural resources management plan for Commission approval; and (2) the written comments of the SHPO on the plan. The plan shall be based on the recommendations of the SHPO and adhere to the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.

The Commission may require revisions to the plan based on the filing. The licensee shall not implement the cultural resources management plan until informed by the Commission that the requirements of this article have been fulfilled.

Article 404. If archeological or historic sites are discovered during project operation, the licensee shall: (1) consult with the Utah State Historic Preservation Officer (SHPO); (2) prepare a cultural resources management plan and a schedule to evaluate the significance of the sites and to avoid or mitigate any impacts to any sites found eligible for inclusion in the National Register of Historic Places; (3) base the plan on the recommendations of the SHPO and the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation; (4) file the plan for Commission approval, together with the written comments of the SHPO on the plan; and (5) take the necessary steps to protect the discovered sites from further impact until notified by the Commission that all of these requirements have been satisfied.

The Commission may require a cultural resources survey and changes to the cultural resources management plan based on the filings. The licensee shall not implement a cultural resources management plan or begin any land-clearing or land-disturbing activities in the vicinity of any discovered sites until informed by the Commission that the requirements of this article have been fulfilled.


Article 501. If the licensee's project was directly benefitted by the construction work of another licensee, a permittee, or the United States on a storage reservoir or other headwater improvement during the term of the original license (including extensions of that term by annual licenses), and if those headwater benefits were not previously assessed and reimbursed to the owner of the headwater improvement, the licensee shall reimburse the owner of the headwater improvement for those benefits, at such time as they are assessed, in the

same manner as for benefits received during the term of this new license.

(E) The licensee shall serve copies of any Commission filing required by this order on any entity specified in this order to be consulted on matters related to the Commission filing. Proof of service on these entities must accompany the filing with the Commission.

(F) This order is issued under authority delegated to the Director and constitutes final agency action. Request for rehearing by the Commission may be filed within 30 days of the date of this order, pursuant to 18 C.F.R. § 385.813. The filing of a request for rehearing does not operate as a stay of the effective date of this order or of any other date specified in this order, except as specifically ordered by the Commission. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

USA, SHIA


Fred E. Springer
Director, Office of
Hydropower Licensing

FEDERAL ENERGY REGULATORY COMMISSION

TERMS AND CONDITIONS OF LICENSE FOR CONSTRUCTED
MAJOR PROJECT AFFECTING THE INTERESTS OF
INTERSTATE OR FOREIGN COMMERCE

Article 1. The entire project, as described in this order of the Commission, shall be subject to all of the provisions, terms, and conditions of the license.

Article 2. No substantial change shall be made in the maps, plans, specifications, and statements described and designated as exhibits and approved by the Commission in its order as a part of the license until such change shall have been approved by the Commission: Provided, however, That if the Licensee or the Commission deems it necessary or desirable that said approved exhibits, or any of them, be changed, there shall be submitted to the Commission for approval a revised, or additional exhibit or exhibits covering the proposed changes which, upon approval by the Commission, shall become a part of the license and shall supersede, in whole or in part, such exhibit or exhibits theretofore made a part of the license as may be specified by the Commission.

Article 3. The project area and project works shall be in substantial conformity with the approved exhibits referred to in Article 2 herein or as changed in accordance with the provisions of said article. Except when emergency shall require for the protection of navigation, life, health, or property, there shall not be made without prior approval of the Commission any substantial alteration or addition not in conformity with the approved plans to any dam or other project works under the license or any substantial use of project lands and waters not authorized herein; and any emergency alteration, addition, or use so made shall thereafter be subject to such modification and change as the Commission may direct. Minor changes in project works, or in uses of project lands and waters, or divergence from such approved exhibits may be made if such changes will not result in a decrease in efficiency, in a material increase in cost, in an adverse environmental impact, or in impairment of the general scheme of development; but any of such minor changes made without the prior approval of the Commission, which in its judgment have produced or will produce any of such results, shall be subject to such alteration as the Commission may direct.

Article 4. The project, including its operation and maintenance and any work incidental to additions or alterations authorized by the Commission, whether or not conducted upon lands

of the United States, shall be subject to the inspection and supervision of the Regional Engineer, Federal Energy Regulatory Commission, in the region wherein the project is located, or of such other officer or agent as the Commission may designate, who shall be the authorized representative of the Commission for such purposes. The Licensee shall cooperate fully with said representative and shall furnish him such information as he may require concerning the operation and maintenance of the project, and any such alterations thereto, and shall notify him of the date upon which work with respect to any alteration will begin, as far in advance thereof as said representative may reasonably specify, and shall notify him promptly in writing of any suspension of work for a period of more than one week, and of its resumption and completion. The Licensee shall submit to said representative a detailed program of inspection by the Licensee that will provide for an adequate and qualified inspection force for construction of any such alterations to the project. Construction of said alterations or any feature thereof shall not be initiated until the program of inspection for the alterations or any feature thereof has been approved by said representative. The Licensee shall allow said representative and other officers or employees of the United States, showing proper credentials, free and unrestricted access to, through, and across the project lands and project works in the performance of their official duties. The Licensee shall comply with such rules and regulations of general or special applicability as the Commission may prescribe from time to time for the protection of life, health, or property.

Article 5. The Licensee, within five years from the date of issuance of the license, shall acquire title in fee or the right to use in perpetuity all lands, other than lands of the United States, necessary or appropriate for the construction maintenance, and operation of the project. The Licensee or its successors and assigns shall, during the period of the license, retain the possession of all project property covered by the license as issued or as later amended, including the project area, the project works, and all franchises, easements, water rights, and rights or occupancy and use; and none of such properties shall be voluntarily sold, leased, transferred, abandoned, or otherwise disposed of without the prior written approval of the Commission, except that the Licensee may lease or otherwise dispose of interests in project lands or property without specific written approval of the Commission pursuant to the then current regulations of the Commission. The provisions of this article are not intended to prevent the abandonment or the retirement from service of structures, equipment, or other project works in connection with replacements thereof when they become obsolete, inadequate, or inefficient for further service due to wear and tear; and mortgage or trust deeds or judicial sales made thereunder, or tax sales, shall not be deemed voluntary transfers within the meaning of this article.

Article 6. In the event the project is taken over by the United States upon the termination of the license as provided in Section 14 of the Federal Power Act, or is transferred to a new licensee or to a non-power licensee under the provisions of Section 15 of said Act, the Licensee, its successors and assigns shall be responsible for, and shall make good any defect of title to, or of right of occupancy and use in, any of such project property that is necessary or appropriate or valuable and serviceable in the maintenance and operation of the project, and shall pay and discharge, or shall assume responsibility for payment and discharge of, all liens or encumbrances upon the project or project property created by the Licensee or created or incurred after the issuance of the license: Provided, That the provisions of this article are not intended to require the Licensee, for the purpose of transferring the project to the United States or to a new licensee, to acquire any different title to, or right of occupancy and use in, any of such project property than was necessary to acquire for its own purposes as the Licensee.

Article 7. The actual legitimate original cost of the project, and of any addition thereto or betterment thereof, shall be determined by the Commission in accordance with the Federal Power Act and the Commission's Rules and Regulations thereunder.

Article 8. The Licensee shall install and thereafter maintain gages and stream-gaging stations for the purpose of determining the stage and flow of the stream or streams on which the project is located, the amount of water held in and withdrawn from storage, and the effective head on the turbines; shall provide for the required reading of such gages and for the adequate rating of such stations; and shall install and maintain standard meters adequate for the determination of the amount of electric energy generated by the project works. The number, character, and location of gages, meters, or other measuring devices, and the method of operation thereof, shall at all times be satisfactory to the Commission or its authorized representative. The Commission reserves the right, after notice and opportunity for hearing, to require such alterations in the number, character, and location of gages, meters, or other measuring devices, and the method of operation thereof, as are necessary to secure adequate determinations. The installation of gages, the rating of said stream or streams, and the determination of the flow thereof, shall be under the supervision of, or in cooperation with, the District Engineer of the United States Geological Survey having charge of stream-gaging operations in the region of the project, and the Licensee shall advance to the United States Geological Survey the amount of funds estimated to be necessary for such supervision, or cooperation for such periods as may mutually agreed upon. The Licensee shall keep accurate and sufficient records of the foregoing determinations to the satisfaction of the Commission, and shall

make return of such records annually at such time and in such form as the Commission may prescribe.

Article 9. The Licensee shall, after notice and opportunity for hearing, install additional capacity or make other changes in the project as directed by the Commission, to the extent that it is economically sound and in the public interest to do so.

Article 10. The Licensee shall, after notice and opportunity for hearing, coordinate the operation of the project, electrically and hydraulically, with such other projects or power systems and in such manner as the Commission may direct in the interest of power and other beneficial public uses of water resources, and on such conditions concerning the equitable sharing of benefits by the Licensee as the Commission may order.

Article 11. Whenever the Licensee is directly benefited by the construction work of another licensee, a permittee, or the United States on a storage reservoir or other headwater improvement, the Licensee shall reimburse the owner of the headwater improvement for such part of the annual charges for interest, maintenance, and depreciation thereof as the Commission shall determine to be equitable, and shall pay to the United States the cost of making such determination as fixed by the Commission. For benefits provided by a storage reservoir or other headwater improvement of the United States, the Licensee shall pay to the Commission the amounts for which it is billed from time to time for such headwater benefits and for the cost of making the determinations pursuant to the then current regulations of the Commission under the Federal Power Act.

Article 12. The operations of the Licensee, so far as they affect the use, storage and discharge from storage of waters affected by the license, shall at all times be controlled by such reasonable rules and regulations as the Commission may prescribe for the protection of life, health, and property, and in the interest of the fullest practicable conservation and utilization of such waters for power purposes and for other beneficial public uses, including recreational purposes, and the Licensee shall release water from the project reservoir at such rate in cubic feet per second, or such volume in acre-feet per specified period of time, as the Commission may prescribe for the purposes hereinbefore mentioned.

Article 13. On the application of any person, association, corporation, Federal agency, State or municipality, the Licensee shall permit such reasonable use of its reservoir or other project properties, including works, lands and water rights, or parts thereof, as may be ordered by the Commission, after notice and opportunity for hearing, in the interests of comprehensive development of the waterway or waterways involved and the conservation and utilization of the water resources of the region

for water supply or for the purposes of steam-electric, irrigation, industrial, municipal or similar uses. The Licensee shall receive reasonable compensation for use of its reservoir or other project properties or parts thereof for such purposes, to include at least full reimbursement for any damages or expenses which the joint use causes the Licensee to incur. Any such compensation shall be fixed by the Commission either by approval of an agreement between the Licensee and the party or parties benefiting or after notice and opportunity for hearing. Applications shall contain information in sufficient detail to afford a full understanding of the proposed use, including satisfactory evidence that the applicant possesses necessary water rights pursuant to applicable State law, or a showing of cause why such evidence cannot concurrently be submitted, and a statement as to the relationship of the proposed use to any State or municipal plans or orders which may have been adopted with respect to the use of such waters.

Article 14. In the construction or maintenance of the project works, the Licensee shall place and maintain suitable structures and devices to reduce to a reasonable degree the liability of contact between its transmission lines and telegraph, telephone and other signal wires or power transmission lines constructed prior to its transmission lines and not owned by the Licensee, and shall also place and maintain suitable structures and devices to reduce to a reasonable degree the liability of any structures or wires falling or obstructing traffic or endangering life. None of the provisions of this article are intended to relieve the Licensee from any responsibility or requirement which may be imposed by any other lawful authority for avoiding or eliminating inductive interference.

Article 15. The Licensee shall, for the conservation and development of fish and wildlife resources, construct, maintain, and operate, or arrange for the construction, maintenance, and operation of such reasonable facilities, and comply with such reasonable modifications of the project structures and operation, as may be ordered by the Commission upon its own motion or upon the recommendation of the Secretary of the Interior or the fish and wildlife agency or agencies of any State in which the project or a part thereof is located, after notice and opportunity for hearing.

Article 16. Whenever the United States shall desire, in connection with the project, to construct fish and wildlife facilities or to improve the existing fish and wildlife facilities at its own expense, the Licensee shall permit the United States or its designated agency to use, free of cost, such of the Licensee's lands and interests in lands, reservoirs, waterways and project works as may be reasonably required to complete such facilities or such improvements thereof. In addition, after notice and opportunity for hearing, the Licensee shall modify the

project operation as may be reasonably prescribed by the Commission in order to permit the maintenance and operation of the fish and wildlife facilities constructed or improved by the United States under the provisions of this article. This article shall not be interpreted to place any obligation on the United States to construct or improve fish and wildlife facilities or to relieve the Licensee of any obligation under this license.

Article 17. The Licensee shall construct, maintain, and operate, or shall arrange for the construction, maintenance, and operation of such reasonable recreational facilities, including modifications thereto, such as access roads, wharves, launching ramps, beaches, picnic and camping areas, sanitary facilities, and utilities, giving consideration to the needs of the physically handicapped, and shall comply with such reasonable modifications of the project, as may be prescribed hereafter by the Commission during the term of this license upon its own motion or upon the recommendation of the Secretary of the Interior or other interested Federal or State agencies, after notice and opportunity for hearing.

Article 18. So far as is consistent with proper operation of the project, the Licensee shall allow the public free access, to a reasonable extent, to project waters and adjacent project lands owned by the Licensee for the purpose of full public utilization of such lands and waters for navigation and for outdoor recreational purposes, including fishing and hunting: Provided, That the Licensee may reserve from public access such portions of the project waters, adjacent lands, and project facilities as may be necessary for the protection of life, health, and property.

Article 19. In the construction, maintenance, or operation of the project, the Licensee shall be responsible for, and shall take reasonable measures to prevent, soil erosion on lands adjacent to streams or other waters, stream sedimentation, and any form of water or air pollution. The Commission, upon request or upon its own motion, may order the Licensee to take such measures as the Commission finds to be necessary for these purposes, after notice and opportunity for hearing.

Article 20. The Licensee shall clear and keep clear to an adequate width lands along open conduits and shall dispose of all temporary structures, unused timber, brush, refuse, or other material unnecessary for the purposes of the project which results from the clearing of lands or from the maintenance or alteration of the project works. In addition, all trees along the periphery of project reservoirs which may die during operations of the project shall be removed. All clearing of the lands and disposal of the unnecessary material shall be done with due

diligence and to the satisfaction of the authorized representa-

tive of the Commission and in accordance with appropriate Federal, State, and local statutes and regulations.

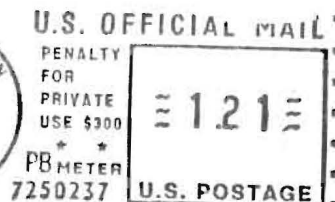
Article 21. If the Licensee shall cause or suffer essential project property to be removed or destroyed or to become unfit for use, without adequate replacement, or shall abandon or discontinue good faith operation of the project or refuse or neglect to comply with the terms of the license and the lawful orders of the Commission mailed to the record address of the Licensee or its agent, the Commission will deem it to be the intent of the Licensee to surrender the license. The Commission, after notice and opportunity for hearing, may require the Licensee to remove any or all structures, equipment and power lines within the project boundary and to take any such other action necessary to restore the project waters, lands, and facilities remaining within the project boundary to a condition satisfactory to the United States agency having jurisdiction over its lands or the Commission's authorized representative, as appropriate, or to provide for the continued operation and maintenance of nonpower facilities and fulfill such other obligations under the license as the Commission may prescribe. In addition, the Commission in its discretion, after notice and opportunity for hearing, may also agree to the surrender of the license when the Commission, for the reasons recited herein, deems it to be the intent of the Licensee to surrender the license.

Article 22. The right of the Licensee and of its successors and assigns to use or occupy waters over which the United States has jurisdiction, or lands of the United States under the license, for the purpose of maintaining the project works or otherwise, shall absolutely cease at the end of the license period, unless the Licensee has obtained a new license pursuant to the then existing laws and regulations, or an annual license under the terms and conditions of this license.

Article 23. The terms and conditions expressly set forth in the license shall not be construed as impairing any terms and conditions of the Federal Power Act which are not expressly set forth herein.

**FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426**

**OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300**



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P-2420 140033
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APPENDIX B
STAKEHOLDER CONSULTATION RECORD

APPENDIX B – STAKEHOLDER CONSULTATION RECORD

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CONSULTATION LOG

Cutler Hydroelectric Project (FERC No. 2420) Relicensing Consultation Log

No.	Name/Entity	Date	Comment Type	Comment	Action/Response	Attached
1	USFWS	12/6/2018	Phone/Email	Audrey McCulley (SWCA) contacted Stephanie Graham (wildlife biologist) by phone and followed up by e-mailing questionnaire on 12/6/2018.	Accepted questionnaire and returned response on 12/6/2018	Yes
2	PacifiCorp	12/11/2018	Press Release	PacifiCorp files press release "Federal License renewal begins for Cutler Project."	None.	Yes
3	UDWQ	12/12/2018	Phone/Email	Discussed survey form for additional information and emailed form to Mike Allred	Accepted form and returned response on 1/8/2019	Yes
4	USFWS	12/13/2018	Phone/Email	Audrey McCulley (SWCA) made multiple attempts to call Rita Riser (botanist) and left voicemail prior to 12/13/2018. E-mailed questionnaire on 12/13/2018	No response received as of 2/25/2019	N/A
5	PacifiCorp	1/9/2019	Email/Letter	Eve Davies (PacifiCorp) sent letter to stakeholders and adjoiners to inform of upcoming relicensing for Project and invite them to kick-off workshop in Logan, Utah.	Stakeholders and adjoiners were invited to contact Eve via email to get more information about relicensing or stakeholder workshop.	Yes
6	UDWR	1/11/2019	Phone/Email	Discussed survey form for additional information and emailed form to Cody Edwards.	E-mailed completed Questionnaire and additional relevant information on 2/5/2019	Yes

Cutler Hydroelectric Project (FERC No. 2420) Relicensing Consultation Log

No.	Name/Entity	Date	Comment Type	Comment	Action/Response	Attached
7	UDWR	1/11/2019	Email	Frank Shrier (SWCA) communicated via e-mail to Cody Edwards on questionnaire responses.	E-mailed completed Questionnaire and additional relevant information on 2/5/2019	Yes
8	UDWR	1/14/2019	Phone/Email	Audrey McCulley (SWCA) made multiple attempts to call Pam Kramer (biologist) and left voicemail prior to 01/14/2019. E-mailed questionnaire on 01/14/2019. Pam Kramer deferred to Kent Sorenson and Chris Penne. Chris Penne responded by sending relevant documents.	Questionnaire not completed but relevant information sent on 01/18/2019.	Yes
9	USFWS	1/31/2019	Phone/Email	Discussed survey form for additional information and emailed form to George Weekly	Accepted for but did not respond. Reconnected but was unable to complete survey.	Yes
10	PacifiCorp	2/4/2019	Email/Letter	Eve Davies (PacifiCorp) sent letter to stakeholders and adjoiners to confirm dates of stakeholder kick-off relicensing workshop in Logan, Utah.	Stakeholders and adjoiners were invited to workshop with dates, time, and location.	Yes
11	PacifiCorp	2/4/2019	Email/Letter	Benjamin Gaddis (Facilitator) sent e-mail to stakeholders to request engagement in discussion on thoughts and concerns related to upcoming relicensing.	Results of these phone calls/interviews outlined below and in anonymized situation assessment results table.*	Yes

Cutler Hydroelectric Project (FERC No. 2420) Relicensing Consultation Log

No.	Name/Entity	Date	Comment Type	Comment	Action/Response	Attached
12	UDQW	2/5/2019	Phone	Ben Gaddis (Gaddis Consulting, LLC) called Mike Allred and left a message.	Ben Gaddis will call Mike Allred back on a different telephone number. Mike is to be interviewed as part of the situation assessment.	See below.
13	UDWR	2/5/2019	Phone	Ben Gaddis interviewed Chris Penne as part of the situation assessment.	Chris Penne responded to questions verbally and Ben Gaddis took notes which will be compiled into the situation assessment report when interviews are completed.	See below.
14	UDWR	2/5/2019	Phone	Ben Gaddis called Kent Sorenson. They spoke momentarily and scheduled an alternative time for the complete interview.	Brief conversation leading to scheduling an alternative time for the full situation assessment interview.	See below.
15	Trout Unlimited	2/5/2019	Phone	Ben Gaddis interviewed Jim DeRito as part of the situation assessment.	Jim DeRito responded to questions verbally and Ben Gaddis took notes which will be compiled into the situation assessment report on an anonymous basis when interviews are completed.	See below.

Cutler Hydroelectric Project (FERC No. 2420) Relicensing Consultation Log

No.	Name/Entity	Date	Comment Type	Comment	Action/Response	Attached
16	American Whitewater	2/5/2019	Phone	Ben Gaddis called Kevin Colburn. Kevin did not answer. It was not possible to leave a message because his voicemail box was full.	Ben Gaddis will call Kevin Colburn back on a different telephone number. Kevin is to be interviewed as part of the situation assessment.	See below.
17	USFWS	2/5/2019	Phone	Ben Gaddis interviewed Jaron Andrews as part of the situation assessment	Jaron Andrews responded to questions verbally and Ben Gaddis took notes which will be compiled into the situation assessment report on an anonymous basis when interviews are completed.	See below.
18	USFWS	2/6/2019	Phone	Ben Gaddis interviewed George Weekley as part of the situation assessment	George Weekley responded to questions verbally and Ben Gaddis took notes which will be compiled into the situation assessment report on an anonymous basis when interviews are completed.	See below.

Cutler Hydroelectric Project (FERC No. 2420) Relicensing Consultation Log

No.	Name/Entity	Date	Comment Type	Comment	Action/Response	Attached
19	UDWR	2/6/2019	Phone	Ben Gaddis interviewed Kent Sorenson as part of the situation assessment	Kent Sorenson responded to questions verbally and Ben Gaddis took notes which will be compiled into the situation assessment report on an anonymous basis when interviews are completed.	See below.
20	PacifiCorp	2/13/2019	In-Person	Relicensing Kick-off Meeting in Logan, Utah.	PowerPoint Presentation(s) on general relicensing, project operations, study planning, FERC relicensing process, stakeholder collaboration, and property is attached.	See below.
21	Private Individual/Adjoiner	2/19/2019	Phone	Ben Gaddis interviewed Todd Ballard as part of the situation assessment	Todd Ballard responded to questions verbally and Ben Gaddis took notes which will be compiled into the situation assessment report on an anonymous basis when interviews are completed.	See below.

<i>Cutler Hydroelectric Project (FERC No. 2420) Relicensing Consultation Log</i>						
No.	Name/Entity	Date	Comment Type	Comment	Action/Response	Attached
22	Stakeholders	3/4/2019	Email	Ben Gaddis emailed stakeholders slated for situation assessment interviews but for whom he does not currently have telephone numbers.	Frank Howe, Trevor Nielson, Jason Christensen, Zach Frankel, Charlie Holmgren, Jim Watterson, David Rosenberg, Jeff/Andra Kunzler, Nathan Daus, Ann Neville, Craig Buttars, Bryan Dixon, Casey Snider, Nick Schou, and Mike Allred have replied with telephone numbers (as of a.m. 3/8/2019)	See below.

*Results of the Stakeholder Situation Assessment Report may be requested by FERC from PacifiCorp. Below are the questions that were asked of the participants during the assessment interviews.

SITUATION ASSESSMENT INTERVIEW QUESTIONS

Situation Assessment Interview Questions

1. What is your name, affiliation (if any), and title?
2. What is your relationship to PacifiCorp and to the Cutler Project?
3. How would you describe your level of knowledge about PacifiCorp's Cutler Project?
4. How would you describe your level of knowledge about the Federal Energy Regulatory Commission's (FERC's) relicensing process for hydropower facilities such as the Cutler Project?
5. Do you have any specific concerns about the Cutler Project? If so, can you tell me what they are?
6. In your mind what opportunities do the Cutler Project and the relicensing process present?
7. Are you interested in collaborating with PacifiCorp and other stakeholders related to the Cutler Project and the relicensing process? If so, how does this process look to you?
8. Is there anything I should know about the different entities and individuals with an interest in the Cutler Project and the FERC relicensing process?
9. Do you have any suggestions for who should be involved in or engaged in the collaborative process associated with the Cutler Project?

RESOURCE AGENCY QUESTIONNAIRES

PacifiCorp is the licensee and operator of the Cutler Hydroelectric Project (FERC No. 2420) (Project), located on the Bear River in Box Elder and Cache County, Utah (see Figure 1).

Under the Federal Power Act, the Federal Energy Regulatory Commission (FERC) administers the licensing and relicensing of the Cutler Project. The existing FERC license for the Project expires on March 31, 2024, and PacifiCorp, with assistance from SWCA Environmental Consultants (SWCA) and Kleinschmidt Associates (Kleinschmidt), is beginning the relicensing process. Accordingly, PacifiCorp is preparing a Notice of Intent (NOI) to relicense the Project and Pre-Application Document (PAD) to be filed with the FERC no later than March 31, 2019. The PAD will provide FERC and stakeholders with existing, relevant, and reasonably available information pertaining to the Project as well as resources within the Project vicinity.

This Resource Agency Questionnaire is being used to help identify sources of existing, relevant, and reasonably available information pertinent to the Project that is not currently in PacifiCorp's possession. PacifiCorp has identified the following avian resource sources or studies included in the below list. If you or your agency is knowledgeable of any other existing and relevant information or data pertaining to the Cutler Project vicinity, it would be greatly appreciated if you could provide the source reference, source website link, or a copy of the source. This information will help to identify any data collection needs or potential resource issues early in the relicensing process. Our intent is to include results of this information request in the PAD.

- Utah Wildlife Action Plan
<https://wildlife.utah.gov/learn-more/wap2015.html>
- Bear River Migratory Bird Refuge Bird Sightings
<https://www.fws.gov/nwrs/threecolumn.aspx?id=2147501120>
- Bear River Migratory Bird Refuge Wildlife & Habitat
https://www.fws.gov/refuge/Bear_River_Migratory_Bird_Refuge/wildlife_and_habitat/index.html
- Utah Conservation Data Center – lists of state and federal T & E and sensitive species
<https://dwrcdc.nr.utah.gov/ucdc/>
<http://utahdnr.maps.arcgis.com/apps/webappviewer/index.html?id=f2a182a16a4b45698d9d96b962852302>
- Information request from UDWR UNHP
https://dwrcdc.nr.utah.gov/ucdc/ContactUDWR/Information_Requests.htm
- Sensitive species list
<https://dwrcdc.nr.utah.gov/ucdc/ViewReports/sscounty.pdf>
- Listed species in Utah
<https://ecos.fws.gov/ecp0/reports/species-listed-by-state-report?state=UT>
<https://www.fws.gov/utahfieldoffice/species.php>
- Audubon Important Bird Areas Cutler Marsh
<https://www.audubon.org/important-bird-areas/cutler-reservoir-and-marsh-ut08>
- Christmas bird count
<https://www.audubon.org/conservation/science/christmas-bird-count>
- North American breeding bird survey
<https://www.pwrc.usgs.gov/BBS/RawData/>
- eBird website for birding hotspots species lists along Cutler Reservoir
<https://ebird.org/hotspots>
- Birding in Cache County
<http://www.utahbirds.org/counties/cache/>
- UDWR geospatial data for sage-grouse habitat, SGMAs, game bird habitat, and TES species by quad map.

- USFWS geospatial data for designated critical habitats.
- 2013-2017 Cutler Monitoring Report
http://www.pacificorp.com/content/dam/pacificorp/doc/Energy_Sources/Hydro/Hydro_Licensing/Cutler/03282018_Cutler_RMP-5yr_Monitor.pdf
- Final Bear River Comprehensive Management Plan and Record of Decision 2017
https://ffsl.utah.gov/images/statelands/bearriver/BRCMP_and_ROD_FINAL_October_2017-Opt.pdf
- Land Protection Plan Bear River Watershed Conservation Area 2013
https://www.fws.gov/mountain-prairie/planning/lpp/ut/brr/documents/brw_lpp_final_all.pdf
- Resource Management Plan 1995

Based on our conversation on December 4, 2018 we will also review the following sources for any information pertinent to the Project:

- UDOT State Route 30 EIS
<https://www.sr30study.com/documents.php>
- Bridgerland Audubon Society and Cutler Marsh
<https://bridgerlandaudubon.org/our-projects/cutler-reservoir-marsh-important-bird-area/>
<https://wildaboututah.org/cutler-marsh-amalga-barrens-important-bird-areas/>
<https://bridgerlandaudubon.org/wp-content/uploads/2018/12/AFOPresentation20100814.pdf>

We respectfully request that you please complete and return this Resource Agency Questionnaire to Audrey McCulley via email at amcculley@swca.com within 2 weeks of receipt. This will allow for any follow-up contact that may be needed.

We greatly appreciate your response and assistance in this effort to identify information resources.

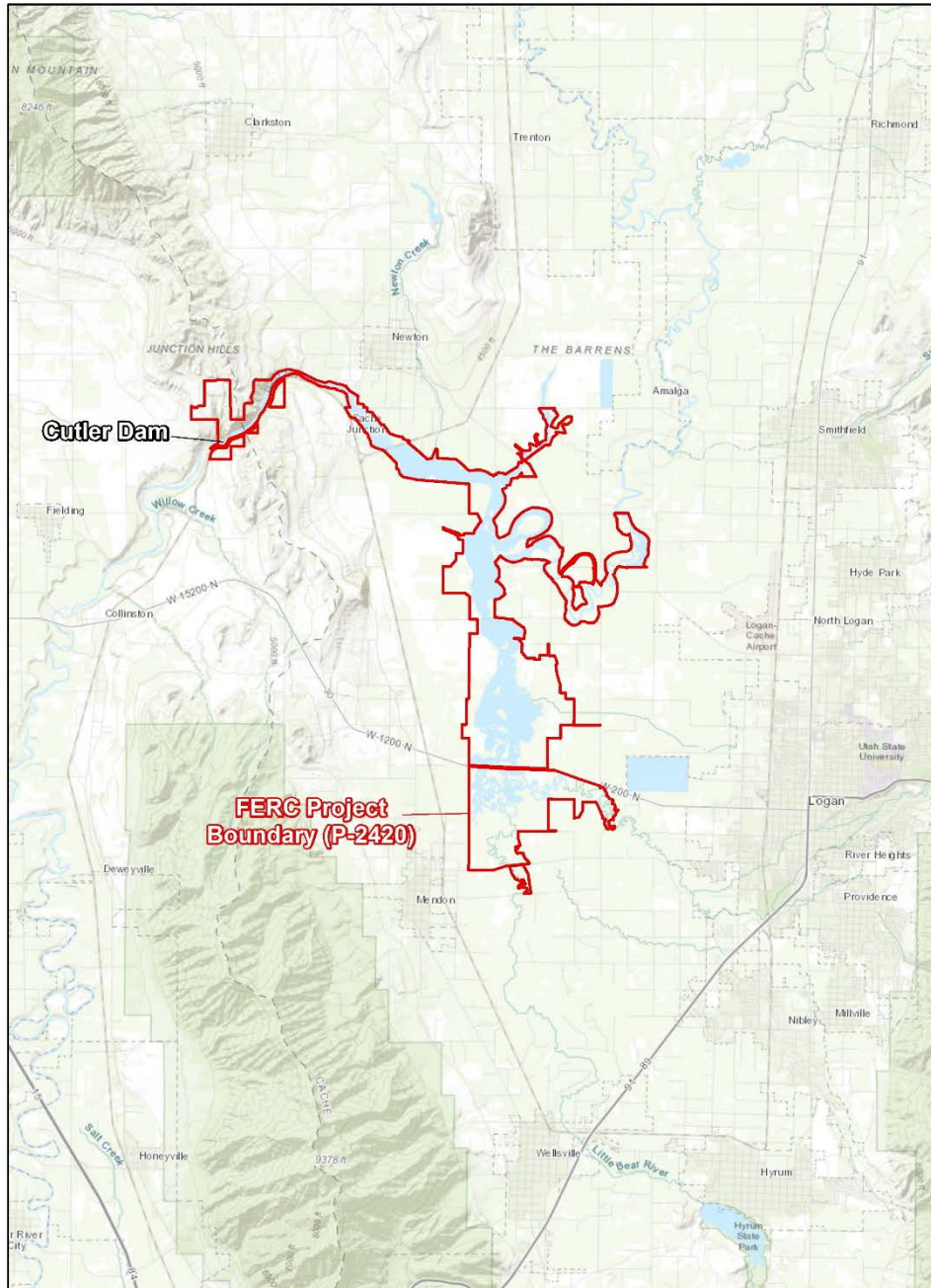


FIGURE 1. CUTLER PROJECT LOCATION

1. Please provide the following information about the person completing this questionnaire.

Name & Title	Stephanie Graham, Wildlife Biologist
Organization	U.S. Fish and Wildlife Service
Address	2369 West Orton Circle Suite 50 West Valley City, Utah 84119
Phone	801-975-3330
Email Address	Stephanie_graham@fws.gov

2. Do you or your organization know of any existing, relevant, and reasonably available information that describes the Cutler Project's existing or historical environment (i.e., Project area, adjacent Project vicinity, or areas upstream or downstream of the Project)?

 x Yes (if yes, please complete Nos. 2a through 2d) No (if no, please go to No. 3)

- a. If yes, please circle the specific resource area(s) that the information relates to:

- Geology and soils
- Water resources
- Fish and aquatic resources
- Wildlife and botanical resources
- Wetlands, riparian, and littoral habitat
- Rare, threatened, and endangered species
- Recreation and land use
- Aesthetic resources
- Cultural resources
- Socioeconomic resources
- Tribal resources
- Other resource information

- b. Please briefly describe the information referenced above and/or list available documents (*additional information may be provided on page 6 of this questionnaire*).

The S. R. 30 project reviewed this area and the 4f property associated with it. We recommend that you speak with UDOT regarding this project and data associated with it.

- c. Please provide referenced document, source website link, or description of where PacifiCorp can obtain this information, if available.

There is also information about the area being an Important Bird Area.
Dixon, B. 2009. The ibis of Cutler Marsh. The Stilt 38:8.

- d. Based on the specific resource areas listed in 4a, are you aware of any specific issues related to the identified resource area(s)?

___Yes (*please list specific issues below*) ___No (*if no, please go to No. 3*)

Resource Area	Description of Issue
Cutler Marsh	<p>This is an Important Bird Area.</p> <p>State Route 30 crosses wetland habitats, including Cutler Marsh, which is a large, important wetland complex between the Bear River and Great Salt Lake. Wetlands and open water are rare in Utah, and comprise less than five percent of the land mass in the state (Sutter et al. 2005). Cutler Marsh was designated an Important Bird Area by Birdlife International and the National Audubon Society. The marsh provides habitat for over 7,000 ibises annually, which amounts to five percent of the world's population of the species (Dixon 2009). It is also nesting and migratory habitat for 147 species of migratory birds, including bald eagles, long-billed curlews, grasshopper sparrows, and ferruginous hawks, which are listed as Utah Sensitive Species and U.S. Fish and Wildlife Service Birds of Conservation Concern.</p>

3. If you have additional comments and/or questions regarding the Cutler Project, or the relicensing process, please provide them below.

Additional Information: None provided.

PACIFICORP PRESS RELEASE

For information, contact:
David Eskelsen: 801-220-2447

Federal license renewal begins for Cutler project

Hydroelectric project is part of utility's multi-use Bear River system

SALT LAKE CITY, Utah, Dec. 11, 2018—Rocky Mountain Power, a division of PacifiCorp, is beginning the six-year process to renew its federal license for the Cutler hydroelectric project. The current license expires in 2024. Stakeholders, adjacent land owners and the general public will have an opportunity to participate in all facets of the license renewal process as conducted by the Federal Energy Regulatory Commission.

“We have been reaching out to all the key stakeholders who have an interest in operations at Cutler,” said Eve Davies, principal environmental scientist with PacifiCorp. “As we proceed with the license renewal process, we want to encourage involvement and comment from all interested parties.”

