

Preliminary Meeting for Conduit Exemption and (Eventual) License Surrender

Pioneer Hydroelectric Project
(FERC Project No. 2722)



Welcome

Pioneer Project Team:

Eve Davies – Principal Environmental Scientist (PacifiCorp)

Nuria Holmes – FERC Technical Advisor (SWCA)

Matthew Harper – Project Manager (SWCA)

Trevor Herritt – Assistant Project Manager (SWCA)



Agenda

- Pioneer Project and Licensing Overview
- Ogden River Project (BOR)
- Conduit Exemption Summary
- PacifiCorp's Proposed Action
- Three-Stage Consultation Process
- Tentative Schedule
- Questions and Discussion



Pioneer Project and Licensing Overview

- 5 MW hydroelectric project with Project infrastructure partially located both within Ogden Canyon – upslope from the Ogden River – and the city of Ogden in Weber County, Utah.
- Current FERC license was issued September 1, 2000, and will expire on August 31, 2030. Relicensing *must* start no later than August 2025.
- Major Project Features/Non-Project Consumption Points (original vs subsequent Pineview construction):
 1. **Ogden Canyon Conduit:** *Intake for Pioneer Project located below non-Project Pineview Dam (BOR) and Pineview Powerhouse (City of Bountiful/Weber-Box Elder Conservation District)*
 2. **Tunnel 7:** *Flow diverted to non-Project South Ogden Highline Canal, overflow spillway, or back into conduit*
 3. **Surge Tank:** *Flow diverted to non-Project Ogden-Brigham Canal or into Project's penstock*
 4. **Penstock**
 5. **Powerhouse**
 6. **Tailrace Canal:** *Flow consumed by multiple downstream irrigators*







Pioneer Project & Ogden River Project

1895-1897: Original construction of the Pioneer Project, including Pioneer Dam, flowline, penstock, and powerhouse.

1937: Construction of BOR's Ogden River Project, including, in part, Pineview Dam and Reservoir (inundating original Pioneer facilities), new wood stave flowline (Ogden River Conduit and Pioneer's flowline), South Ogden Highline Canal, surge tank, and Ogden-Brigham Canal. Purpose of flowline no longer for generation but for flood control and irrigation supply to approximately 24,801 acres of farmland between the Wasatch Front and Great Salt Lake.

Coordination with the Ogden River Project:

- PacifiCorp has no control over the Project intake, the availability of water for power generation, or the operation of water releases that would be made available to the Project.
- State-appointed Ogden River commissioner determines how much water is allocated for the various Ogden River Project water users, and water releases from Pineview Dam are the responsibility of the Ogden River Water Users' Association (ORWUA).
- The Ogden Canyon Conduit and surge tank are shared ownership between PacifiCorp (45%) and BOR (55%) and shared O&M responsibilities between PacifiCorp and ORWUA.
- The penstock isolation valve, located approximately 66 feet west of the surge tank, marks the point at which PacifiCorp manages flows in the conveyance system.



FERC Conduit Exemption

- **Currently the Project has a 30-year Major Project License, but it has actually fit the definition of a conduit exemption since 1937**
- **18 CFR 4.90:** “small conduit hydroelectric facility” may be exempt from licensing requirements
- **18 CFR 4.30(b)(30):** Defines requirements to be classified as a “small conduit hydroelectric facility”:
 - ✓ Utilized for electric power generation,
 - ✓ Installed capacity ≤ 40 MW,
 - ✓ Not be an integral part of a dam,
 - ✓ Not rely upon construction of a dam (unless constructed for agricultural, municipal, or industrial consumptive purposes), and
 - ✓ Must discharge the water it uses for power generation ... 2) directly to a point of agricultural, municipal, or industrial consumption...



