



Pacific Power |  
Rocky Mountain Power  
825 NE Multnomah, Suite 1800  
Portland, Oregon 97232

Electronically filed August 30, 2019

Kimberley D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Douglas L. Johnson, PE, Regional Engineer  
Federal Energy Regulatory Commission  
805 SW Broadway, Suite 550  
Portland, OR 97205

**Subject: Cutler Hydroelectric Project (FERC Project No. 2420)  
Request for Approval of 2019 Reservoir Drawdown Pursuant to Article 401  
and Documentation of Consultation**

Dear Secretary Bose and Mr. Johnson:

PacifiCorp's Cutler Hydroelectric Project, FERC No. 2420 (Project), is located on the Bear River in northeastern Utah. The Project's Operational Plan issued April 30, 2002 under Article 401 requires consultation with local agencies and stakeholders when operational work might cause changes to downstream conditions or require reservoir elevations outside those specified by the license. PacifiCorp is requesting approval to conduct a reservoir drawdown beginning approximately October 25, 2019. This drawdown is scheduled to extend no later than mid-November 2019, although the refill rate is dependent on flow conditions that month. The drawdown is required to obtain preliminary data (bathymetric and LiDAR specifically) necessary to inform the proposed hydraulic and sediment technical study plans and associated models.

Per the license, the agencies and stakeholders involved are the U.S. Fish and Wildlife Service (USFWS), the Utah Division of Wildlife Resources (UDWR), Utah State Historic Preservation Office (SHPO), and the Bear River Canal Company (BRCC). Written responses have been received from all of the above stakeholders (**Attachment A**). PacifiCorp will continue to coordinate both the drawdown plan and publicizing the plan with the agencies/entities involved.

This letter and its enclosures have been filed electronically. The security classification of each component in this packet is shown in the Enclosure list below. According to FERC eFiling requirements, two complete printed copies of this filing have been transmitted to your office.

If you have any questions concerning these documents, please contact Eve Davies (Principal Scientist) at 801-220-2245 or Connely Baldwin (Hydrologist) at 801-220-4636.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Sturtevant for".

Mark Sturtevant  
Vice President, Renewable Resources

Kimberly D. Bose, FERC and Douglas E. Johnson, FERC  
Cutler Hydroelectric Project (FERC Project No. 2420)  
Request for Approval of 2019 Reservoir Drawdown Pursuant to Article 401 and Documentation of Coordination  
August 30, 2019

ed:nvh

<b>Encl:</b>	Letter – Public
	Consultation Notifications and Responses – Public

**ATTACHMENT A**

**CONSULTATION NOTIFICATIONS AND RESPONSES**

**From:** [Trevor Nielson](#)  
**To:** [Eve Davies](#)  
**Cc:** [Connely Baldwin](#)  
**Subject:** [INTERNET] Fall 2019 Drawdown Study  
**Date:** Tuesday, August 13, 2019 3:14:56 PM

**\*\* REMEMBER SAIL WHEN READING EMAIL \*\***

<b>Sender</b>	The sender of this email is <a href="mailto:trevor@brcanal.com">trevor@brcanal.com</a> using a friendly name of <a href="#">Trevor Nielson</a> . Are you expecting the message? Is this different from the message sender displayed above?
<b>Attachments</b>	Does this message contain attachments? <b>No</b> If yes, are you expecting them?
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<b>Cybersecurity risk assessment: <b>Medium</b></b>	

Dear PacifiCorp,

Bear River Canal Company (BRCC) is writing this e-mail in response to the PacifiCorp request concerning the drawdown for their FERC documentation. Per the terms of the 1912 contract, BRCC is contractually awarded the delivery of 900 cfs of water from May 1 to Oct 31st for irrigation. At which time, we reduce flows to a contractually awarded winter stock watering right in the amount of 150 cfs from Nov 1 to April 31st.

Currently, BRCC and PacifiCorp are working on an agreement of in-kind compensate to the canal company for their lost water deliveries. Although the details are still pending, we support the drawdown on the specified schedule pending the signing of a compensatory agreement.

Thank you for your concern and any questions concerning the matter contact Trevor Nielson at the below number.