The company anticipates continuing upper levels of Cutler reservoir similar to those of the current license, and does not envision inundation of any additional lands. The company is planning to study the potential benefits and impacts of varying the reservoir elevations more than the current license prescribes.

The federal license process includes the following steps:

- March 2019—a Pre-Application Document (PAD) and Notice of Intent (NOI) are issued, followed by public scoping meetings and a site visit.
- 2019 to 2020—Initial meetings to develop, implement, and report on study plans (minimum 2 years).
- 2021—Complete Project Study Reports; development of Project Mitigation and Enhancement Measures.
- 2021—Draft License Application (includes a public comment period).
- March 2022—Final License Application (includes public comment period).

The Cutler project first began producing power in 1927. Cutler generates about 106,000 megawatt hours of electricity annually. That is enough power to meet the typical needs of 12,000 residential homes in Utah.

The project is designed for both irrigation and hydropower. The 109 foot-high Cutler Dam forms a 5,500 acre reservoir on the Bear River in Cache Valley, Utah, which is also a recreation area. The area surrounding the reservoir is mostly

agricultural land. The Cutler project license was last renewed by the Federal Energy Regulatory Commission in 1994 for a term of 30 years. The current license and related documents can be viewed here:

<http://www.pacifiCorp.com/es/hydro/hl/cutler.html#>

A number of discussions were held with stakeholders beginning in 2017 regarding PacifiCorp's operations of the utility's Bear River system. In October 2018, the Idaho Water Resources Board, the Utah Department of Natural Resources and PacifiCorp agreed on the following statement regarding their future interactions regarding Bear River:

"As demands increase for energy and water supply within the Bear River Basin, it has been recognized that increased collaboration is necessary to meet the region's future challenges. Utah, Idaho, Wyoming and PacifiCorp/Rocky Mountain Power are discussing the water supply, power operations, and future needs throughout the Bear River Basin, including Bear Lake. In addition, all of these parties are reaching out to their associated stakeholders in order to reflect the important and diverse interests within the basin," the statement said.

About Rocky Mountain Power

Rocky Mountain Power provides safe and reliable electric service to more than a million customers in Utah, Wyoming and Idaho. The company works to meet customers' growing electricity needs while protecting and enhancing the environment. Rocky Mountain Power is part of PacifiCorp, one of the lowest-cost electricity providers in the United States. More information at

<https://www.rockymountainpower.net/index.html>

#

CORRESPONDENCE

Frank Shrier

From: Calah Worthen
Sent: Tuesday, January 8, 2019 10:08 AM
To: mdallred@utah.gov
Cc: Frank Shrier
Subject: RE: Resource Agency Information Questionnaire attached

Thank you Mike!

From: Michael Allred <mdallred@utah.gov>
Sent: Tuesday, January 8, 2019 9:05 AM
To: Calah Worthen <calah.worthen@swca.com>
Cc: Frank Shrier <Frank.Shrier@swca.com>
Subject: Re: Resource Agency Information Questionnaire attached

Here ya go.
Mike

On Fri, Jan 4, 2019 at 3:38 PM Calah Worthen <calah.worthen@swca.com> wrote:

Hi Mike,

Happy New Year -- I hope you had a nice holiday break. I wanted to follow up with you on the Agency Questionnaire for the Cutler Dam relicensing Preliminary Application Document I sent a while back. The questionnaire is being used to help SWCA and partners identify relevant information related to project. Do you mind taking a look at the attached questionnaire and the resources we have gathered so far to see if there is anything else that should be included? Please contact me or Frank Shrier (cc'd) if you have any questions.

Thanks so much,

Calah

From: Calah Worthen
Sent: Wednesday, December 12, 2018 12:40 PM
To: 'mdallred@utah.gov' <mdallred@utah.gov>
Cc: Frank Shrier <Frank.Shrier@swca.com>
Subject: Resource Agency Information Questionnaire attached

Hi Mike,

Nice to talk to today! Hope things are going well over at DWQ. I am following up from our phone call about the Cutler Dam relicensing Preliminary Application Document (PAD). Attached is an agency questionnaire with a list of water resource information we have identified related to the Cutler project vicinity. We would greatly appreciate you taking a look to see if there is anything else that should be included in the PAD. Thank you for mentioning the Bear River Watershed Information System (bearriverinfo.org). Please feel to contact me or Frank Shrier (cc'd on this email) if you have any questions about the attached document.

Thank you,

Calah

Calah Worthen

257 East 200 South, Suite 200
Salt Lake City, UT 84111
P 801.322.4307



The contents of this email and any associated emails, information, and attachments are CONFIDENTIAL. Use or disclosure without sender's authorization is prohibited. If you are not an authorized recipient, please notify the sender and then immediately delete the email and any attachments.

--
Michael D. Allred | Bear River & Southeast Colorado River Coordinator | Watershed Protection Section

Phone: 801.536.4331 (office) | Phone: 435-512-0278 (cell)

Address: 195 N 1950 W Salt Lake City, UT 84116



Emails to and from this email address may be considered public records and thus subject to Utah GRAMA requirements.

[Website](#) | [Blog](#) | [Twitter](#) | [Facebook](#) | [LinkedIn](#)

Eve Davies
Principal Scientist
Renewable Resources, PacifiCorp
1407 West North Temple, Ste. 210
Salt Lake City, Utah 84116
801-220-2245
eve.davies@pacificorp.com

January 9, 2019

Subject: PacifiCorp's Cutler Project and Upcoming FERC Relicensing Process

Dear Cutler Relicensing Stakeholder/Adjoiner,

PacifiCorp Renewable Resources (PacifiCorp) is writing to you because you have been identified as an individual or representative of an organization that may be interested in and/or affected by the upcoming Federal Energy Regulatory Commission's (FERC's) relicensing of PacifiCorp's Cutler Hydroelectric Project. The initial project documents (the Pre-Application Document and Notice of Intent) will be available in late March of 2019 and the public review and scoping phases of the process will begin soon after. In addition to FERC's standard relicensing process, PacifiCorp will be hosting a half-day public workshop on **February 13, 2019**. Please save the date: the specific location and time of the workshop will be communicated at a later date once those details have been finalized.

The Cutler Project first began producing power in 1927. Cutler generates about 106,000 megawatt hours of electricity annually. That is enough power to meet the typical needs of 12,000 residential homes in Utah. The Project is designed for both irrigation and hydropower. The 109-foot-high Cutler Dam forms a 5,500-acre reservoir on the Bear River in Cache Valley, Utah, which is also a recreation area. The area surrounding the reservoir is mostly agricultural land. The Cutler Project license was last renewed by FERC in 1994 for a term of 30 years. PacifiCorp anticipates continuing upper levels of Cutler reservoir similar to those of the current license and does not envision inundation of any additional lands. The company is planning to study the potential benefits and impacts of varying the reservoir elevations more than the current license prescribes. You can read more about PacifiCorp and the Cutler Project at the following website:
<http://www.pacificorp.com/es/hydro/hl/cutler.html>. Additional details concerning the FERC relicensing process for hydropower facilities can be viewed at the following website:
<https://www.ferc.gov/industries/hydropower/gen-info/licensing/ilp.asp?csrt=6062558720320705703>.

In the future we plan to communicate with you primarily via email. To be included in future correspondence please opt in by providing your email address to Project Coordinator Miriam Hugentobler at cutlerlicense@gmail.com. If you wish to opt in but do not have access to email, please send a letter with that request to Eve Davies, Cutler Relicensing Project, at the street address above. If you have any questions at this time, please feel free to reach out to me via email or telephone. My contact information is provided above.

Thank you for your time and attention.
Sincerely,



Eve Davies
Principal Scientist

Frank Shrier

From: Frank Shrier
Sent: Tuesday, February 5, 2019 10:37 AM
To: 'Cody Edwards'
Subject: RE: EXTERNAL:Re: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR

Great! Thanks for the information. Looking forward to meeting you at the Cutler meeting.

From: Cody Edwards <cedwards@utah.gov>
Sent: Tuesday, February 5, 2019 9:59 AM
To: Frank Shrier <Frank.Shrier@swca.com>
Subject: Re: EXTERNAL:Re: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR

Frank,

Great questions, we have one biologist (Chance Broderius-Native Aquatic Species Biologist) who has been collecting samples and is working in coordination with Rocky Mountain Research to develop an Assay specifically for bluehead sucker. We have one more assignment to collect samples to run the previously designed assay on for testing. Once completed we will start field trials to test for true/false detections. As far as BCT, none have been developed in coordination with our efforts, there is a salmonid assay but from my current understanding it is not species specific to one type of trout; cutthroat, brown, rainbow etc, or further a subspecies; Bonneville Cutthroat, Colorado River Cutthroat. You are correct that there aren't many detections as you move downstream toward Cutler. The water becomes more of a warm water fishery and includes many non-natives that tend to outcompete the BCT there.

As far as the workshop, I will have another biologist Clint Brunson-Stream Restoration Biologist- attending for the duration of the meeting and I will be attending for the last hour after finishing another commitment in Logan.

Cody

On Tue, Feb 5, 2019 at 10:24 AM Frank Shrier <Frank.Shrier@swca.com> wrote:

Hey Cody

I was happy to see some eDNA work had been done for mollusk distribution. It made me wonder if any eDNA work has been completed on bluehead sucker and northern leatherside in the vicinity of Cutler reservoir. Also as far as I can tell BCT are still not known to be currently present downstream of the Cub River. Any eDNA work been done related to BCT in the area above or below Cutler reservoir?

From: Cody Edwards <cedwards@utah.gov>
Sent: Tuesday, February 5, 2019 7:33 AM
To: Frank Shrier <Frank.Shrier@swca.com>
Subject: Re: EXTERNAL:Re: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR

Frank,

From: Lindsey Kester
To: [Audrey McCulley](#)
Subject: FW: [INTERNET] Re: FW: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR
Date: Tuesday, January 22, 2019 11:00:00 AM
Attachments: [image001.jpg](#)

From: Davies, Eve <Eve.Davies@pacificorp.com>
Sent: Tuesday, January 22, 2019 10:59 AM
To: Cody Edwards <cedwards@utah.gov>; Matthew Harper <Matthew.Harper@kleinschmidtgroup.com>
Cc: Lindsey Kester <lkester@swca.com>; Frank Shrier <Frank.Shrier@swca.com>
Subject: RE: [INTERNET] Re: FW: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR

Hi Cody-

Thanks for checking in-- it's fine to send to your biologists, just please ask them to not distribute outside UDWR, and thanks-

Eve

Eve Davies, Principal Scientist
Renewable Resources, PacifiCorp
1407 West North Temple, Ste. 210
Salt Lake City, Utah 84116
801-220-2245
801-232-1704 (cell)

From: Cody Edwards [<mailto:cedwards@utah.gov>]
Sent: Tuesday, January 22, 2019 8:11 AM
To: Matthew Harper <Matthew.Harper@kleinschmidtgroup.com>
Cc: Davies, Eve <Eve.Davies@pacificorp.com>; Lindsey Kester <lkester@swca.com>; Frank Shrier <frank.shrier@swca.com>
Subject: [INTERNET] Re: FW: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR

**** STOP. THINK. External Email ****

Would it be okay to distribute this .shp to my regional biologists in the office? This would assist in compiling our biological data for the survey?

Cody

On Fri, Jan 18, 2019 at 10:19 AM Matthew Harper <Matthew.Harper@kleinschmidtgroup.com> wrote:

Hi Cody!

Attached below is the Cutler FERC Project Boundary, as approved and filed with FERC on October 2, 2009. If you would, please inform Eve Davies if you plan to forward this on to

other parties.

Thanks and let me know if you have any issues downloading the data.

Matt

Citrix Attachments

Expires July 17, 2019

P2420_CutlerProjectBoundary.cpg	5 B
P2420_CutlerProjectBoundary.dbf	1.8 KB
P2420_CutlerProjectBoundary.prj	425 B
P2420_CutlerProjectBoundary.sbn	132 B
P2420_CutlerProjectBoundary.sbx	116 B
P2420_CutlerProjectBoundary.shp	37.6 KB
P2420_CutlerProjectBoundary.shp.xml	67.6 KB
P2420_CutlerProjectBoundary.shx	108 B

Download Attachments

Matthew Harper uses Citrix Files to share documents securely.

Matthew Harper

C: 971.325.5056

O: 971.337.3721



From: Cody Edwards <cedwards@utah.gov>

Date: January 17, 2019 at 8:40:31 AM PST

To: Frank Shrier <Frank.Shrier@swca.com>

Subject: Re: Cutler Resource Agency Questionnaire_Cody Edwards-UDWR

Frank,

Do you have a shapefile boundary for the property that we can overlay on our data?

Cody

On Fri, Jan 11, 2019 at 1:22 PM Frank Shrier <Frank.Shrier@swca.com>

wrote:

Hi Cody

Nice to meet you today!

I've attached the questionnaire we discussed. Once you and Chris have had a chance to review and complete please send the document back to me at this email address.

As a heads-up I mentioned the Stakeholder Workshop for Cutler which is scheduled for Feb. 13, 2019 in Logan. You will be receiving a formal announcement and information packet for that meeting in the near future. I look forward to working with you and Chris on this project!

Thanks

--

Cody W. Edwards
Northern Region Assistant Aquatic Program Manager
Aquatics Biologist
Utah Division of Wildlife Resources
385-245-0864
cedwards@utah.gov

--

Cody W. Edwards
Northern Region Assistant Aquatic Program Manager
Aquatics Biologist
Utah Division of Wildlife Resources
385-245-0864
cedwards@utah.gov

Thank you for the opportunity to provide information for the project. I have attached several documents as well as the survey questionnaire.

Cody

On Mon, Feb 4, 2019 at 3:41 PM Frank Shrier <Frank.Shrier@swca.com> wrote:

That's great Cody. Thanks!

From: Cody Edwards <cedwards@utah.gov>

Sent: Monday, February 4, 2019 2:13 PM

To: Frank Shrier <Frank.Shrier@swca.com>

Subject: EXTERNAL:Re: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR

I have collected a few sources and information, though to my knowledge nobody has submitted from our region yet. I plan to have a submission to you tomorrow if that isn't too late?

Cody

On Thu, Jan 31, 2019 at 12:43 PM Frank Shrier <Frank.Shrier@swca.com> wrote:

Hi Cody,

Sorry but I wasn't aware that Aubrey in or office had received a response from one of your wildlife Bios. Did you have anything in addition to that response related to fisheries? If not I appreciate your time.

Also did the GIS shape file work for you and was there anything that came out of that effort that we at SWCA/Kleinschmidt need to know?

Thanks!

From: Frank Shrier

Sent: Thursday, January 31, 2019 11:01 AM

To: 'Cedwards@utah.gov' <Cedwards@utah.gov>

Cc: Lindsey Kester <lkester@swca.com>; 'Nuria Holmes' <Nuria.Holmes@Kleinschmidtgroup.com>

Subject: RE: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR

Hi Cody

I hope things are going well!

By chance have you and your colleagues been able to complete the Cutler Survey I sent to you? If so would you please provide your responses to my email?

Thanks,

Frank

From: Frank Shrier

Sent: Friday, January 11, 2019 12:22 PM

To: 'Cedwards@utah.gov' <Cedwards@utah.gov>

Cc: Lindsey Kester <lkester@swca.com>; 'Nuria Holmes' <Nuria.Holmes@Kleinschmidtgroup.com>

Subject: Cutler Resource Agency Questionnaire_Cody Edwards- UDWR

Hi Cody

Nice to meet you today!

I've attached the questionnaire we discussed. Once you and Chris have had a chance to review and complete please send the document back to me at this email address.

As a heads-up I mentioned the Stakeholder Workshop for Cutler which is scheduled for Feb. 13, 2019 in Logan. You will be receiving a formal announcement and information packet for that meeting in the near future.

I look forward to working with you and Chris on this project!

Thanks

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Cody W. Edwards

Northern Region Assistant Aquatic Program Manager

Aquatics Biologist

Utah Division of Wildlife Resources
385-245-0864

cedwards@utah.gov

--

Cody W. Edwards

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Aquatics Biologist

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cedwards@utah.gov

--

Cody W. Edwards
Northern Region Assistant Aquatic Program Manager
Aquatics Biologist
Utah Division of Wildlife Resources
385-245-0864
cedwards@utah.gov

From: [Audrey McCulley](#)
To: [Lindsey Kester](#)
Subject: FW: Cutler Reservoir relicensing questionnaire
Date: Tuesday, January 22, 2019 12:31:05 PM
Attachments: [LBear-Logan Hydro Plan_Jun07.pdf](#)

Here is the email from Chris Penne.

From: Chris Penne <chrispenne@utah.gov>
Sent: Friday, January 18, 2019 9:08 AM
To: Audrey McCulley <AMcCulley@swca.com>
Cc: Pam Kramer <pamkramer@utah.gov>; Kent Sorenson <kentsorenson@utah.gov>
Subject: Re: Cutler Reservoir relicensing questionnaire

Hi Audrey,

Here's another document for you. I've attached the DWR Hydrologic Unit Management Plan for the Little Bear and Logan Rivers, which include Cutler Reservoir. Let me know if you have any questions.

Chris

On Mon, Jan 14, 2019 at 4:09 PM Audrey McCulley <AMcCulley@swca.com> wrote:

Fabulous, thanks!

From: Pam Kramer <pamkramer@utah.gov>
Sent: Monday, January 14, 2019 4:08 PM
To: Audrey McCulley <AMcCulley@swca.com>
Cc: Kent Sorenson <kentsorenson@utah.gov>; Chris Penne <chrispenne@utah.gov>
Subject: Re: Cutler Reservoir relicensing questionnaire

Yup!!

Pam

Sent from my iPhone

On Jan 14, 2019, at 3:44 PM, Audrey McCulley <AMcCulley@swca.com> wrote:

Is this the list you are referring to?

<https://dwrcdc.nr.utah.gov/ucdc/ViewReports/sslist.htm>

Thanks!

Audrey

From: Pam Kramer <pamkramer@utah.gov>

Sent: Monday, January 14, 2019 3:43 PM
To: Audrey McCulley <AMcCulley@swca.com>
Cc: Kent Sorenson <kentsorenson@utah.gov>; Chris Penne <chrispenne@utah.gov>
Subject: Re: Cutler Reservoir relicensing questionnaire

Great!! Do you have the 2017 Utah Sensitive Species list?