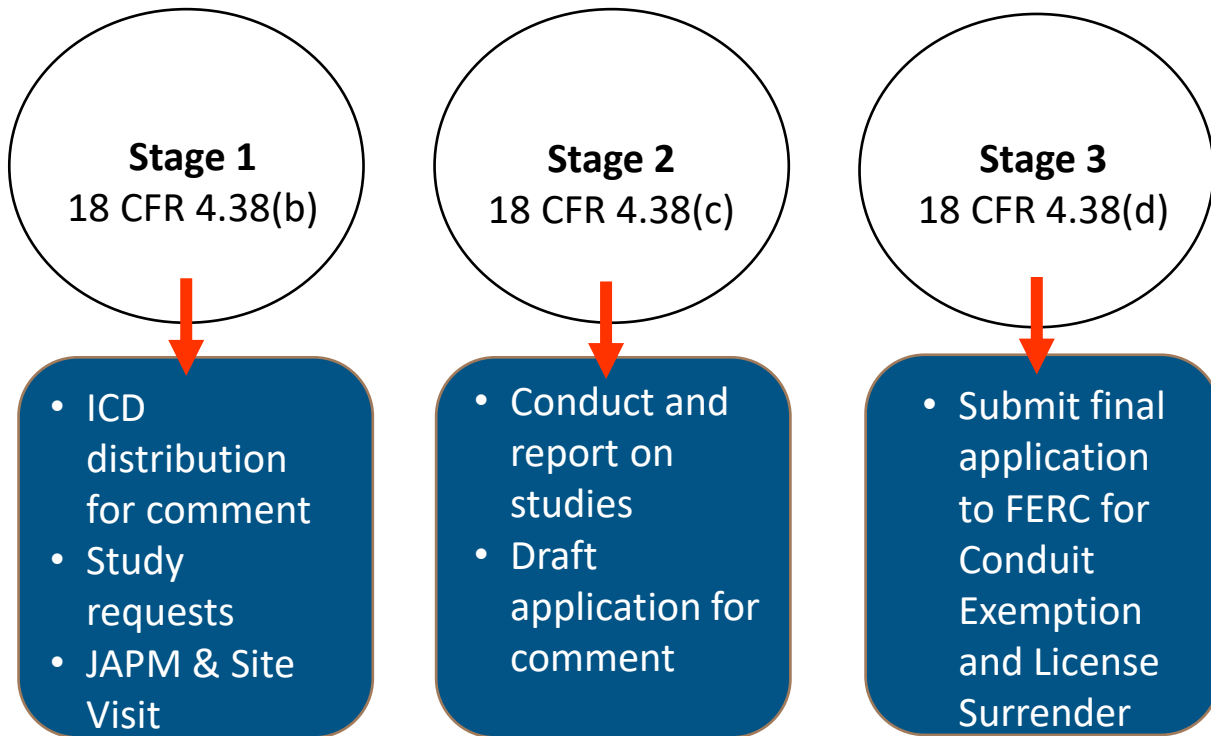
Proposed Action

- Convert Project to the more appropriate conduit exemption. Once granted (corresponding actions), surrender the current FERC Project license.
- Surrender the following, un-related Project features:
 - **Intake**
 - **Flowline (Ogden Canyon Conduit)**
 - **Surge Tank**
- Retain the following Project features:
 - **PIV and associated concrete vault**
 - **Penstock**
 - **Powerhouse**
 - **Tailrace canal**
 - **Appurtenant facilities**
- Ongoing ownership, operation, and maintenance:
 - No construction of new facilities, physical changes to current facilities, or changes to Project operations or maintenance activities.
 - Dam safety oversight for the flowline would change from FERC to Utah Division of Dam Safety.
 - Ownership of the flowline would continue to be shared between Reclamation and PacifiCorp, with PacifiCorp continuing to pay a percentage of the flowline maintenance.
 - All operational and maintenance activities would continue to be undertaken by the Ogden River Water Users' Association.





Three Stage Consultation Process (18 CFR § 4.38)