Sincerely,

Trevor Nielson

General Manager

**Bear River Canal Company**

275 N 1600 E

Tremonton, UT 84337

Office: 435-257-5975

Cell: 435-535-1761



**From:** [Davies, Eve](#)  
**To:** [Lindsey Kester](#); [Frank Shrier](#)  
**Subject:** FW: [INTERNET] Re: Cutler 2019 Fall drawdown consultation  
**Date:** Thursday, August 29, 2019 9:30:41 AM

**EXTERNAL: This email originated from outside SWCA. Please use caution when replying.**

UDWR consult...

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:** Justin Dolling [mailto:[justindolling@utah.gov](mailto:justindolling@utah.gov)]  
**Sent:** Monday, August 19, 2019 3:48 PM  
**To:** Davies, Eve <[Eve.Davies@pacificorp.com](mailto:Eve.Davies@pacificorp.com)>  
**Cc:** Chris Penne <[chrispenne@utah.gov](mailto:chrispenne@utah.gov)>; John Luft <[johnluft@utah.gov](mailto:johnluft@utah.gov)>; Chad Cranney <[chadcranney@utah.gov](mailto:chadcranney@utah.gov)>; Mark Hadley <[markhadley@utah.gov](mailto:markhadley@utah.gov)>; Scott Walker <[scottwalker@utah.gov](mailto:scottwalker@utah.gov)>  
**Subject:** [INTERNET] Re: Cutler 2019 Fall drawdown consultation

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<b>Sender</b>	The sender of this email is <a href="mailto:justindolling@utah.gov">justindolling@utah.gov</a> using a friendly name of <b>Justin Dolling</b> . Are you expecting the message? Is this different from the message sender displayed above?
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<b>Links</b>	Does this message contain links? <b>No</b> Check links before clicking them or removing BLOCKED in the browser.
<b>Cybersecurity risk assessment: <b>Low</b></b>	

Hi Eve,

Please let this mailing serve as confirmation of your consultation with the Utah Division of Wildlife Resources for the proposed drawdown of Cutler Reservoir fall of 2019.

I would ask that you coordinate with Chris Penne on any fresh water mussel surveys during the drawdown period. I would also ask for your consideration to allow small boat access (canoes, kayaks, etc.) and walk in hunter access during the drawdown. Please share your outreach materials or messages with Mark Hadley (Regional

Outreach Manager) so we can help you spread the word to the waterfowl hunting community through our social media channels.

Thanks Eve and good luck on your project.

Justin Dolling  
Northern Region Supervisor  
Utah Division of Wildlife Resources

On Tue, Aug 13, 2019 at 3:19 PM Davies, Eve <[Eve.Davies@pacificorp.com](mailto:Eve.Davies@pacificorp.com)> wrote:

Hello-

You are receiving this email because you are a representative of one of the four agencies/entities that PacifiCorp is required to consult with regarding non-standard activities within the Cutler FERC Project Boundary, by our current license. You also are aware that we started the process this year to relicense the Cutler Project and need to conduct a drawdown of the reservoir in order to conduct the preliminary studies that are required to complete the full study plans, which should be approved for implementation in early 2020.

Specifically, we must complete the LiDAR and bathymetry work that will inform the hydrology and sediment modeling that almost every other study plan requires to answer pertinent questions in those disciplines. Drawdowns can only be undertaken outside the irrigation season (we are bound by contract, the Bear River Compact, and numerous water rights to deliver water to the holders of those water rights for specific durations and at specific points of diversion), and during low water (i.e, we cannot conduct a drawdown during high water periods typically experienced from late winter through spring). Because this work *must* occur prior to and providing information for the other studies that are required by the relicensing process to be completed in 2020, the drawdown must occur this fall. Winter drawdowns are possible, but the imagery and other data we need can be confounded by ice and snow; further, we risk additional impacts to benthic macroinvertebrates, freshwater mussels, and other aquatic biota by exposing them to freezing winter temperatures that they are typically protected from under ice/snow and the reservoir water column. Several other studies have been identified that require or are improved with drawdown conditions (cultural resource surveys and documentation, freshwater mussels and other invertebrate and fishery surveys, visual/aesthetic resources) will also be conducted.