Sent from my iPhone

On Jan 14, 2019, at 3:41 PM, Audrey McCulley <AMcCulley@swca.com> wrote:

Thank you Pam. We have the Utah Wildlife Action Plan, I accidentally neglected adding it to the list, so no need to send it. Chris and Kent, if you have any questions please feel free to contact me.

Thanks,
Audrey

From: Pam Kramer <pamkramer@utah.gov>
Sent: Monday, January 14, 2019 3:17 PM
To: Audrey McCulley <AMcCulley@swca.com>
Cc: Kent Sorenson <kentsorenson@utah.gov>; Chris Penne <chrispenne@utah.gov>
Subject: Re: Cutler Reservoir relicensing questionnaire

Audrey:

Chris Penne or Kent Sorenson from my office are the 2 primary contacts for this project. I will forward on your questionnaire to them. I would suggest reviewing the Utah Wildlife Action Plan which I will email to you. There are Species of Greatest Conservation Concern which we would like addressed in the plan along with any state sensitive species. I will send you that list as well.

Pam

Sent from my iPhone

On Jan 14, 2019, at 2:04 PM, Audrey McCulley <AMcCulley@swca.com> wrote:

Hi Pam,

SWCA is assisting PacifiCorp with the FERC Preliminary Application Document for their FERC license renewal for the Cutler Reservoir. We are conducting a

desktop/literature review to help characterize the resources for the project and we want to make sure we don't miss any data sources or studies pertaining to wildlife, including special status species in this area. I was wondering if you could take a few minutes and fill out the attached questionnaire. In it I have listed the data sources we are reviewing and there is a place for you to jot down other data sources or studies that we may have missed. If you could email the questionnaire back to me I would greatly appreciate it.

Many thanks,

Audrey

Audrey McCulley

SWCA Environmental Consultants

257 East 200 South, Suite 200

Salt Lake City, Utah 84111

Office 801.322.4307

Cell 801.520.2504

amcculley@swca.com

<Cutler Resource Agency Questionnaire_Pam Kramer
UDWR.docx>

--

Save our in-boxes! <http://emailcharter.org>

Chris Penne

Northern Region Aquatics Manager

Utah Department of Natural Resources

Division of Wildlife Resources

515 East 5300 South

Ogden, Utah 84405

Phone: 801-476-2771

chrispenne@utah.gov

From: [Audrey McCulley](#)
To: [Lindsey Kester](#)
Subject: FW: Cutler Reservoir relicensing questionnaire
Date: Tuesday, January 22, 2019 12:31:05 PM
Attachments: [LBear-Logan Hydro Plan_Jun07.pdf](#)

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Yup!!

Pam

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<https://dwrcdc.nr.utah.gov/ucdc/ViewReports/sslist.htm>

Thanks!

Audrey

From: Pam Kramer <pamkramer@utah.gov>

Sent: Monday, January 14, 2019 3:43 PM
To: Audrey McCulley <AMcCulley@swca.com>
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Audrey

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Sent: Monday, January 14, 2019 3:17 PM
To: Audrey McCulley <AMcCulley@swca.com>
Cc: Kent Sorenson <kentsorenson@utah.gov>; Chris Penne <chrispenne@utah.gov>
Subject: Re: Cutler Reservoir relicensing questionnaire

Audrey:

Chris Penne or Kent Sorenson from my office are the 2 primary contacts for this project. I will forward on your questionnaire to them. I would suggest reviewing the Utah Wildlife Action Plan which I will email to you. There are Species of Greatest Conservation Concern which we would like addressed in the plan along with any state sensitive species. I will send you that list as well.

Pam

Sent from my iPhone

On Jan 14, 2019, at 2:04 PM, Audrey McCulley <AMcCulley@swca.com> wrote:

Hi Pam,

SWCA is assisting PacifiCorp with the FERC Preliminary Application Document for their FERC license renewal for the Cutler Reservoir. We are conducting a

desktop/literature review to help characterize the resources for the project and we want to make sure we don't miss any data sources or studies pertaining to wildlife, including special status species in this area. I was wondering if you could take a few minutes and fill out the attached questionnaire. In it I have listed the data sources we are reviewing and there is a place for you to jot down other data sources or studies that we may have missed. If you could email the questionnaire back to me I would greatly appreciate it.

Many thanks,

Audrey

Audrey McCulley

SWCA Environmental Consultants

257 East 200 South, Suite 200

Salt Lake City, Utah 84111

Office 801.322.4307

Cell 801.520.2504

amcculley@swca.com

<Cutler Resource Agency Questionnaire_Pam Kramer
UDWR.docx>

--

Save our in-boxes! <http://emailcharter.org>

Chris Penne

Northern Region Aquatics Manager

Utah Department of Natural Resources

Division of Wildlife Resources

515 East 5300 South

Ogden, Utah 84405

Phone: 801-476-2771

chrispenne@utah.gov

Eve Davies
Principal Scientist
Renewable Resources, PacifiCorp
1407 West North Temple, Ste. 210
Salt Lake City, Utah 84116
801-220-2245
cutlerlicense@gmail.com

February 4, 2019

Subject: PacifiCorp's Cutler Hydroelectric Project - Upcoming Interviews

Dear Cutler Relicensing Stakeholder,

As noted in previous correspondence, Rocky Mountain Power (a division of PacifiCorp), is writing to you because you have been identified as an individual or representative of an organization that may be interested in and/or affected by the upcoming Federal Energy Regulatory Commission's (FERC's) relicensing process for the Cutler Hydroelectric Project.

PacifiCorp is interested in hearing from stakeholders about your thoughts and concerns related to the Cutler Project and the relicensing process. We have engaged a third party, Ben Gaddis (Gaddis Consulting, LLC), to assist us in this process. This correspondence is to let you know that Ben will be contacting you via email and telephone in the near future to initiate this collaborative process. He'll be asking a few questions, the answers to which will be reported to PacifiCorp on an anonymous basis. Your answers will assist PacifiCorp in better understanding your thoughts and concerns at this early stage in the relicensing process. Your answers will also help to inform the most productive ways we can collaborate in moving forward. PacifiCorp will also be hosting a half-day public workshop on **February 13, 2019, 1:00 - 5:15 p.m.** at Riverwoods Conference Center, 615 Riverwoods Parkway, Logan, Utah.

In addition, PacifiCorp and/or our third-party resource specialists may contact you separately to request any existing information you can share that will help inform our assessment of resources in the Project vicinity.

Please contact Ben via email (bgaddis@gaddisconsultingllc.com) or telephone (801-259-3257) with any questions. In your correspondence please use "Cutler Project" in the subject line.

Thank you for your time and attention.

Sincerely,



Eve Davies
Principal Scientist

Benjamin Gaddis

From: Benjamin Gaddis <bgaddis@gaddisconsultingllc.com>
Sent: Monday, March 04, 2019 5:01 PM
To: Benjamin Gaddis
Cc: cutlerlicense@gmail.com
Subject: FW: PacifiCorp's Cutler Hydroelectric Project Relicensing Interviews

Flag Status: Flagged

Dear Cutler Relicensing Stakeholder,

I am reaching out to you per the email correspondence below. At this time I do not have a suitable telephone number to call you to engage in a short discussion about your thoughts and concerns related to the Cutler Project and the relicensing process. If you'd like to engage in this discussion with me please respond to this email with your name and a telephone number I can use to contact you. Please feel free to note any questions or concerns.

Thank you for your time and attention. It is much appreciated.

Best regards,
Ben

Benjamin Gaddis
Gaddis Consulting, LLC

From: Miriam Hugentobler [mailto:cutlerlicense@gmail.com]
Sent: Monday, February 04, 2019 3:17 PM
To: Undisclosed Recipients <cutlerlicense@gmail.com>
Cc: Benjamin Gaddis <bgaddis@gaddisconsultingllc.com>
Subject: PacifiCorp's Cutler Hydroelectric Project Relicensing Interviews

Dear Cutler Relicensing Stakeholder,

As noted in previous correspondence, Rocky Mountain Power (a division of PacifiCorp), is writing to you because you have been identified as an individual or representative of an organization that may be interested in and/or affected by the upcoming Federal Energy Regulatory Commission's (FERC's) relicensing process for the Cutler Hydroelectric Project.

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Sincerely,

Eve Davies
Principal Scientist
Renewable Resources, PacifiCorp
1407 West North Temple, Ste. 210
Salt Lake City, Utah 84116
801-220-2245
cutlerlicense@gmail.com

STAKEHOLDER KICK-OFF WORKSHOP MATERIALS

CUTLER PROJECT STAKEHOLDER KICKOFF WORKSHOP

Date: February 13, 2019
Time: 1:00-5:15 p.m.
Location: Riverwoods Conference Center
615 Riverwoods Parkway
Logan, Utah

Workshop Purposes

- Provide stakeholders with information about the Cutler Project and the FERC relicensing process.
- Get initial input from stakeholders about interests with respect to the Cutler Project.

Agenda

<u>Time</u>	<u>Agenda Item</u>
1:15 – 1:30	Workshop introduction and stage setting <ul style="list-style-type: none">• Review workshop purposes, agenda, and tools• Introduce Cutler Project team
1:30 – 2:00	Cutler Project overview
2:00 – 2:30	FERC relicensing process overview
2:45 – 5:00	Breakout sessions <ol style="list-style-type: none">1. FERC relicensing process overview and discussion2. Studies overview and discussion3. Project operation overview and discussion4. Collaboration overview and discussion5. Property maps and specific property questions
5:00 – 5:15	Workshop closing <ul style="list-style-type: none">• Workshop wrap up• Next steps
5:15	Adjourn

Cutler Hydroelectric Project Relicensing Workshop

February 13, 2019 – Riverwoods Conference Center – Logan, UT

1:15 – 1:30pm	Workshop introduction
1:30 – 2:00pm	Cutler Project overview
2:00 – 2:30pm	FERC licensing process overview
2:30 – 2:45pm	<i>break</i>
2:45 – 5:00pm	Breakout sessions
5:00 – 5:15pm	Workshop closing, wrap-up, and next steps
5:15pm	<i>adjourn</i>



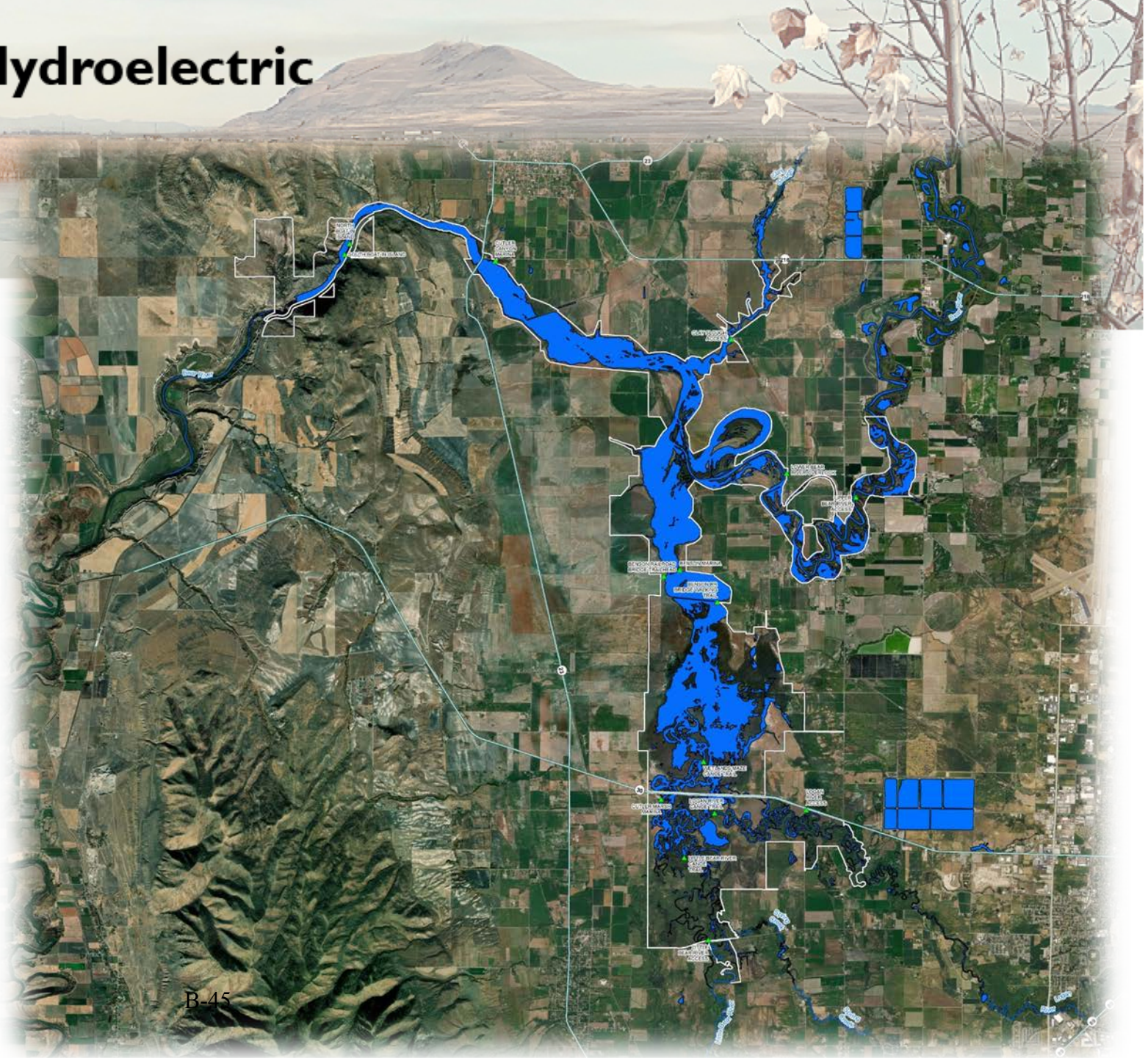


Cutler Hydroelectric Project

Welcome and Introductions

- Welcome and Safety Moment
- Introductions
- Workshop Purpose
 - Provide stakeholders with information about the Cutler Project and the Federal Energy Regulatory Commission (FERC) relicensing process
 - Get initial input from stakeholders about interests with respect to the Cutler Project

- Approximately 5,000 acres each of water and PacifiCorp lands in the FERC Project Boundary.

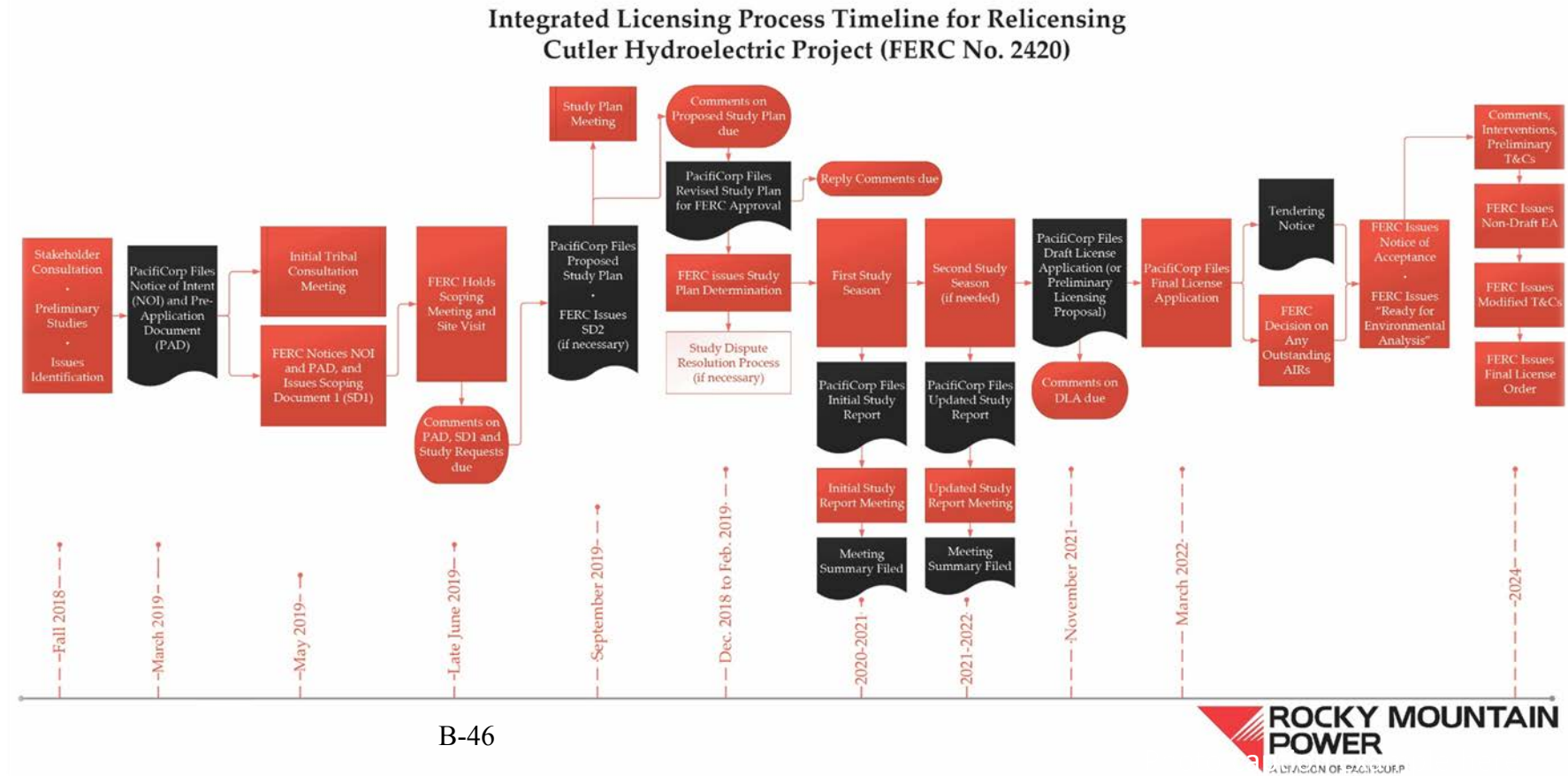




Cutler Hydroelectric Project

Cutler Overview

- Current 1994 license expires at the end of March 2024





Cutler Hydroelectric Project



145-General- Utah Sugar Co's Dam- Bear River Canyon.



