

**PROPOSED ONEIDA PUMPED STORAGE FACILITY, ET AL.
Public Meeting Morning on 10/25/2023**

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PROPOSED ONEIDA PUMPED STORAGE FACILITY
BEAR RIVER HYDROELECTRIC PROJECT (FERC No. 20)
LICENSE AMENDMENT JOINT MEETING

REPORTER'S TRANSCRIPT OF PUBLIC MEETING
Wednesday, October 25, 2023; 9:00 o'clock a.m.

BE IT REMEMBERED that the public meeting in above matter was taken at the Preston City Hall, Preston, Idaho, before DiAnn Erdman Prock, CSR SRL 963, CCR, Court Reporter and Notary Public, in and for the State of Idaho, in the above-entitled matter.

1 ATTENDANCE LIST

2 MORNING MEETING:

3 MARK STENBERG, PACIFICORP
CONLEY BALDWIN, PACIFICORP

4 MATTHEW BURAK, WSP
JACK KOLKMAN, PACIFICORP

5 STEVE LIECHTY, ROCKY MOUNTAIN POWER
JOHN HUTCHINS, PACIFICORP

6 JEFF LOVINGER, PACIFICORP ATTORNEY
EVE DAVIES, PACIFICORP

7 MATT SHENK, IDEQ
AUBREY MORRIS, PACIFICORP

8 JIM DeRITO, TROUT UNLIMITED
BROCK FREYER, WSP

9 CLAUDIA CONDER, PACIFICORP
SCOTT EVANS, CIRRIUS ECOLOGICAL SYSTEMS

10 JUSTIN BARKER, CIRRIUS ECOLOGICAL SYSTEMS
ERIC DUFFIN, CIRRIUS ECOLOGICAL SYSTEMS

11 LESLIE POMAVILLE
DAVID COTTLE, BEAR LAKE WATCH

12 ADAM ECKERSELL, DEQ
AARON HARNSBERGER, DEQ

13 NEAL ARTZ, CIRRIUS ECOLOGICAL SYSTEMS
JAIME CAMPBELL, PACIFICORP

14 JENNIFER CORNELL, IDEQ
LEE FRANKLIN

15 MICHELLE FRANKLIN
LUJEAN YOUNG

16 DAVID YOUNG
CINDY JERNIGAN, BLM

17 DANNY MILLER, BLM
BLAINE NEWMAN, BLM

18 MATTHEW BUSH
CHRISTINA MUELLER, FRIENDS OF BEAR RIVER

19 BRITTANI WATTS
STEVEN SMITH, DEQ

20 TOM SHARP
CRAIG McGREGOR, FRIENDS OF BEAR RIVER

21 JIM DeRIBO
MATT SCHENK

22 ANNA OWSIAK, IDFG
PATRICK KENNEDY, IDFG

23 JENNIFER JACKSON, IDFG
BECKY JOHNSON, IDFG

24 STEVE HECHT
ERIC PANKAU, SAGEBRUSH SPECIAL INTEREST

25 ZACK WADSWORTH

1 ATTENDANCE LIST (CONTINUED) :

2 MORNING MEETING :

3 MARQUETTE BAGLEY
4 TIM HEMSTREET, PACIFICORP
5 TODD OLSON, PACIFICORP

6

7

8

9 FIELD VISIT :

10 MATTHEW BURAK, WSP
11 LESLIE POMAVILLE
12 STEVEN LIECHTZ
13 DAN KELLER
14 ZACH WADSWORTH, SHOSHONE-BANNOCK
15 MARQUETTE BAGLEY
16 PATRICK KENNEDY
17 ANNA OSWIAK
18 BRITTANI WATTS
19 CHRISTINA MUELLER, FRIENDS OF BEAR RIVER
20 JENNIFER JACKSON, IDFG
21 SHERI MURRAY ELLIS, CIRRUS ENVIRONMENTAL SOLUTIONS
22 BECKY JOHNSON
23 CHARLIE VINCENT, AW
24 DANNY MILLER, BLM
25 CINDY SZEMKA, BLM
TODD OLSON, PACIFICORP
SCOTT EVANS
ERIC DUFFIN
BROCK FREYER
JAIME CAMPBELL, PACIFICORP

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1 (The public meeting proceeded at
2 9:00 a.m. as follows:)

3 * * * * *

4 MARK STENBERG: Well, good morning,
5 everybody. Thanks for coming out.

6 So I'm going to be a little off script
7 when we get going here right at the first, and then
8 we'll get into our presentation, do introductions,
9 all that stuff.

10 First, if everybody can sign in. That
11 helps us just keep track of numbers for the
12 consultation record, and we can add people to the
13 distribution list, keep everybody in the loop on
14 what's going on in the process, you know, as we move
15 forward.

16 I was telling a couple people in the
17 back, I'm really excited we have people here this
18 morning. We've done some meetings over the last
19 couple years where, you know, one or two people show
20 up, and the purpose of doing meetings is to get
21 input, make sure we're not missing the target on
22 issues and interests, you know, with our neighbors
23 and reacting with our projects. And we want to be
24 fully informed around our proposals.

25 I was telling somebody we had this one

1 meeting and one person showed up and the reason they
2 showed up was to see who else showed up.

