

**PRELIMINARY MEETING (VIRTUAL) FOR CONDUIT EXEMPTION APPLICATION
PIONEER HYDROELECTRIC PROJECT
(FERC PROJECT NO. 2722)
MEETING NOTES: JANUARY 17, 2024**

MEETING PARTICIPANTS

NAME	TITLE	ORGANIZATION
Eve Davies	Principal Scientist/License Manager	PacifiCorp
Pete Gomben	Interregional Hydropower Program Manager	U.S. Forest Service
Chris Penne	Fisheries Biologist	Utah Division of Wildlife Resources
Kent Wilkerson	Weber and Ogden River Commissioner	Utah Division of Water Rights
Brittany White	Fish and Wildlife Biologist	U.S. Bureau of Reclamation
Christine Osborne	Environmental Scientist	Utah Division of Environmental Quality
Jeff Humphrey	General Manager	Pineview Water Systems
Matt McFee	Foreman of Operations	Pineview Water Systems
Tanner Cox	Weber River Project Manager	Trout Unlimited
Riley Olsen	Water Supply & Power Manager	Weber Basin Water
Charlie Vincent	Regional Coordinator	American Whitewater
Matthew Harper	FERC Project Manager	SWCA
Trevor Herritt	Assistant Project Environmental Planner	SWCA
Miriam Hugentobler	Project Coordinator	

MEETING PRESENTATION

Pioneer Project and Licensing Overview

- Described key Project features and approaching deadline to begin relicensing the Project.
- Described how the Project has been incorrectly relicensed in the past but is more appropriately classified as a conduit exemption.
- The group clarified that the federal lands that the Project currently crosses below Pineview Dam are now managed by BOR, not the USFS.

Pioneer Project and Ogden River Project

- Overview of the history of BOR's Ogden River Project in relation to the history of the Pioneer Project.
- Described the interconnection between the two project's facilities and how the penstock isolation valve marks the point at which PacifiCorp has control of the system.

Definition of Conduit Exemption

- Described generally how the Project meets the requirements under 18 CFR 4.30(b)(30).

Proposed Action

- Described PacifiCorp's proposal to apply for a conduit exemption and license surrender, how that would not change current ownership, operation, or maintenance of existing facilities.
- Discussed how a conduit exemption may benefit all users and stakeholders at the meeting by removing the lengthy and time-consuming requirements to relicense a project and removing an unneeded layer of federal oversight for the Project.

Three Stage Consultation & Proposed Schedule

- Described the regulatory requirements for consultation prior to submission of an application to FERC and a tentative schedule based on distribution of an ICD to stakeholders on January 31, 2024.

QUESTIONS AND DISCUSSION

Tailrace Canal

- Kent (River Commissioner) noted that from an operations standpoint, the exemption and license surrender shouldn't make a difference. He also asked why the FERC Project boundary doesn't extend all the way to the Ogden River.
- Eve (PacifiCorp) noted that Pioneer's Project boundary terminates at the energy dissipation structure at the end of the concrete lined tailrace canal. The Project boundary likely does not extend further since the water in the canal is usually fully consumed by tailrace canal intakes. The tailrace canal itself often dries up before reaching the Ogden River due to this consumption.
- Kent (River Commissioner) asked whether improvements to the tailrace canal and associated intakes, such as potential piping of the canal and automation of headgates, would impact the Pioneer Project.
- Eve (PacifiCorp) noted that that shouldn't give them grief and would be open to discussing what that would look like.

O&M Agreements

- Jeff (Pineview Water Systems) asked whether the current contracts or agreements in place for operation and maintenance of the Project would need to be updated as a result of the Proposed Action.
- Eve (PacifiCorp) answered that PacifiCorp does not anticipate any changes to existing water rights, contracts, or agreements that dictate ownership, operation, or maintenance of current Project facilities. Those agreements and commitments would remain in place, regardless of whether the flowline and surge tank are removed as Project features. Eve also noted that the intention is for nothing to change from an operations standpoint but that hopefully the administrative reclassification would make everyone's lives easier in the future, especially considering that the facilities already have federal protection under the BOR's Ogden River Project.

Protection, Mitigation, and Enhancement Measures

- Eve (PacifiCorp) noted that the Project is unique in that it has such a small footprint and no related Project recreation facilities, so there are few associated resource issues. Primary remaining resource issues would relate to public safety for the remaining features and management of the cultural and historic resources within the Pioneer Historic District. PacifiCorp is proposing to formalize management of those cultural and historic resources with the formalization of a Historic Properties Management Plan.

General Support

- Chris (UDWR) noted that the proposal seems straight forward and that he doesn't anticipate UDWR objections.
- Christine (UDWQ) also offered support for the proposal.

CONCLUSION AND ACTION ITEMS

- PacifiCorp shared the Project website, where all future documents will be posted, and noted that they would follow up with the group to provide meeting notes, a copy of the PowerPoint presentation, and a request for formal support for the proposal to be used in our consultation record for the three-stage consultation process and amendment request. **(ACTION)**
- Following the formal meeting, Chris (UDWR) and Brittany (BOR) stuck around to answer a couple questions from the team:
 - What is the current composition of brown and rainbow trout in the Project Area?
 - Chris (UDWR) noted that brown trout are still the dominant fish in the area, though UDWR does regularly stock rainbow trout. Chris will check with his colleagues and follow up with any additional information and/or citations. **(ACTION)**
 - Regarding a reference from previous licensing documentation, does BOR still attempt to maintain or is BOR required to maintain a minimum flow of 10 cfs below Pineview Dam into the Ogden River?
 - Brittany (BOR) confirmed that BOR does still generally release a minimum of 10cfs except in emergencies or during inspections. So far, the 1989 report that was referenced for this statement has not been located, but BOR's Standard Operating Procedures for Pineview Dam does include this requirement as a USFWS recommendation. Brittany will provide relevant documentation, if necessary, but also agreed to be cited in these general statements for use in our ICD. **(ACTION)**