Digital image © Utah State University Library. All rights reserved.

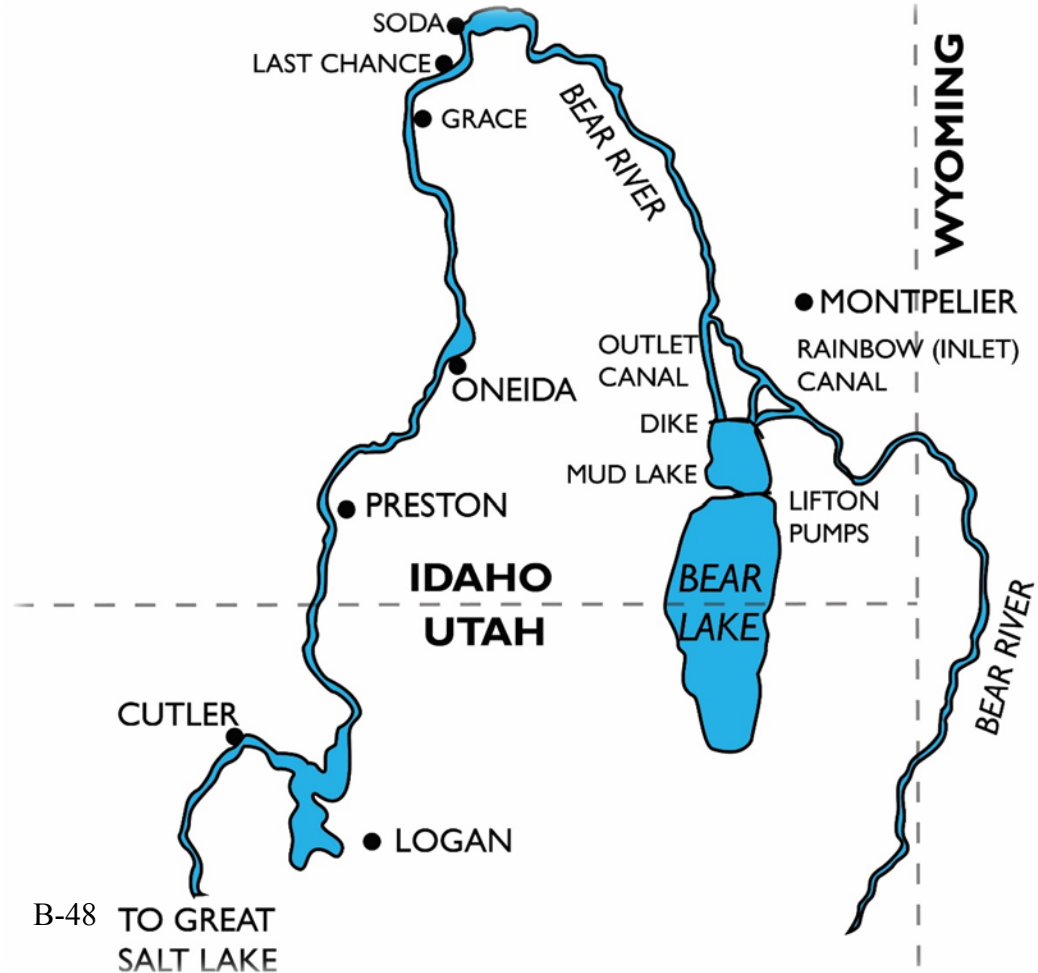
Cutler Overview Historic Wheelon Dam

*Courtesy of USU Special Collections, Merrill-Cazier Library
and the Library of Congress, HAER UTAH, 2-FIELD, 2-1.*



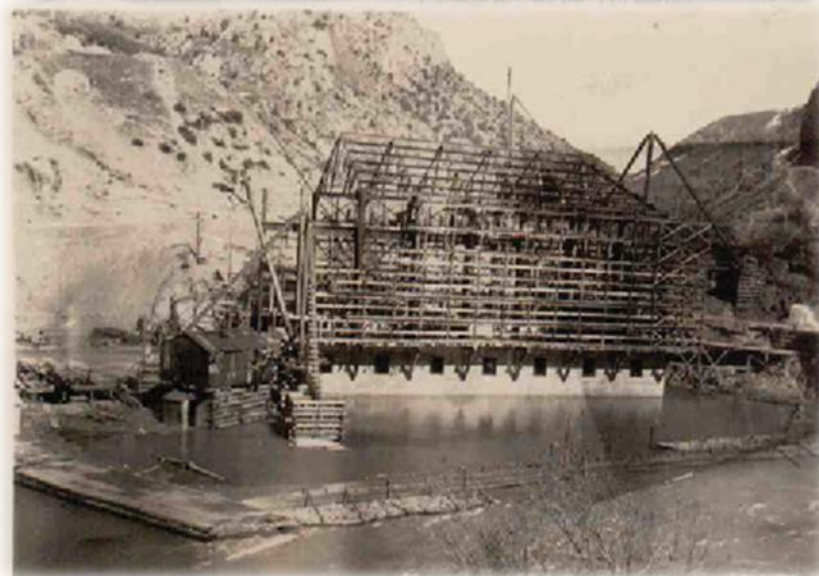
Cutler Hydroelectric Project

Cutler Overview *Bear River Development*





Cutler Hydroelectric Project



Cutler Overview

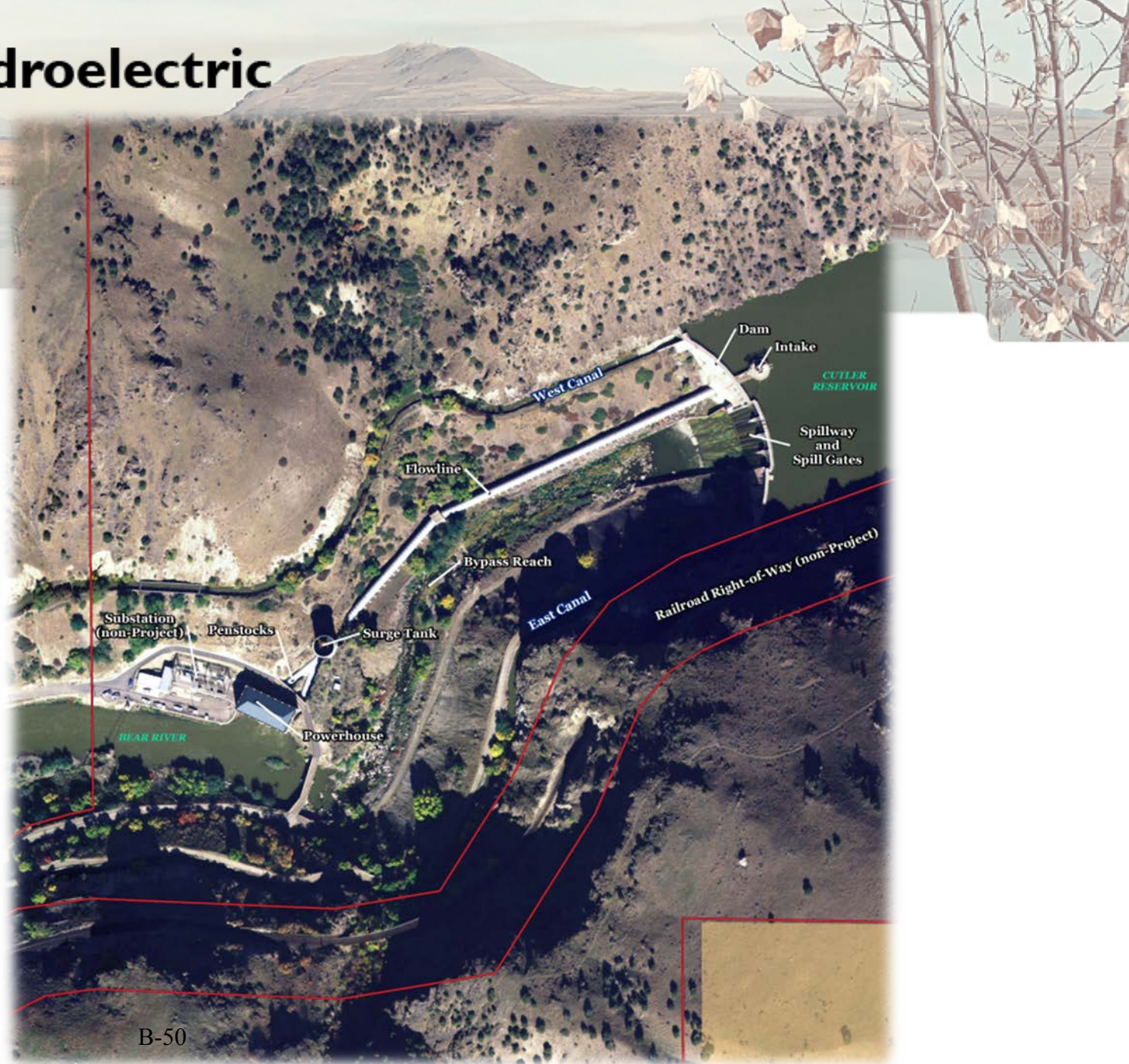
Cutler Historic Photos

*Courtesy of J. Willard Marriott Library Special Collections
Division, University of Utah and PacifiCorp.*



Cutler Hydroelectric Project

Cutler Overview *Project Location and Components*





Cutler Hydroelectric Project

Cutler Overview *Project Dam and Spillway Gates*

- Concrete gravity arch dam 545 feet by 109 feet, completed in 1927
- A gated-overflow spillway with four 30-foot-wide by 14-foot-high radial gates
- Spillway crest elevation at 4,394.5 feet above mean sea level*
- Top of gates at 4,408.5 feet





Cutler Hydroelectric Project

Cutler Overview *Powerhouse and Flowline/Penstocks*

- 1,160-foot-long by 18-foot-diameter steel flowline
- 81-foot-high by 45-foot-diameter surge tank
- Two 118-foot-long by 14-foot-diameter steel penstocks
- Powerhouse: 3-story steel frame and brick curtain wall, 130 feet long by 74 feet wide
- Maximum discharge flow of approximately 3,600 cfs

B-52

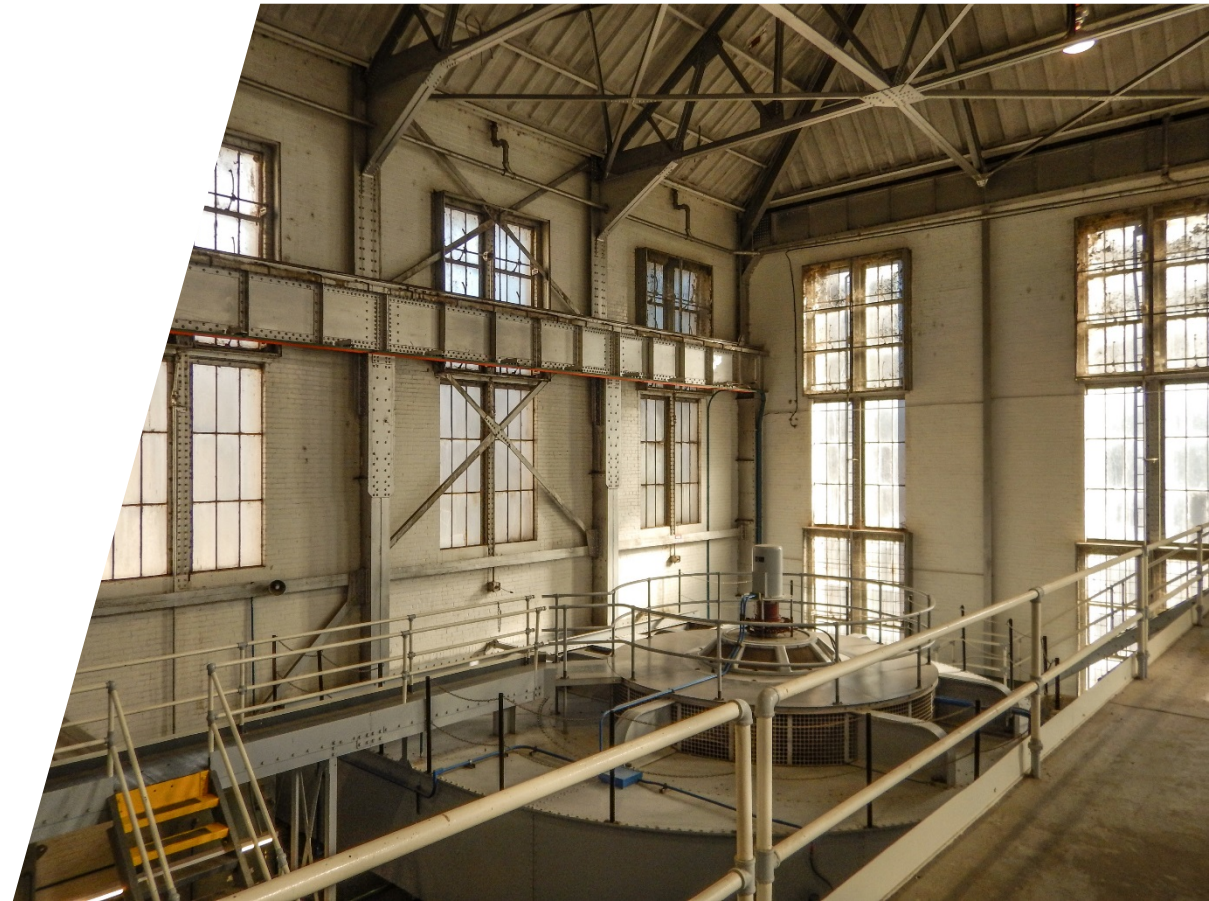




Cutler Overview

Project Powerhouse

- In operation since 1927
- Nameplate rating of 30 megawatts (MW)
- Two 15MW, 150 revolutions per minute (rpm) vertical Francis turbines: Unit 1 with 23,602 horsepower (hp) and Unit 2 with 21,180 hp
- Two General Electric generating units with a total installed capacity of 30 MW
- Average annual power generated by the Cutler Project is 71,424 megawatt-hours (MWh)





Cutler Hydroelectric Project

Cutler Overview *Project Operation*

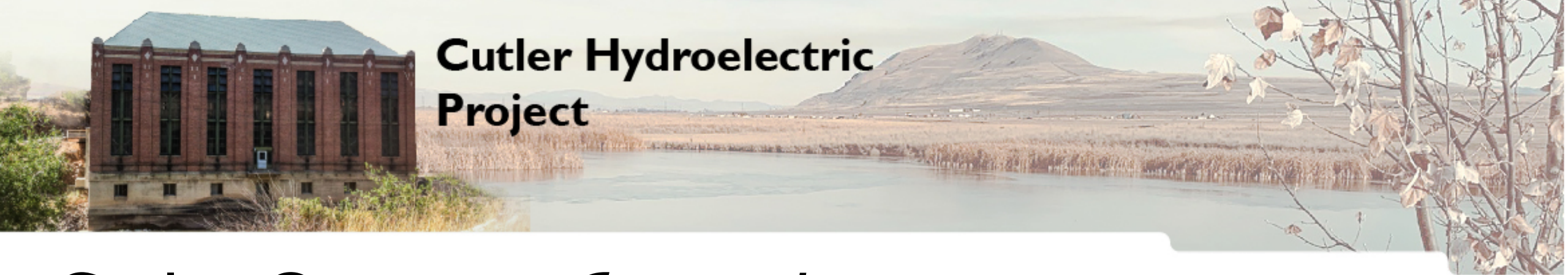




Cutler Hydroelectric Project

Cutler Overview *Project Operation*

- System operated to meet largest in-priority water rights on the river, diverted at Cutler Dam (900 cfs)
- Governed by Bear River Compact, water rights, and supplemental water contracts
- PacifiCorp holds multiple water rights including storage in Bear Lake
- Required to operate the Bear River to meet needs of 1) flood control, 2) irrigation, 3) hydropower generation
- Typically run-of-river, by schedule that meets current license requirements – allows 1 foot total of elevation variation (4407.5-4406.5) March-Dec and 1.5 feet (4407.5-4406.0) in winter
- Reservoir surface area of ~5,460 acres at maximum normal elevation (4407.5 feet), with storage of approximately 13,200 acre-feet (reservoir averages less than 4 feet deep; less than 2 feet deep in the southern half)
- Typically no generation during later irrigation season, after natural flows decline (July-Sept)



Cutler Hydroelectric Project

Cutler Overview *Current License*

- Current license issued 1994; expires 2024
- Current license requirements (in part):
 - Reservoir operating elevation limits (typically 4406.5-4407.5)

Period	Reservoir Elevation (Ft)	Tolerance (Ft)	% of Time Goal Met
March 1 – Dec 1	4,407.5 – 4,406.5	± 0.25	95%
Dec 2 – Feb 28	4,407.5 – 4,406.0	± 0.25 to 0.5	90%
 - Water Quality Monitoring Program (quarterly at 5-year intervals)
 - Fish Habitat Enhancement Program (placed structures, discontinued monitoring per agreement with UDWR)
 - Cutler Resource Management Plan



Cutler Hydroelectric Project

Cutler Overview

Current License (cont.)

Resource Management Plan covers:

- Vegetation Enhancement Program (buffers, woody vegetation planting, bank stabilization, fencing, erosion control basins, and wildlife habitat protection and improvements)
- Agricultural and Grazing Lease Program (continue agricultural uses but modify leases to protect/enhance other resources, and property coordination)
- Recreation Program (create 8 day-use sites and two boat-in sites, canoe and walking trails, allow recreation use including hunting and fishing access on Project lands, create boater use zones in reservoir, trapping permit program) and related Wetland Mitigation Program





Cutler Hydroelectric Project

Cutler Overview

Future License Proposal

- To meet new generation scenarios that include more variable sources of energy, such as wind and solar generation, need additional operational flexibility beyond the current 1-1.5 foot elevation change limits.
- *NOT* proposing a change to the upper reservoir limits (perhaps additional flexibility in tolerance range limits)
- Will study a full range of reservoir lower elevation limits, down to the spill gate lower sill elevation (mechanical limit of lower elevations possible), equal to approximately 11 feet
- *No new inundation*; consider removal of Wheelon Dam
- Relicensing is *not* the on-going conversation about Bear River water use





Cutler Hydroelectric Project

Cutler Overview

Future License Proposal

- PacifiCorp is the operator of the Bear River system
- Talking to Utah, Idaho, and Wyoming to continue needed water discussions, but that is a separate issue from generation related to the Cutler license...

