



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

Electronically filed January 31, 2024

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

**Subject: Pioneer Hydroelectric Project (FERC Project No. 2722)
Initial Consultation Document for Proposed Conduit Exemption and
Corresponding License Surrender**

Dear Secretary Bose:

PacifiCorp is the owner, operator, and licensee of the 5.0-megawatt Pioneer Hydroelectric Project (Pioneer Project or Project) Federal Energy Regulatory Commission (FERC) Project No. 2722 located on East 1200 South (12th Street) in Ogden, Utah. PacifiCorp was issued a 30-year license by FERC on May 26, 2000, with an effective date of September 1, 2000, and expiration date of August 31, 2030.

Although the Pioneer Project was originally constructed as a single hydroelectric development, since 1937, it has operated based on flow releases from the Pineview Reservoir through the Pineview Dam, which is owned and operated by the U.S. Bureau of Reclamation (Reclamation). Construction of Reclamation's Pineview Dam submerged the original Pioneer diversion dam and intake, and also resulted in sharing the Project's flows and features with the Reclamation's Ogden River Project, including a 5.5-mile flowline (Ogden River Conduit), surge tank, and intake structure. The Ogden River Project operates irrespective of the Pioneer Project and PacifiCorp has no control over the distribution of water from Pineview Dam to PacifiCorp or other water users upstream of the Pioneer Project. Further, downstream of the Pioneer Project, water is released into the Pioneer tailrace before being diverted into a system of canals which supply additional irrigation flows throughout the surrounding area. Section 30(a)(2) of the Federal Power Act (FPA) requires a potential conduit exempt facility to be located on a conduit used primarily for agricultural, municipal, or industrial consumption. As described above, the Pioneer Project's water, after entering the shared flowline (Ogden River Conduit), is used by agricultural interests directly upstream and downstream of the Project powerhouse. Due to this network of irrigating interests, the Pioneer Project now qualifies under Section 30(a)(2) of the FPA as a conduit exempt facility.

As discussed above and in the attached Initial Consultation Document (ICD), the Proposed Action meets FERC's requirements for a joint conduit exemption and subsequent license surrender application in accordance with 18 Code of Federal Regulations (CFR) 4.90. Pursuant to the consultation process at 18 CFR 4.38(a)(6)(ii) PacifiCorp is formally initiating the first stage of consultation with the filing of this ICD. The ICD provides supporting background information, describes existing Pioneer Project conditions and environmental setting, and describes that no physical, operational, or maintenance changes are proposed. The ICD also describes the information needed to make informed decisions about the Proposed Action; the future joint conduit exemption and license surrender application will provide FERC with the necessary information to conduct its independent environmental analysis.

The security classification of each enclosed document is identified in the Enclosure Table.
If identified as *Privileged (CUI//PRIV)*, *Protected*, or *Critical Energy Infrastructure Information (CUI//CEII)*,
DO NOT RELEASE.

Additionally, PacifiCorp respectfully requests that FERC designate it as the non-federal representative for purposes of informal consultation under Section 106 of the National Historic Preservation Act and to implement regulations at 36 CFR Section 800.2(c)(4). PacifiCorp also requests that FERC designate it as the non-federal representative for purposes of informal consultation under Section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR Part 402, as well as section 305(b) of the Magnuson-Stevens Fishery and Conservation and Management Act and the implementing regulations at 50 CFR 600.920.

In accordance with the consultation requirements at 18 CFR § 4.38(b)(3), PacifiCorp will hold a Joint Agency and Public Meeting (JAPM) for interested parties to this process including local, state, and federal agencies, Tribes, non-government organizations, and members of the public. The JAPM will be held on March 20, 2024, and will include one morning and one evening meeting session, and one site visit scheduled to occur between the two sessions. The purpose of the JAPM is to discuss the Pioneer Project and Proposed Action, review existing information obtained by PacifiCorp, discuss the potential environmental effects, and discuss any needed studies. PacifiCorp will distribute the agenda for FERC and interested party review no later than 15 days in advance of the meeting. A notice of the joint meeting will also be published in the Ogden Standard Examiner, at least 14 days in advance of the scheduled meeting date, in accordance with the requirements of 18 CFR § 4.38(g). In accordance with 18 CFR § 4.32, all interested parties may obtain a copy of the ICD electronically through FERC's eLibrary website at <https://elibrary.ferc.gov/eLibrary/search> under docket No. 2722, or on PacifiCorp's website at <https://www.pacificorp.com/energy/hydro/Pioneer.html>. Parties on the attached distribution list have been provided with either an electronic or hard copy of this cover letter. This letter and its enclosures have been filed electronically.

Thank you for your time and attention. If you have any questions concerning these documents, please contact Eve Davies, Pioneer Conduit Exemption Project Manager, at 801-232-1704.

Sincerely,



William C. Shallenberger
Vice President, Renewable Resources

WCS:ED:EW:TH

Encl:	Letter – Public
	Attachment A: Interested Party Distribution List – Public
	Attachment B: Initial Consultation Document – Public
eFile:	Kimberly D. Bose, Secretary Via eFile at www.ferc.gov