Fall drawdowns do affect recreation interests, specifically waterfowl hunters and fishers, but we are working to ameliorate those impacts by managing for the shortest possible drawdown window, and then refilling Cutler as quickly as possible, and with widespread communication with recreationists and other license stakeholders. The need for the drawdown this fall has been communicated through the license process in at least three public meetings held from February-June of this year, and is noted in our Pre-application Document, FERC's Scoping Document 1, and the preliminary study plan drafts that we have already presented publicly and which are posted on our website. PacifiCorp will also use a combination of signs at recreation sites and other access points, press releases, and direct outreach to waterfowl and other recreation organizations to advertise the expected drawdown dates as the date gets closer. The water will be at its' lowest point for approximately 7-10 days, and we expect a total of approximately three weeks to



lower and then re-raise the reservoir to its' standard elevation. PacifiCorp currently hopes to start to lower the reservoir in mid-late October, and would expect to have it back up sometime in early-mid November, depending on the actual start date (this discussion is underway with irrigation interests but has not yet been finalized).

Although PacifiCorp has been working with each of you previously on various aspects of this drawdown (ensuring adequate flow for the Refuge, working on freshwater mussel and other aquatic biota surveys with UDWR staff, undertaking cultural resource documentation, ensuring irrigation interests are met, etc.), we also need to communicate this on-going consultation with FERC, who must approve our drawdown request. To that end, if at least one of you from each agency or organization could please reply with any comments you may have, but at a minimum indicating that PacifiCorp has consulted with your agency or organization in this matter, that would be most helpful. A return email to this email would suffice, but if you have any further questions or would like to discuss the matter further, please do not hesitate to reach out to me. We need to get the proof of this consultation with you to FERC in the short term with our drawdown request for approval, so I would respectfully request your reply by 20 August, if at all possible. Thank you in advance for your assistance in this matter- I look forward to hearing back from you.

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:** [Davies, Eve](#)  
**To:** [Lindsey Kester](#); [Frank Shrier](#)  
**Subject:** FW: [INTERNET] Re: [EXTERNAL] Cutler 2019 Fall drawdown consultation  
**Date:** Wednesday, August 28, 2019 3:12:42 PM

**EXTERNAL: This email originated from outside SWCA. Please use caution when replying.**

Got it finally!

Eve Davies, Principal Scientist  
Renewable Resources, PacifiCorp  
1407 West North Temple, Ste. 110  
Salt Lake City, Utah 84116  
801-220-2245  
801-232-1704 (cell)

**From:** Abate, Paul [mailto:paul\_abate@fws.gov]  
**Sent:** Wednesday, August 28, 2019 3:00 PM  
**To:** Davies, Eve <Eve.Davies@pacificorp.com>  
**Cc:** chrispenne@utah.gov; Paul Thompson <paulthompson@utah.gov>; George\_Weekley@fws.gov; clhansen@utah.gov; justindolling@utah.gov; cmerriott@utah.gov; trevor@brcanal.com; Baldwin, Connely <Connely.Baldwin@pacificorp.com>; Frank Shrier <Frank.Shrier@swca.com>; Olson, Todd <Todd.Olson@pacificorp.com>  
**Subject:** [INTERNET] Re: [EXTERNAL] Cutler 2019 Fall drawdown consultation

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<b>Sender</b>	The sender of this email is <a href="#">paul_abate@fws.gov</a> using a friendly name of "Abate, Paul" . Are you expecting the message? Is this different from the message sender displayed above?
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<b>Cybersecurity risk assessment: Low</b>	

Hello Eve,

Thanks for coordinating your Cutler drawdown action with our office. We've reviewed your project details and have no additional comments on your project plans at this time. If project plans change, you have additional questions, or you need additional information, please call or email me.

Thanks.



Paul Abate  
Supervisory Fish and Wildlife Biologist  
U.S. Fish and Wildlife Service, Utah Field Office  
2369 West Orton Circle, Suite 50  
West Valley City, Utah 84119

[paul\\_abate@fws.gov](mailto:paul_abate@fws.gov)  
Main Office: 801-975-3330  
Direct Line: 385-285-7907  
Fax: 801-975-3331

On Tue, Aug 13, 2019 at 3:39 PM Davies, Eve <[Eve.Davies@pacificorp.com](mailto:Eve.Davies@pacificorp.com)> wrote:

Hello-

You are receiving this email because you are a representative of one of the four agencies/entities that PacifiCorp is required to consult with regarding non-standard activities within the Cutler FERC Project Boundary, by our current license. You also are aware that we started the process this year to relicense the Cutler Project and need to conduct a drawdown of the reservoir in order to conduct the preliminary studies that are required to complete the full study plans, which should be approved for implementation in early 2020.