“As demands increase for energy and water supply within the Bear River Basin, it has been recognized that increased collaboration is necessary to meet the region’s future challenges. Utah, Idaho, Wyoming, and PacifiCorp/Rocky Mountain Power are discussing the water supply, power operations, and future needs throughout the Bear River Basin, including Bear Lake. In addition, all of these parties are reaching out to their associated stakeholders in order to reflect the important and diverse interests within the basin.”





Cutler Hydroelectric Project

Cutler Overview *Future License Proposal*

- Because we are proposing a change from relatively 'flat' operation, over the next two years, will need to look at potential effects to and information needs for a variety of resources





Cutler Hydroelectric Project

Cutler Overview Relicensing Issues

- Water Quality/Hydrology/Water Rights
- Sedimentation/Dredging
- Fishery – No native sport fishery; few natives in the lower Bear
- Terrestrial Wildlife Habitat/Threatened and Endangered Species (e.g., Ute ladies'-tresses orchid)
- Native freshwater mollusk community
- Invasive species (*Phragmites*, Quagga mussels, other)
- Cultural and Tribal resources– prehistoric and historic
- Recreation opportunities
- Agricultural opportunities
- Others?
- Protection, Mitigation, and Enhancement (PME) measures → future discussion





Cutler Hydroelectric Project

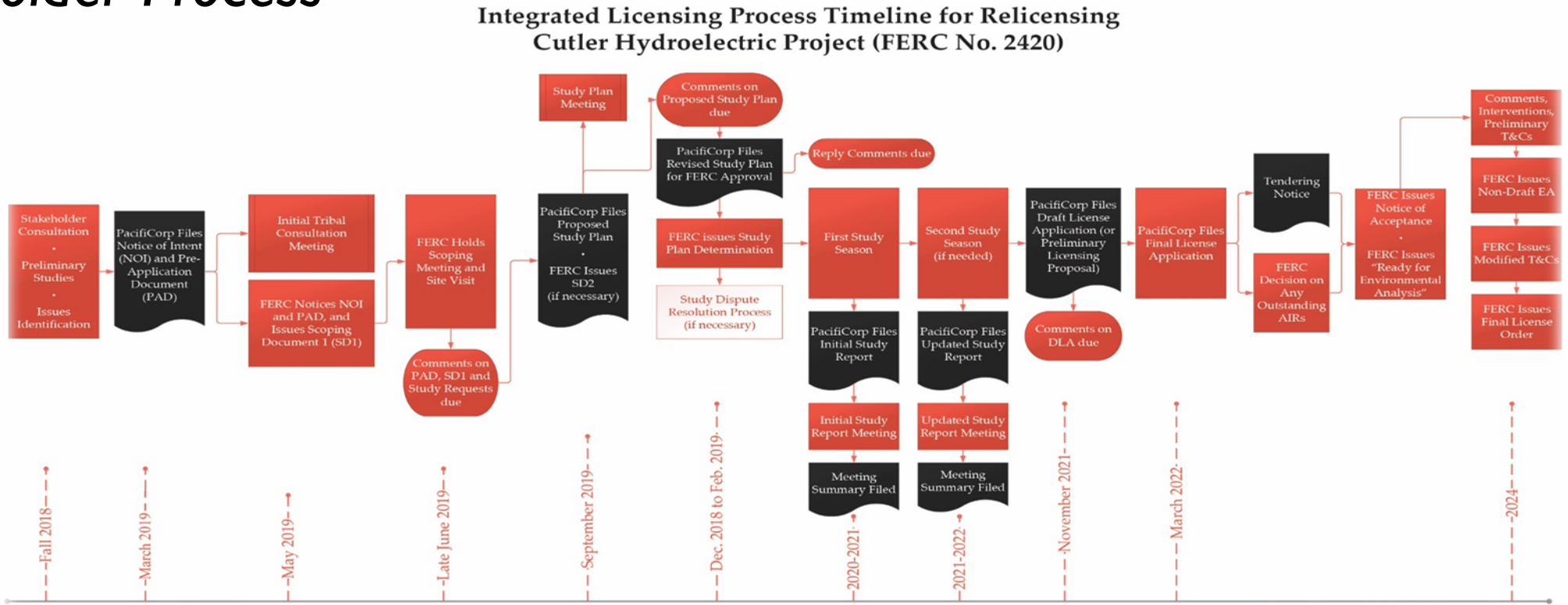
Cutler Overview *Proposed Relicensing Studies*

- **Hydrologic modeling / Sedimentation:** Light detection and ranging (LiDAR) study (Fall 2019)
- **Aquatic Resources:** Fish and freshwater mussel populations assessment
- **Cultural Resources:** Conduct a cultural resource inventory (archaeological, architectural, ethnographic resources)
- **Wildlife & Botanical:** Map and characterize the distribution of shoreline aquatic habitat within the Cutler Project Boundary to identify the area that would be exposed under the proposed wider operating range
- **Wetlands, Riparian, and Shoreline Habitat:** Same study will quantify the amount of available littoral habitat, characterize existing emergent and aquatic vegetation, and map invasive species
- **Rare, Threatened, Endangered species:** Conduct a Ute ladies'-tresses orchid survey
- **Recreation and Land Use:** Analyze LiDAR data to determine reservoir pool level thresholds for access at respective recreation sites
- **Others?**



Cutler Hydroelectric Project

Cutler Overview *FERC Relicensing Process and PacifiCorp Cutler Stakeholder Process*





Cutler Hydroelectric Project

Federal Energy
Regulatory Commission

Process 101





Cutler Hydroelectric Project

Basics of FERC

- **What is FERC?** - FERC is a federal, independent agency (formerly the Federal Power Commission)
- **What does FERC do?** - FERC regulates electrical transmission, hydropower licensing and safety, and natural gas and oil pipelines
- **How does FERC impact me?** - FERC manages the public, non-governmental organization, agency and tribal participation during the relicensing process
- **When does relicensing start?** - The relicensing process starts 5 to 5.5 years before the expiration of a project's license



What is a license?

- A FERC “license” is a regulatory document that permits dam owners to use public waters for energy production.
- It specifies the conditions for construction, operation, and maintenance of the project.
- Essentially a “permit to operate”
- Cutler’s License was last issued in 1994.

07 FERC 1 04,082

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

PacifiCorp Electric Operations Project No. 2420-001
Utah

ORDER ISSUING NEW LICENSE
(Major Project)
(Issued April 29, 1994)

PacifiCorp Electric Operations (PacifiCorp) filed a license application under Part I of the Federal Power Act (FPA) for the continued operation and maintenance of the 30-megawatt (MW) **Cutler Project** located on the Bear River, in Cache and Box Elder Counties, near Logan, Utah. ¹ The project would produce about 106 gigawatthours (GWh) of electricity annually.

Notice of the application has been published. No agency or intervenor objected to issuance of this license. Comments received from interested agencies and individuals have been fully considered in determining whether to issue this license.

The staff issued a draft environmental assessment (EA) for this project on January 27, 1994. The staff analyzed and considered all the comments filed pursuant to the draft EA. The staff issued a final EA on April 7, 1994, which is attached to and made part of this license order. The staff also prepared a Safety and Design Assessment (S&DA), which is available in the Commission's public file for this project.

The American Whitewater Affiliation and American Rivers, Inc. filed a timely joint motion to intervene seeking to protect the nondevelopmental values of the Bear River. They believe there are significant opportunities on the Bear River for enhancing fish, wildlife, and recreation resources.

The Bear River Canal Company (BRCC) filed a late motion to intervene which was granted by a notice issued on June 17, 1993. BRCC is concerned that operational changes at the project could affect water delivery for irrigation.

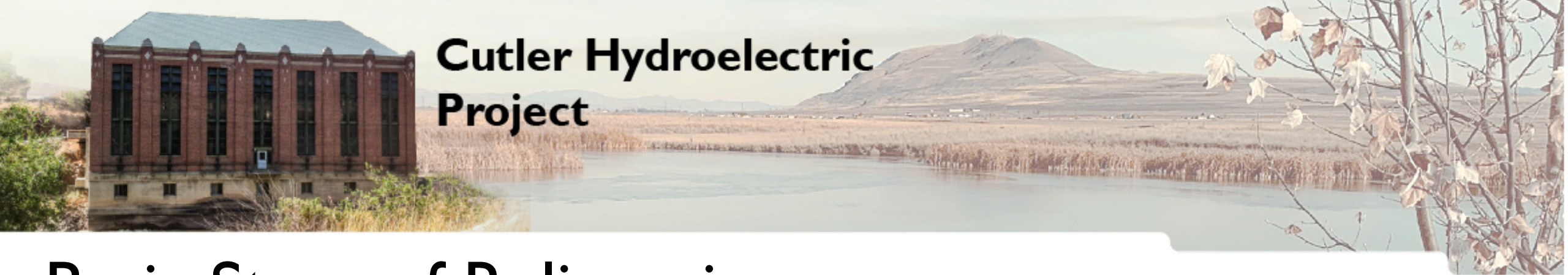
Mr. Paul Stewart also filed a late motion to intervene which was granted by a notice issued on September 7, 1993. Mr. Stewart is a local farmer and owns land adjacent to the project.



Cutler Hydroelectric Project

FERC Relicensing

- Relicensing is the process by which dam owners seek to renew their licenses so they can continue operating for 30-50 more years
 - Brings licenses in compliance with regulations and standards that have changed since last license was issued
 - Complex, multi-year process
 - Involves multiple participants with many public involvement opportunities
 - Develops a regulatory record
 - Provides FERC with decision-making information
 - Determines the final license terms and requirements



Cutler Hydroelectric Project

Basic Steps of Relicensing

- Describe project and identify key questions
 - PacifiCorp describes existing project, potential future operations, and identifies potential issues in the Preliminary Application Document (PAD)
 - Stakeholders ask questions and requests studies
- Answer questions and develop license application
 - Studies
 - Identify Protection, Mitigation, and Enhancement (PME) measures for new license
 - Submit license application
- FERC conducts a NEPA review and issues license with conditions
 - Solicits comments from stakeholders
 - Receives terms and conditions from resources agencies (state, federal, tribal)
 - Adjudicates conflicts (if any)
 - Issue license

On-going Compliance for many years^{B-68} after license issuance



Cutler Hydroelectric Project

National Environmental Policy Act (NEPA) and FERC Relicensing

- FERC is the “lead agency” for NEPA and therefore responsible for completing NEPA analysis
 - FERC will scope the range of questions that it needs to have answered
 - Public, Indian Tribes, and agencies have input into this process
 - PacifiCorp is then tasked with collecting information necessary to answer those questions



Cutler Hydroelectric Project

Potential Studies

Study proposals...

- Must have “nexus” to project
- Must relate to public interest or specific resource agency goals
- Relate to an appropriate study area/area of potential effects
- Avoid academic questions
- Use commonly accepted study methods
- Reference existing data or studies, if available

Results of studies will support conversations about necessary PME measures that should be included in the new license.



Cutler Hydroelectric Project

FERC's Public Involvement

- This process includes:
 - State agencies
 - Federal agencies
 - Indian/Native Tribes
 - Local landowners and residents
 - Non-government organizations
- FERC maintains a public database where all submittals are tracked:
www.ferc.gov

FERC Federal Energy Regulatory Commission

Enter Search Term(s):

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Electric **Hydropower** Annual Charges Dam Safety and Inspections Environment Industry Activities General Information Natural Gas Oil

Industries >> Hydropower

Hydropower TEXT SIZE S M L

Recent Highlights

January 2, 2019

- FERC Staff Issues Final Environmental Impact Statement for the Yuba River Development Project (P-2246-065) [Read More](#)

December 20, 2018

- Item: H-1 - FERC Issues Final Rule on Elimination of Form 80 and Revision of Regulations on Recreational Opportunities and Development at Licensed Hydropower Projects [Order No. 852](#) [PDF](#)

October 30, 2018

- The Commission is seeking additional resource experts for its Hydropower Licensing Study Dispute Resolution Panel Member List. Consider becoming a member if you have technical expertise in Aquatic Resources; Terrestrial Resources; Cultural Resources; Recreational Resources; Land Use and Aesthetics; Geology and Soils; Socio-economics; or Engineering. [Notice](#) [PDF](#) [Read More](#)

The Commission's responsibilities include: Issuance of licenses for the construction of a new project; Issuance of licenses for the continuance of an existing project (relicensing); and Oversight of all ongoing project operations, including dam safety inspections and environmental monitoring.

QUICK LINKS

- FAST-41
- Oroville Dam Service Spillway (P-2100)
- Hydropower Landmark Orders
- Accounting Matters
- Forms
- Guide to Electronic Information at FERC [PDF](#)
- Need a paper copy? Contact customer@ferc.gov
- Hydropower Filing Guide [PDF](#)

PHOTO GALLERY

[Photos by Field Map](#)

[Trout fishing below the dam](#)

Licensing

- Integrated, Traditional, and Alternative Licensing

Compliance

- How To Submit and/or Update [Contact Information](#)

Dam Safety & Inspections

Engineering Guidelines

- Chapter 13 [NEW](#)
- About Drilling at



Cutler Hydroelectric Project

Milestones for FERC Public Involvement

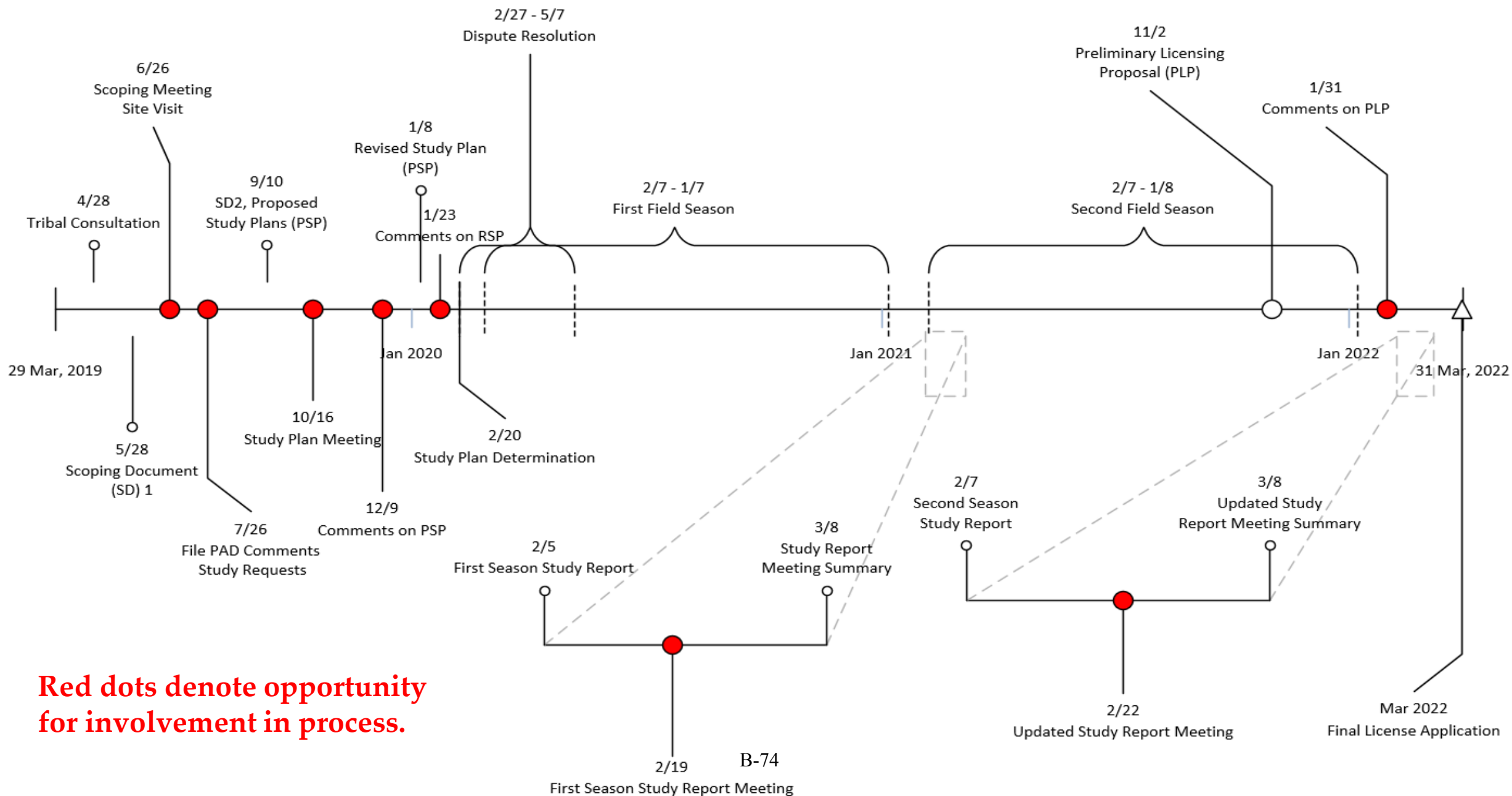
- Key milestones for public involvement:
 - Attend FERC scoping meetings
 - Comments on the PAD
 - Comments on Study Plan
 - Comments on Draft License Application
- How to be involved:
 - E-subscription (*must* have FERC Docket No. 2420)
 - E-library
 - Newspaper notices for public meetings



Cutler Hydroelectric Project

Integration with FERC Licensing Process

- Integration with other regulatory processes and agencies:
 - Clean Water Act (CWA)/ State 401 Water Quality certification
 - National Environmental Policy Act (NEPA)
 - National Historic Preservation Act (NHPA)
 - Endangered Species Act (ESA)





Cutler Hydroelectric Project

FERC Relicensing Process and PacifiCorp Cutler Stakeholder Process

- Breakout sessions include more detail on Relicensing, Studies, Project Operations, Collaboration, and Project-specific Property Issues
- Take advantage of handouts and sign-up sheets, but that does not replace FERC docket
- Breakouts – Tell us more!



