

**PRELIMINARY MEETING (VIRTUAL) FOR CONDUIT EXEMPTION APPLICATION  
STAIRS HYDROELECTRIC PROJECT  
(FERC PROJECT NO. 597)  
MEETING SUMMARY: JANUARY 31, 2024, 1:00 PM MT**

**MEETING PARTICIPANTS**

<b>NAME</b>	<b>TITLE</b>	<b>ORGANIZATION</b>
Eve Davies	Principal Scientist/License Manager	PacifiCorp
Scott Catton	Project Manager; Weber River Watershed and General Wasatch Area	Trout Unlimited
Sandy Wingert		Utah Division of Water Quality
Charles Rosier	Lands and Special Uses Program Manager for Uinta-Wasatch Region	USFS
Tamara Prue	Water Resource Manager, Conservation and Hydrology Group	SLC Department of Public Utilities
Mike Slater	Central Region Aquatics Program Manager	Utah Division of Wildlife Resources
Teresa Gray	Water Quality Treatment Administrator	SLC Department of Public Utilities
Pete Gomben	Interregional Hydropower Program Manager	USFS
Michelle Barry	Program Manager at the BCWTP	SLC Department of Public Utilities
Nuria Holmes	SWCA FERC Technical Advisor	SWCA Environmental Consultants
Emily Waters	SWCA Project Manager	SWCA Environmental Consultants
Annie Ng	SWCA Assistant Project Manager	SWCA Environmental Consultants

## **MEETING PRESENTATION**

### **Introduction**

- Introduction of PacifiCorp, SWCA Consultants, and attendees.
- Overview of the meeting purpose and meeting agenda.

### **Stairs Project and Licensing Overview**

- PacifiCorp gave the attendees an overview of the Project including the Project history, licensing history, major Project features, the Project Boundary, and land ownership overlap between PacifiCorp and Forest Service.
- The Stairs Project location and key Project components were shown on the Project map.
- PacifiCorp gave context about the upcoming relicensing deadlines. They explained the Stairs relicensing process and timelines, noting that PacifiCorp is required to start relicensing no later than June 2025, as the license expires in June 30, 2030.

### **Stairs Project, Granite Project, and Big Cottonwood Water Treatment Plant**

- PacifiCorp walked the attendees through a schematic map to give context for the conduit exemption “beads on a string” logic, given the nexus with the downstream Granite project, which is regulated by FERC as a conduit exemption. The water that is diverted at Storm Mountain dam goes through the Stairs Project directly into Granite Project, and from Granite Project water goes directly into the Big Cottonwood Water Treatment Plant (BCWTP).
  - Also discussed how water that goes through the Stairs Project ends up at BCWTP for the purpose of city water consumption.
- PacifiCorp and SWCA explained that conduit exemption regulations were substantively changed in 2013, and consequently, this option was not available for the Stairs Project when it last went through relicensing (1999). PacifiCorp explained how the Stairs Project operates as a conduit and is more appropriately classified as a conduit exemption.
- PacifiCorp explained how the Granite Project (P-14293), Stairs’ sister Project, is a conduit exempted facility and is just downstream of the Stairs Project.

### **Definition of Conduit Exemption**

- PacifiCorp described FERC’s role in relicensing and exemptions.
- PacifiCorp described what a conduit exemption is and why Stairs would qualify as this, rather than going through a traditional relicensing. They noted that a conduit exemption is a different form of a license. The conduit exemption process can be simpler and less resource- and time-intensive than relicensing.
- PacifiCorp explained that the conduit exemption is an administrative change based on where the water typically goes and how the water is used after it leaves the Stairs Project. In this case, the water leaves the Project with the eventual purpose of municipal water use.

### **Proposed Action**

- PacifiCorp described the logistics of the administrative action, explaining that a conduit exemption would not change the operations, maintenance, or facilities of the Project.
- PacifiCorp's intention is to submit an application for the Project conduit exemption and concurrent license surrender, should FERC approve of the Proposed Action presented in the initial consultation document (ICD). If FERC finds that the Stairs Project does not qualify for a conduit exemption, PacifiCorp will convert the information from the ICD into a pre-application document and start the relicensing process.

### **Three Stage Consultation & Proposed Schedule**

- PacifiCorp notified the attendees about the upcoming filing of the ICD, the joint agency public meeting, and the joint application. PacifiCorp is optimistic that the Proposed Action could take just over a year, and could prevent the need for the five-year relicensing process.
- PacifiCorp described how the Proposed Action and application is an administrative action and no changes will be made to the Project, therefore they are proposing to FERC to waive studies, unless agencies or other interested parties request specific studies.
- PacifiCorp requests attendees send an email of support to Eve if they support this Proposed Action. They request support because PacifiCorp wants to show FERC that interested parties support the conduit exemption and preliminary consultation occurred.

## QUESTIONS AND DISCUSSION

### **What happens to streamflow if the Stairs or Granite Projects are offline?**

- If PacifiCorp facilities are offline, the water can still travel through the pipes down to BCWTP. Additionally, BCWTP has an additional intake off Big Cottonwood Creek that they can use if Granite Project is not operational.
- If Granite Project is offline, PacifiCorp explained that the water leaving Stairs' powerhouse through the tailrace would go back into the creek at the Granite diversion dam instead of into Granite Project's intake. If Stairs and Granite were offline, the water would not be diverted at the Storm Mountain dam.
- In rare cases, if BCWTP is offline, then the water leaving Granite Project's tailrace would be diverted back into the creek.

### **How much water is required to be put back into Big Cottonwood Creek?**

The current license requirement is for a 4cfs minimum instream flow, which is released to the stream at the Stairs/Storm Mountain diversion dam. When water goes into the intake at the Storm Mountain dam, 4 cfs is released back into the creek at the bottom of the Storm Mountain spillway. **Once the license is surrendered, how will FERC's Forest Service requirements be impacted?**

- The Stairs Project currently has annual consultation requirements with the Forest Service. If a conduit exemption and license surrender is granted, PacifiCorp would continue with special use authorizations and/or Forest Service consultation. In addition, PacifiCorp plans to maintain the 4 cfs minimum flow and develop and formalize a historic properties management plan (HPMP).

### **How would a FERC license vs. a conduit exemption impact potential changes occurring at BCWTP? For example, if Salt Lake Public Utilities wanted to direct flows from penstock to a different water treatment plant, how would the processes be different?**

- PacifiCorp explained that FERC's requirements for different changes can be more complex and time-consuming. For any changes to the Stairs Project within the FERC Project Boundary, PacifiCorp is required to consult and receive prior approval from FERC. Under a conduit exemption, the conduit itself could be removed from the Project Boundary, eliminating that portion of the Project from FERC jurisdiction. The Stairs Project would still be subject to FERC's dam safety requirements, and they would overlap with the State of Utah's dam safety requirements.

Notes:

- Mike requested Chris Crockett ([chrisrockett@utah.gov](mailto:chrisrockett@utah.gov)) be added to contact list.

**Meeting adjourned at 2:00 PM MT**