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also use a combination of signs at recreation sites and other access points, press releases, and direct outreach to waterfowl and other recreation organizations to advertise the expected drawdown dates as the date gets closer. The water will be at its' lowest point for approximately 7-10 days, and we expect a total of approximately three weeks to lower and then re-raise the reservoir to its' standard elevation. PacifiCorp currently hopes to start to lower the reservoir in mid-late October, and would expect to have it back up sometime in early-mid November, depending on the actual start date (this discussion is underway with irrigation interests but has not yet been finalized).

Although PacifiCorp has been working with each of you previously on various aspects of this drawdown (ensuring adequate flow for the Refuge, working on freshwater mussel and other aquatic biota surveys with UDWR staff, undertaking cultural resource documentation, ensuring irrigation interests are met, etc.), we also need to communicate this on-going consultation with FERC, who must approve our drawdown request. To that end, if at least one of you from each agency or organization could please reply with any comments you may have, but at a minimum indicating that PacifiCorp has consulted with your agency or organization in this matter, that would be most helpful. A return email to this email would suffice, but if you have any further questions or would like to discuss the matter further, please do not hesitate to reach out to me. We need to get the proof of this consultation with you to FERC in the short term with our drawdown request for approval, so I would respectfully request your reply by 20 August, if at all possible. Thank you in advance for your assistance in this matter- I look forward to hearing back from you.

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:** [Christopher Merritt](#)  
**To:** [Eve Davies](#)  
**Cc:** [Christopher Hansen](#); [Lindsey Kester](#); [Todd Olson](#)  
**Subject:** [INTERNET] Re: [INTERNET] Re: Cutler 2019 Fall drawdown consultation  
**Date:** Tuesday, August 13, 2019 2:42:18 PM

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<b>Sender</b>	The sender of this email is <a href="mailto:cmerritt@utah.gov">cmerritt@utah.gov</a> using a friendly name of <a href="#">Christopher Merritt</a> . Are you expecting the message? Is this different from the message sender displayed above?
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<b>Cybersecurity risk assessment: <b>Low</b></b>	

Great! Thanks Eve...

On Tue, Aug 13, 2019 at 3:40 PM Davies, Eve <[Eve.Davies@pacificorp.com](mailto:Eve.Davies@pacificorp.com)> wrote:

Great, and yes that is correct- thank you!

Eve

Eve Davies, Principal Scientist  
Renewable Resources, PacifiCorp  
1407 West North Temple, Ste. 110  
Salt Lake City, Utah 84116  
801-220-2245  
801-232-1704 (cell)

**From:** Christopher Merritt [mailto:[cmerritt@utah.gov](mailto:cmerritt@utah.gov)]  
**Sent:** Tuesday, August 13, 2019 3:33 PM  
**To:** Davies, Eve <[Eve.Davies@pacificorp.com](mailto:Eve.Davies@pacificorp.com)>  
**Cc:** Christopher Hansen <[clhansen@utah.gov](mailto:clhansen@utah.gov)>  
**Subject:** [INTERNET] Re: Cutler 2019 Fall drawdown consultation

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Hello Eve,

It appears that the proposed drawdown and subsequent work do not involve any ground disturbing activities (lidar and bathymetry)? If so, then we do not have any cultural concern for such a limited window of drawdowns.

On Tue, Aug 13, 2019 at 3:19 PM Davies, Eve <[Eve.Davies@pacificcorp.com](mailto:Eve.Davies@pacificcorp.com)> wrote:

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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)

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Christopher W. Merritt, Ph.D., RPA  
Deputy SHPO, Antiquities Section Coordinator  
Utah Division of State History  
Phone: (801) 245-7263  
Email: [cmerritt@utah.gov](mailto:cmerritt@utah.gov)

Come check out our new Transcontinental Railroad Story Map for the 150th Anniversary, its now online!

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\*\*\*\*\*

Christopher W. Merritt, Ph.D., RPA  
Deputy SHPO, Antiquities Section Coordinator  
Utah Division of State History  
Phone: (801) 245-7263  
Email: [cmerritt@utah.gov](mailto:cmerritt@utah.gov)