STAKEHOLDER KICK-OFF WORKSHOP MEETING SUMMARY

**MEETING SUMMARY
CUTLER RELICENSING PUBLIC WORKSHOP
FEBRUARY 13, 2019**

**RIVERWOODS CONFERENCE CENTER
LOGAN, UTAH**

**Meeting Summary
Cutler Relicensing Public Workshop
February 13, 2019**

**Riverwoods Conference Center
Logan, Utah**

The public workshop was staffed by PacifiCorp representatives and consultants (see Table – Team Members) and was attended by approximately 50 interested individuals and representatives of state and local agencies, non-governmental organizations, and business and community leaders (see Table – Workshop Attendees).

The opening session (see Agenda) provided an overview of the Cutler Project and the FERC relicensing process, and was followed by a series of breakout sessions focused on the following topics:

1. FERC relicensing process overview and discussion
2. Studies overview and discussion
3. Project operation overview and discussion
4. Collaboration overview and discussion
5. Property maps and specific property questions

Each breakout session was held five times in succession, with participants rotating through every 20 minutes. The breakout sessions provided supplemental information on each of the above topics and provided an opportunity for participants to ask questions and/or provide input. Refer to the attached Powerpoint slides for details on information presented during the workshop sessions. Questions, concerns, and information received from attendees is included in the following sections.

**Main Session:
Cutler Project Overview
FERC Licensing Process Overview**

**Eve Davies, Relicensing Project Manager, PacifiCorp
Ben Gaddis, Facilitator, Gaddis Consulting**

The following questions were raised by workshop attendees following the main session. PacifiCorp's responses were as noted.

Q: What are the proposed additional fluctuations?

A: *This is not currently known. PacifiCorp will be conducting studies to determine this.*

Q: Will the project affect the Bear River Canal?

A: *We don't believe so.*

Q: Will the studies be published to PacifiCorp's Cutler Project website?

A: *Yes, in late 2020 and late 2021.*

Q: Why did PacifiCorp decide to not raise the upper limit at Cutler?

A: *A decision on operations had to be made in order to proceed with relicensing. The company is preparing for changes in water use versus changes in power generation.*

Q: What deliverable is due at the end of 2019?

A: *Study Plans*

Q: Do verbal comments count/hold the same weight as written comments?

A: *That is our intention. Please note that FERC comments on documents with public review periods are different and must follow that the agency's protocols.*

Q: Where may we direct additional comments to PacifiCorp by email after today?

A: cutlerlicense@gmail.com

In addition, one attendee provided written comments on a form provided during the main session for this purpose.



CUTLER PROJECT STAKEHOLDER KICKOFF WORKSHOP

Please provide any additional comments and questions below. Use the back for additional space or attach additional pages.

FERC RELICENSING COMMENTS AND QUESTIONS

Where & When will the pre application document and other FERC documents be published?
Who & how are "stakeholders" determined?

STUDIES COMMENTS AND QUESTIONS

Where will the results of these studies be posted?

PROJECT OPERATION COMMENTS AND QUESTIONS

What is the difference between "upper reservoir limit" and "additional Flexibility in tolerance range"?
How is that different than what they are doing now?

COLLABORATION COMMENTS AND QUESTIONS

PROPERTY COMMENTS AND QUESTIONS

**Breakout Session 1:
FERC Licensing Process**

**Finlay Anderson, Kleinschmidt Associates
Nuria Holmes, Kleinschmidt Associates**

No comments were received on the FERC licensing process during this breakout session. Some participants had questions on how to become an intervenor and were provided supplemental information.

Breakout Session 2: Studies

Eve Davies, PacifiCorp

The following study topics were raised and discussed during the studies breakout session:

Aquatic Resources

- Fish and freshwater mussels population assessment
- Effect of carp on habitat diversity, water quality, species variation, aquatic vegetation (i.e., Utah Lake)
- Effects and management plans for tamarisk, Russian olive, *Phragmites*, and other species

Recreation and Land Use

- Analysis of pool elevation changes effect to recreation site access
- SR30 widening will alter Project Boundary. No other large-scale changes proposed
- Study current levels of invasive controls → step those up
- Reservoir mapping to promote fishery recreation

Hydrologic Modeling/Sedimentation

- Fall 2019 LiDAR Survey
 - 3- to 4-week process of drawing down reservoir
 - Down 4 ft at Benson Marina
- Characterize existing core sediment in reservoir
- Concern with phosphorus exposure during drawdowns
- Coordinate with DEQ on monitoring sites
- Changes in inflow/flooding during next 30 to 50 year license period (sticky note: in regard to climate change)
- Volume/location of silt and how it affects navigation and storage capacity
- Removal of Wheelon/other dredging – what happens to silt/phosphorus?
- Would dredging improve the system?
- Core sampling for reservoir bottom composition
- Effects of reservoir fluctuations on roads and bridges, spec. effects of repeated wet/dry of toe/earth embankment
- Sediment inputs from Preston down, can they be prevented from reaching Cutler?
- Hydraulic isolation modelling
- Shift from snow driven hydrology to rain driven hydrology
- Evaporation

Wetland, Riparian, Shoreline

- Quantify littoral habitat, characterize emergent and aquatic vegetation, map invasive species. (sticky note: no temporal bug or bird studies? Fluctuations during nesting could be catastrophic)
- Effect of fluctuating levels on existing erosion sites or cause of additional erosion.

- Effects of rate of fluctuation on shoreline stability, vegetation, and existing erosion and stabilization measures.

Rare, Threatened, Endangered

- Ute ladies'-tresses orchid survey
 - Soil types of Mendon population compared to Cutler
 - Roshe Springs soil complex

Cultural Resources

- Cultural Resources Inventory

Wildlife and Botanical

- Analyze wider operating ranges' effect on shoreline aquatic habitat
- Increased level of predators at Project

Water Quality

- Logan landfill effect on water quality in reservoir
- Effects of reservoir level changes on water quality both upstream and downstream of dam, specifically TSS and rate of fluctuation
- Validation of 2013 results for N.D. of phosphorus
- Effects of hydraulic isolation and stagnation on phosphorus release/WQ management

Breakout Session #3 Project Operations

**Connely Baldwin, Jack Kolkman
& David Eskelsen, PacifiCorp**

During this breakout session, PacifiCorp staff answered attendees' questions about PacifiCorp's operation of the Cutler Project. General questions included:

- How does the Bear River system operate?
- When does high water normally occur?
- What is the normal reservoir elevation and how much lower is being proposed?
- How much would reservoir levels fluctuate and how fast? Would this result in increased sedimentation?
- Is spinning reserve part of proposed operations?
- Is PacifiCorp planning to store more water in order to generate more power?
- Can you tell us more about the removal of Wheelon Dam? What is the reason for removing it?
- Is Cutler Dam safe/stable?
- Will there be a study of decommissioning?

PacifiCorp staff noted there would be few reservoir elevation level changes during summer because irrigation deliveries largely prohibit generation during irrigation season.

Several attendees expressed concern about sediment in the reservoir. One asked whether LiDar data would be made public. In general, workshop attendees said they did not want to see the elevation of the reservoir raised and they were pleased to learn this was not part of proposed operations.

Breakout Session #4
Collaboration

Ben Gaddis, Gaddis Consulting LLC
Todd Olson, PacifiCorp

Participants in this breakout session discussed the collaborative process and were asked what they would like to collaborate on during Cutler Relicensing. Participants primarily expressed interest in collaborating on the study plans. In addition, Bear River Canal Company noted a need for coordination regarding mutual concerns. Issues noted for collaboration included sediment. Interest also was expressed in follow-up workshops and the need to provide multiple ways to collaborate, as missing work for daytime meetings is expensive.

**Breakout Session #5
Project Maps and Property**

**David Holt & Buffi Morris, PacifiCorp
Scott Pratt & Bryan Westerberg, PM Vegetation**

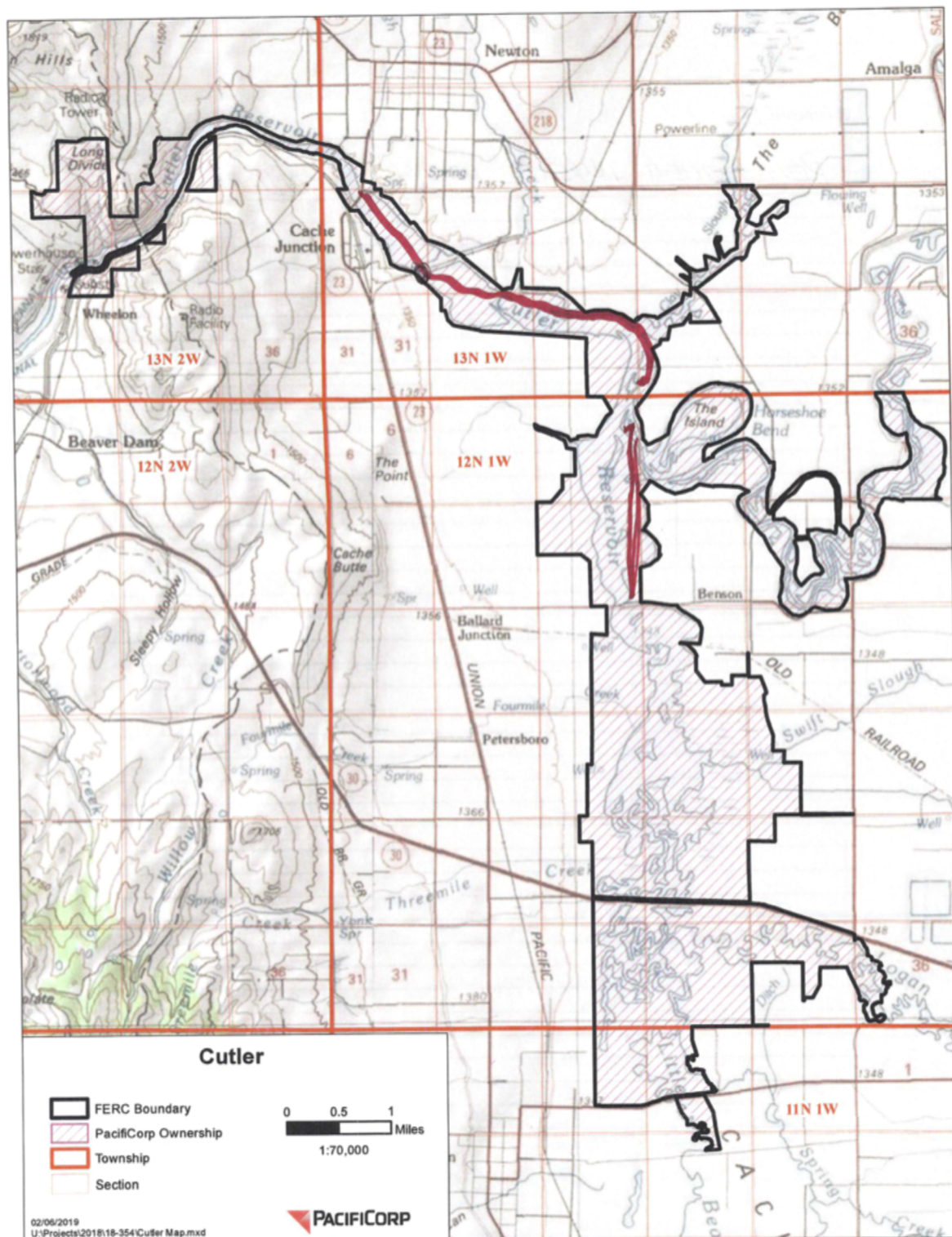
Most questions during this breakout session centered around sedimentation and Wheelon Dam. One landowner noted a bank stabilization structure falling into disrepair and a landowner with a commercial hunting operation noted gabions that present a hazard for hunting operations, erosion around irrigation structures, and the need for fence maintenance. Logan city wastewater engineers said they were concerned about preserving their ability to drain wastewater through certain channels. The main general concerns raised during this breakout session were sediment, water flow, and invasive species. A list of specific concerns was compiled and is presented below.

SPECIFIC CONCERNS RAISED DURING BREAKOUT SESSION 5 - PROPERTY

LOCATION	PUBLIC CONCERNS RAISED DURING BREAKOUT SESSION	COMMENTS
Clay Slough	<ul style="list-style-type: none"> • Culvert under Sam Fellow Rd-drainage issues 	<ul style="list-style-type: none"> • Meet with county in 2019 to measure elevations of pivot crossings below culvert • Possible ditching below culvert
Wendy Larson	<ul style="list-style-type: none"> • Jersey barrier bank stabilization-structures falling. • <i>Phragmites</i> taking over • Bank erosion 	<ul style="list-style-type: none"> • Inspect fall of 2019 during Cutler drawdown
Reservoir and Cutler Canyon Units	<ul style="list-style-type: none"> • How does water level fluctuation affect erosion and sediment movement? 	
Wheelon Dam	<ul style="list-style-type: none"> • How possible removal of Wheelon Dam will affect sediment movement 	
Cutler Project	<ul style="list-style-type: none"> • <i>Phragmites</i> and other invasive species • Bank erosion 	
Swift Slough	<ul style="list-style-type: none"> • Will water level fluctuations affect characteristics of Logan City discharge? • Increase in <i>Phragmites</i> effects on Logan City discharge 	
Cutler Project	<ul style="list-style-type: none"> • Will water level fluctuations spread populations of invasive species like <i>Phragmites</i>? 	

LOCATION	PUBLIC CONCERNS RAISED DURING BREAKOUT SESSION	COMMENTS
South Marsh, Mendon Rd	<ul style="list-style-type: none"> • Culvert road structure drainage 	
South Marsh Hardman Lease	<ul style="list-style-type: none"> • Hardman lease agreement 30-year exchange of lease again? 	
Bear River Overlook, Bear River Bottoms, Cutler Project	<ul style="list-style-type: none"> • Russian olive, tamarisk 	
Swift Slough Holmgren Property	<ul style="list-style-type: none"> • Increasing water from Logan City causing impacts 	
Below Cutler Dam	<ul style="list-style-type: none"> • No river access, need canoe-style, walk-in boat ramp to access the Bear River 	
Watterson Farm	<ul style="list-style-type: none"> • Future of farm and grazing leases • Irrigation structure damage • Option to change terms of current grazing leases 	
Watterson Bank Stabilization Projects	<ul style="list-style-type: none"> • Gabion baskets tipping over, safety hazards, rock breaking down and erosion 	
Jeff Watterson	<ul style="list-style-type: none"> • Purchase property next to Olsen and Larson property from PacifiCorp (1-2 acres) 	
PacifiCorp Lands outside of Project, Bear River Bottoms	<ul style="list-style-type: none"> • DNR wants additional river access outside of project boundaries to help with management of invasive species 	
Spring Creek	<ul style="list-style-type: none"> • Irrigation schedule needed by neighbors 	

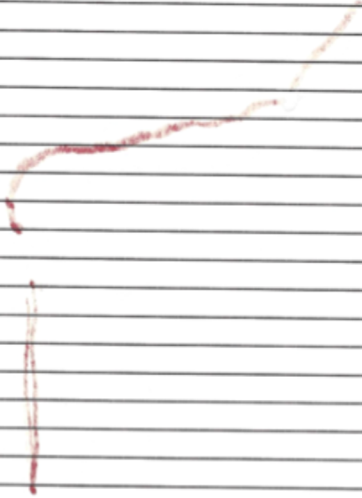
In addition, one attendee provided comments on a map handed out during the session for this purpose.



Handout - Front

Comments:

RED- SEDIMENT INCREASE MAKING IT SHALLOW



Handout - Back

Example handout given to workshop attendees to track questions in each session outlined below.

CUTLER PROJECT STAKEHOLDER KICKOFF WORKSHOP

Please provide any additional comments and questions below. Use the back for additional space or attach additional pages.

FERC RELICENSING COMMENTS AND QUESTIONS

STUDIES COMMENTS AND QUESTIONS

PROJECT OPERATION COMMENTS AND QUESTIONS

COLLABORATION COMMENTS AND QUESTIONS

PROPERTY COMMENTS AND QUESTIONS

Cutler Relicensing Public Workshop
February 13, 2019



*Please add me
to the mailing
list*

Name: _____ Title/Affiliation: _____ <i>(if applicable)</i> Email: _____ Phone: _____ Address: _____	All Communications <input type="checkbox"/> Relicensing Milestone Communications Only <input type="checkbox"/>
Name: _____ Title/Affiliation: _____ <i>(if applicable)</i> Email: _____ Phone: _____ Address: _____	All Communications <input type="checkbox"/> Relicensing Milestone Communications Only <input type="checkbox"/>
Name: _____ Title/Affiliation: _____ <i>(if applicable)</i> Email: _____ Phone: _____ Address: _____	All Communications <input type="checkbox"/> Relicensing Milestone Communications Only <input type="checkbox"/>
Name: _____ Title/Affiliation: _____ <i>(if applicable)</i> Email: _____ Phone: _____ Address: _____	All Communications <input type="checkbox"/> Relicensing Milestone Communications Only <input type="checkbox"/>
Name: _____ Title/Affiliation: _____ <i>(if applicable)</i> Email: _____ Phone: _____ Address: _____	All Communications <input type="checkbox"/> Relicensing Milestone Communications Only <input type="checkbox"/>

Template of sign-in sheets provided to attendees upon arrival.