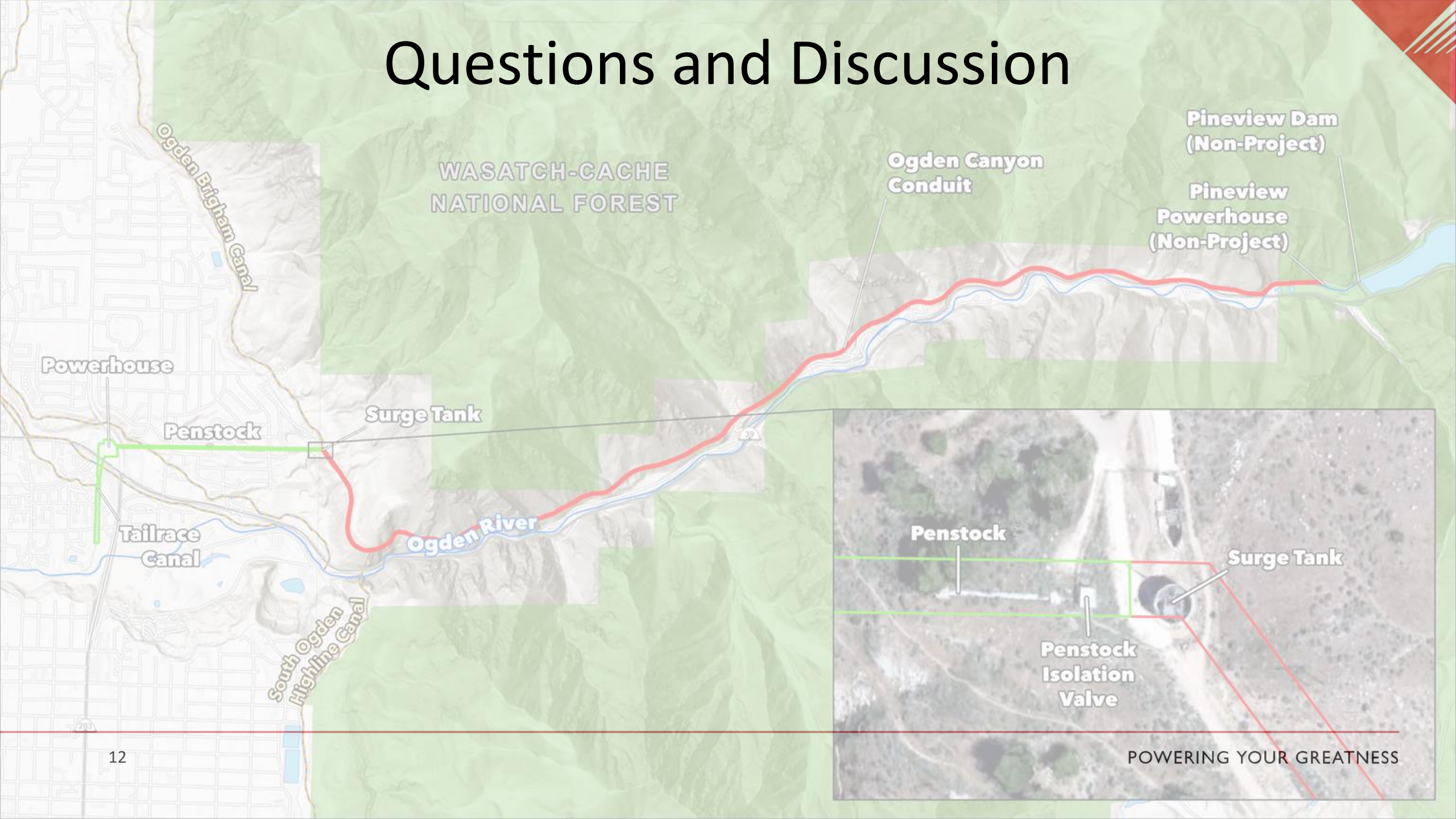
- Three-stage consultation involves reaching out to relevant agencies, Tribes, and other interested stakeholders; holding a public meeting; conducting study planning and implementation (if needed); reporting on study results (if any); and providing a draft ICD and application for review and comment to stakeholders.
- The Proposed Action would be largely administrative as there would be no construction of new facilities or changes to existing facilities, ownership, or operations and maintenance activities; therefore, PacifiCorp is neither proposing nor anticipating requests for studies at this time.

Proposed Schedule

Responsible Entity	Milestone	Estimated Milestone Date
Stage 1 Consultation § 4.38(b)		
PacifiCorp	File and distribute Initial Consultation Document (ICD) and proposed studies for comment and requesting additional study requests, if applicable Request designation as FERC's non-federal representative for informal consultation (Section 106 of the NHPA and Section 7 of the ESA)	1/31/2024
FERC	FERC issues notice of approval of non-federal representative designation for informal consultation	2/14/2024
PacifiCorp	Provide notification of joint agency and public meeting (JAPM) meeting location and timing	15 days in advance of JAPM
PacifiCorp/ Stakeholders	JAPM and site visit	March 2024
FERC/ Stakeholders	Comments Due: ICD Deadline: Proposed Study Requests	4/30/2024

Responsible Entity	Milestone	Estimated Milestone Date
Stage 2 Consultation § 4.38(c)		
PacifiCorp	Distribute draft application for conduit exemption and corresponding license surrender to stakeholders for comment <i>Note: The Proposed Action would be largely administrative as there would be no construction of new facilities or changes to existing facilities, ownership, or operations and maintenance activities; therefore, PacifiCorp is neither proposing nor anticipating the request for studies at this time.</i>	5/15/2024
FERC/Stakeholders	Comments Due: draft Application for conduit exemption and corresponding license surrender	8/13/2024
Stage 3 Consultation § 4.38(d)		
PacifiCorp	Submit final application to FERC for Conduit Exemption and License Surrender	8/27/2024

Questions and Discussion





Thank you! Please stay tuned for the meeting summary notes with our request for support in the Exemption process, and the publishing of the Pioneer ICD on January 31st and future correspondence on our upcoming JAPM!

To access on-going process materials, please go to: <https://www.pacificorp.com/energy/hydro/pioneer.html>
You can email questions or comments to PacifiCorp: Eve.Davies@pacificorp.com or call 801-232-1704