CUTLER RELICENSING WORKSHOP ATTENDEES

ENTITY	NAME	TITLE
State		
Utah Department of Agriculture and Food	Murray, Gabriel	Bear River Watershed Coordinator
Utah Department of Environmental Quality, Division of Water Quality	Allred, Mike	Environmental Scientist
Utah Department of Natural Resources, Division of Wildlife Resources	Brunson, Clint	Biologist
	Edwards, Cody	Aquatic Biologist
	Walden, Xaela	Wildlife Biologist
Utah Department of Natural Resources, Division of Forestry, Fire and State Lands	Coombs, Matt	Sovereign Lands Coordinator
Local/Municipal		
Cache County	Bingham, Jonathan	County Engineer
	Erickson, Dave	Councilmember
Logan City	Al-Imari, Jed	Manager, Streets
	Dickinson, Tom	Asst. City Engineer
	Hamud, Issa	Environmental Director
	Odd, Sam	Staff Engineer
	Young, Bill	City Engineer
Non-Governmental Organizations		
Bridgerland Audubon Society	Greene, Jack	Board Member
	Shughart, Hilary	President
National Audubon Society	Malmquist, Max	Saline Lakes Outreach Associate
The Nature Conservancy	Neville, Ann	Utah Northern Mountains Regional Director
Yellowstone to Uintas Connection	Christensen, Jason	Director
	Christensen, Kandis	Administration
Land/Water Conservancy		
Bear River Land Conservancy	Rayfield, Dave	Board Member
Cache Water District	Daug, Nathan	Manager
	Hardman, Jon	Board Member
Irrigation/Canal Companies		
Bear River Canal Company	Holmgren, Charles	President
	Nielson, Trevor	General Manager
Media Representatives		
Cache Daily	Boam, Rod	Reporter
The Herald Journal	Mortensen, Matilyn	Reporter

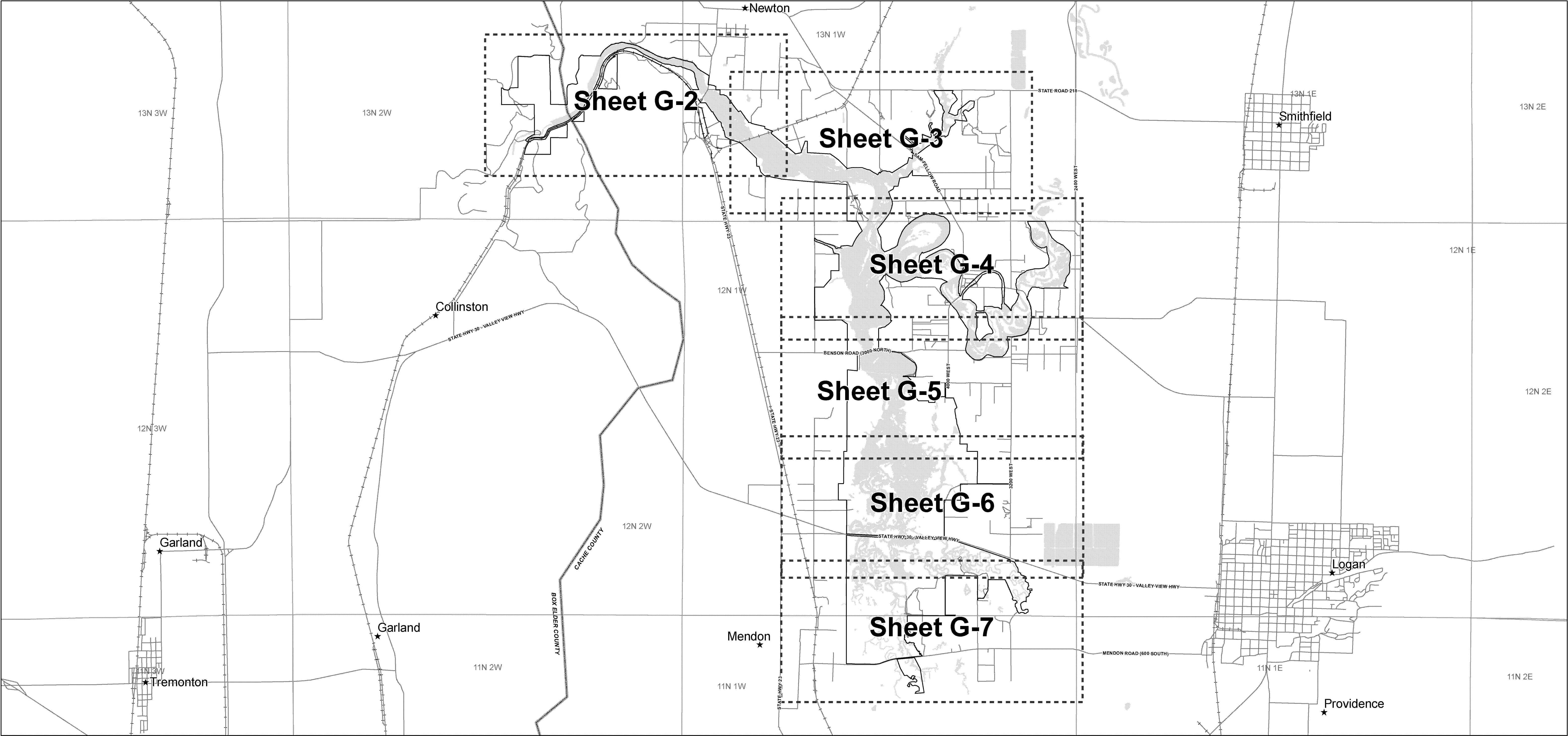
CUTLER RELICENSING WORKSHOP ATTENDEES, CONTINUED

NAME	AFFILIATION
Interested Parties	
Barker, Justin	RedFish Environmental
Bean, Richard	
Conder, Claudia	
de la Hoz, Ernesto	RedFish Environmental
Duffin, Eric	Cirrus Ecological Solutions
Falslev, Scott	
Finlayson, Kurt	
Flygare, Amy	
Flygare, Eric	
Fuller, Katie	
Fuller, Matt	
Gardner, Gaylord	
Holland, John	
Houser, Lance	Franson Civil Engineering
Johnson, Paul	
Larsen, Wendy	
Lohza, Santiago	HW Lochner
Pierce, Max	CRS Engineers
Reese, Rick	
Rood, Ben	CRS Engineers
Skeen, Trace	Rotary Club
Skellhum, Matt	Utah State University
Watterson, Barbara	
Watterson, Jason	Don't Raise Cutler Coalition
Watterson, Jeff	
Watterson, Jim	

CUTLER RELICENSING TEAM MEMBERS PRESENT

ENTITY	NAME	TITLE
Rocky Mountain Power/PacifiCorp	Davies, Eve	Relicensing Project Manager
	Olson, Todd	Director of Compliance
	Kolkman, Jack	Plant Manager
	Baldwin, Connely	Water Resources Engineer
	Edwards, Stewart	Engineer
	Eskelsen, Dave	Public Relations
	Holt, David	Property
	Pharis, Devin	Production Manager
	Morris, Buffi	Property/Water Rights
	Anderson, Bryan	Regional Business Manager
	Bruderer, Craig	Regional Business Manager
Gaddis Consulting	Gaddis, Ben	Facilitator
Kleinschmidt Associates	Anderson, Finlay	Strategic Advisor
	Holmes, Nuria	Licensing Manager
	Harper, Matt	GIS Lead
SWCA	Kester, Lindsey	Archaeologist and Project Manager
	Shrier, Frank	Technical Lead
	Epstein, Dave	
	Hugentobler, Miriam	Project Coordinator
PM Vegetation	Pratt, Scott	License Implementation
	Westerberg, Bryan	License Implementation

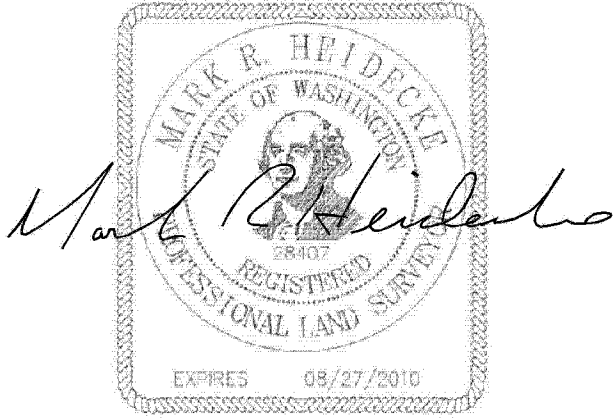
APPENDIX C
EXISTING EXHIBIT G PROJECT BOUNDARY



- Project Boundary
- Water Body
- County
- PLSS-Township
- ★

City
- Road
- +

Railroad



PACIFICORP ENERGY

A DIVISION OF PACIFICORP

Data Management/
Geographic Information Systems

gisdept@pacificorp.com

PROJECT BOUNDARY ACREAGE	
1) ACREAGE WITHIN PROJECT BOUNDARY	9192 ACRES
2) PACIFICORP LAND	9115 ACRES
3) STATE LAND	9 ACRES
4) COUNTY LAND	2 ACRES
5) PRIVATE (NON-PACIFICORP) LAND	66 ACRES
ABOVE VALUES ARE APPROXIMATE DERIVED FROM VARIOUS GIS DATASETS	

Data have been derived from a variety of sources, including field survey, Federal, State and County GIS data sources. All reasonable efforts have been made to ensure that the positional accuracy conforms to National Map Accuracy Standards for maps at a 1:24,000 scale.

Exhibit G-1

Cutler Hydroelectric Project, FERC No. P-2420

License Issued April 29, 1994

Project Boundary

Original Drawing Dated December, 2007

Scale as shown

1

0.5

0

1

Miles

2

4/3/09

P-2420-23

NO

DATE

OLD/RENO

DESCRIPTION

Rev. 2

APPENDIX D
NRCS SOIL CLASSIFICATION DEFINITIONS

Abbreviations	Soil Classification
ABE	ABELA GRAVELLY LOAM, 10 TO 20 PERCENT SLOPES
AhA	AIRPORT SILT LOAM, 0 TO 3 PERCENT SLOPES
Ak	AIRPORT SILTY CLAY LOAM
ArA	AVON SILTY CLAY LOAM, 0 TO 3 PERCENT SLOPES
ArB	AVON SILTY CLAY LOAM, 3 TO 6 PERCENT SLOPES
ArC	AVON SILTY CLAY LOAM, 6 TO 10 PERCENT SLOPES
ArD	AVON SILTY CLAY LOAM, 10 TO 20 PERCENT SLOPES
AsE	AVON-COLLINSTON COMPLEX, 10 TO 30 PERCENT SLOPES
BAF	BARFUSS-LEATHAM ASSOCIATION
BmC	BLACKROCK GRAVELLY LOAM, 6 TO 10 PERCENT SLOPES
BSG	BROAD COBBLY LOAM, 30 TO 60 PERCENT SLOPES
Ca	CACHE SILTY CLAY
Cd	CARDON SILTY CLAY
Ck	COLLETT SILTY CLAY LOAM
CmC	COLLINSTON LOAM, 1 TO 6 PERCENT SLOPES
CmD	COLLINSTON LOAM, 6 TO 10 PERCENT SLOPES
CmE2	COLLINSTON LOAM, 10 TO 30 PERCENT SLOPES, ERODED
CoA	CROOKSTON LOAM, 0 TO 3 PERCENT SLOPES
CoB	CROOKSTON LOAM, 3 TO 6 PERCENT SLOPES
CoC	CROOKSTON LOAM, 6 TO 10 PERCENT SLOPES
CwD	COLLINSTON-WHEELON SILT LOAMS, 6 TO 10 PERCENT SLOPES
GsA	GREENSON LOAM, 0 TO 3 PERCENT SLOPES
GsC	GREENSON LOAM, 6 TO 10 PERCENT SLOPES
GuA	GREENSON LOAM, DEEP OVER CLAY, 0 TO 1 PERCENT SLOPES
HaD	HANSEL SILT LOAM, 6 TO 10 PERCENT SLOPES
HpB	HUPP GRAVELLY SILT LOAM, 1 TO 6 PERCENT SLOPES
Jo	JORDAN SILTY CLAY LOAM
Jr	JORDAN-LASIL SILTY CLAY LOAMS
KdA	KIDMAN FINE SANDY LOAM, 0 TO 2 PERCENT SLOPES
KdD	KIDMAN FINE SANDY LOAM, 8 TO 15 PERCENT SLOPES
KeC	KEARNS SILT LOAM, 3 TO 6 PERCENT SLOPES
KeD	KEARNS SILT LOAM, 6 TO 10 PERCENT SLOPES
KeE	KEARNS SILT LOAM, 10 TO 20 PERCENT SLOPES
KfA	KIDMAN FINE SANDY LOAM, DEEP WATER TABLE, 0 TO 2 PERCENT SLOPES
KfB	KIDMAN FINE SANDY LOAM, DEEP WATER TABLE, 2 TO 4 PERCENT SLOPES
KfC	KIDMAN FINE SANDY LOAM, DEEP WATER TABLE, 4 TO 8 PERCENT SLOPES
Ln	LEWISTON FINE SANDY LOAM
Lo	LEWISTON FINE SANDY LOAM, STRONGLY ALKALI
Lr	LOGAN SILTY CLAY LOAM
M-W	MISCELLANEOUS WATER

Abbreviations	Soil Classification
MeA	MENDON SILT LOAM, 0 TO 3 PERCENT SLOPES
MeB	MENDON SILT LOAM, 3 TO 6 PERCENT SLOPES
MeC	MENDON SILT LOAM, 6 TO 10 PERCENT SLOPES
MfB	MENDON-COLLINSTON COMPLEX, 1 TO 6 PERCENT SLOPES
MfE2	MENDON-COLLINSTON COMPLEX, 6 TO 30 PERCENT SLOPES, ERODED
MhD	MENDON SILT LOAM, 6 TO 10 PERCENT SLOPES
MIE	MIDDLE COBBLY SILT LOAM, 10 TO 30 PERCENT SLOPES
MIG	MIDDLE COBBLY SILT LOAM, 30 TO 70 PERCENT SLOPES
Mm	MIXED ALLUVIAL LAND
MoG2	MUNK-BLACKROCK GRAVELLY LOAMS, 30 TO 70 PERCENT SLOPES, ERODED
NcA	NIBLEY SILTY CLAY LOAM, 0 TO 3 PERCENT SLOPES
PeB	PARLEYS SILT LOAM, 1 TO 6 PERCENT SLOPES
PeD	PARLEYS SILT LOAM, 6 TO 10 PERCENT SLOPES
Pn	PAYSON SILT LOAM
Pu	PROVO LOAM
PwE	POMAT SILT LOAM, 10 TO 30 PERCENT SLOPES
Qu	QUINNEY SILT LOAM
Rs	ROSHE SPRINGS SILT LOAM
RS	ROCK LAND
Rt	ROUGH BROKEN LAND
Rv	ROUGH BROKEN LAND
Sd	SALT LAKE SILTY CLAY LOAM
Se	SALT LAKE SILTY CLAY
SEE	SANDALL COBBLY SILT LOAM, 10 TO 30 PERCENT SLOPES
Sg	SALT LAKE-ROSHE SPRINGS COMPLEX
Sh	SALT LAKE-TRENTON COMPLEX
SJG	SANDALL-ROZLEE ASSOCIATION, STEEP
SID	SANPETE GRAVELLY SILT LOAM, HIGH RAINFALL, 6 TO 10 PERCENT SLOPES
SIE	SANPETE GRAVELLY SILT LOAM, HIGH RAINFALL, 10 TO 30 PERCENT SLOPES
Sm	SHAY SILTY CLAY LOAM
SsD	STERLING GRAVELLY LOAM, 6 TO 20 PERCENT SLOPES
TnA	TIMPANOGOS SILT LOAM, DEEP WATER TABLE, 0 TO 3 PERCENT SLOPES
ToB	TIMPANOGOS SILT LOAM, 1 TO 6 PERCENT SLOPES
TrA	TRENTON SILTY CLAY LOAM, 0 TO 2 PERCENT SLOPES
TrB	TRENTON SILTY CLAY LOAM, 2 TO 4 PERCENT SLOPES
TrC	TRENTON SILTY CLAY LOAM, 4 TO 8 PERCENT SLOPES
TrD2	TRENTON SILTY CLAY LOAM, 8 TO 20 PERCENT SLOPES, ERODED
TtA	TRENTON SILTY CLAY LOAM, MODERATELY DEEP WATER TABLE, 0 TO 2 PERCENT SLOPES

Abbreviations	Soil Classification
W	WATER
WhE	WHEELON SILT LOAM, 10 TO 30 PERCENT SLOPES
WhF2	WHEELON SILT LOAM, 30 TO 50 PERCENT SLOPES, ERODED
WIE2	WHEELON-COLLINSTON COMPLEX, 10 TO 30 PERCENT SLOPES, ERODED
WlG	WHEELON GRAVELLY SILT LOAM, SHALLOW VARIANT, 20 TO 60 PERCENT
WmE	WHEELON-COLLINSTON SILT LOAMS, 10 TO 30 PERCENT SLOPES
Wn	WINN SILT LOAM

APPENDIX E
UTAH DNR GEOLOGICAL UNIT DESCRIPTIONS

Map Unit	Age	Unit Description
Dw	Devonian	<i>Light gray to white dolomite and orange dolomitic sandstone, locally contains fish-bone fragments.</i>
Os	Ordovician	<i>White to purple quartzite.</i>
Qa	Quaternary (Holocene and Pleistocene)	<i>Fine-grained alluvial deposits of flood plains, channels, and ox-bow lakes.</i>
Ql	Quaternary (Pleistocene)	<i>Lacustrine gravel, sand, silt, and clay deposited from Lake Bonneville and during the Bonneville Flood.</i>
Qm	Quaternary (Pleistocene)	<i>Landslide deposits derived from Ql or from Tertiary gravel or lacustrine deposits.</i>
Qp	Quaternary (Pleistocene)	<i>Provo Formation.</i>
Qt	Quaternary (Holocene and Pleistocene)	<i>Terrace gravel.</i>
SO	Silurian/Ordovician	<i>Dark to medium-gray dolomite.</i>
Sl	Silurian	<i>Light to medium-gray, coarsely crystalline dolomite, and dark-gray medium-grained dolomite, contains colonial corals.</i>
Tg	Tertiary (Miocene)	<i>Angular to subrounded locally derived alluvium; Locally derived clasts of Paleozoic rocks and exocit clasts of silicic volcanic rocks.</i>
TI	Tertiary (Miocene)	<i>Marl, oolitic limestone, and volcanic ash.</i>