3 So anyway -- but no, it's good to have
4 people here, and we're going to cover a lot of
5 material today. I wanted to -- the context I want
6 to set up is just a little bit about PacifiCorp, our
7 interaction on Bear River around our hydro projects,
8 and then what we've done around outreach so far on
9 this project, some of the timelines and the
10 documents we've sent out and who we've sent them out
11 to.

12 There was a comment I saw yesterday
13 about a hastily announced meeting, and I just -- I
14 wanted to kind of address that up front here.

15 So early this year, I work with this
16 group, it's associated with our hydro projects at
17 Soda, Grace, Oneida, and it's fourteen members to
18 it. It's all of our state agencies, our federal
19 agencies, and some nongovernmental groups. They
20 help us to manage ongoing compliance, enhancements
21 around our Bear River hydroelectric facilities.

22 So back in March, we started talking to
23 that group about this Oneida proposal, this concept
24 here. That got us to September 18th this year,
25 which was our first official outward communication

1 on September 18th about the proposal.

2 And what we did on September 18th is we
3 posted this document which is the initial
4 consultation document, and the title of that is
5 super important: Initial Consultation Document.

6 What this document puts forth is the
7 proposal for what the facility would look like
8 potentially, how potentially it would be run, and
9 then from, you know, a desktop sense, the consultant
10 team gathering in all the known resource information
11 we have: Wetlands, fisheries, geology, et cetera,
12 in the document. So things we know.

13 Then identifying in here what we know
14 about issues around these resources: Threatened
15 endangered species, noxious weeds, other examples.
16 Identified gaps in information, and then also in the
17 back, a study plan document to get at how we want to
18 study these resources.

19 So this came out, and we'll talk about
20 this more. Matt and I will be tag-teaming
21 throughout in this morning. We'll talk about this
22 document. It's posted on PacifiCorp's website. It
23 was up on September 18th, filed with the Federal
24 Regulatory Commission.

25 In that September 18th communication, we

1 put this October 25th date out. Okay? FERC
2 requires us, just simply, no less than thirty days
3 after we post this and no more than sixty days, to
4 have this meeting, and it's a joint meeting.

5 Jim, there's a sign-in by the door
6 there. Right on.

7 Let's see, where was I? So we're on
8 October 25th which is thirty-seven days from when
9 this was posted and the date came out. We also had
10 a number of ads that ran on September 10 and 11.
11 Those are required by FERC.

12 We also did a press release. I don't
13 remember the dates of that, but it ran actually two
14 TV stations picked that up and read the press
15 release on Friday evening news for us in September.
16 I think it was the last Friday of September, not a
17 hundred percent sure on that date, though.

18 So who did we notice about the ICD? So
19 we use a couple different mailing lists. FERC,
20 Federal Energy Regulatory Commission, keeps a
21 service list so anybody that wants to be given
22 notice about actions around the project signs up
23 with FERC.

24 So we noticed the FERC service list. We
25 noticed the Bear River Environmental Coordination

1 Committee I talked about, and they're the parties to
2 the settlement around the current -- little jargony,
3 sorry -- Bear River project. Becky, Eric. We
4 noticed them, and then we also noticed all our
5 neighbors.

6 We built a list of adjoiners to our
7 three hydro projects; even though this proposal is
8 just down from Oneida, we noticed everybody that's a
9 neighbor of ours at all three of the projects.

10 And then we had another kind of
11 southeast Idaho pump storage interested party list
12 that we used also. Hundred and twenty-nine plus or
13 minus parties on that list that got the notice about
14 this being posted back on September 18th.

15 October 9th then we put the official
16 notice out that was required by FERC about the
17 meeting. Went to the same hundred twenty-nine
18 folks. If you were a neighbor, should have got a
19 letter, print letter on that.

20 If we have e-mail for you from other
21 groups, we e-mailed. And safe to say mailing lists
22 are always an evolving art, right, as you go through
23 a project. People move. People are missed. So if
24 we've missed people who need to be on there, your
25 neighbor, you didn't get a letter, let us know.

1 We'll make sure you're on the list.

2 If you're just an interested party, sign
3 in. Make sure you've got your e-mail, and we'd get
4 you added to the distribution list.

5 Our goal here, we're about consultation
6 on the project. Okay? So a little context, and
7 this is actually -- I saw some social media
8 yesterday, and I just want to talk about Oneida
9 Canyon real quick.

10 And I came here in 2005, and my job was
11 to manage the new license on the Bear River. I've
12 been here since '05. And Oneida Canyon, and I love
13 it dearly, I got to implement PacifiCorp's land
14 management plans and our new license on Oneida
15 Canyon. What that meant was, we used to wholesale
16 graze Oneida Canyon.

17 And you can look at this on Google
18 Earth. Just go back and find, like, July and August
19 images on Google Earth pre-2005, late summer. And
20 it's beat pretty good. You know, and I had someone
21 I work with externally told me he grew up locally
22 here. Oneida Canyon used to be the place if you
23 want to do late night deeds, that's where you would
24 go, to the Oneida Canyon. We had off-road vehicle
25 use. We had all kinds of, you know, kind of

1 unsanctioned activities going on there.

2 We managed that per like a comp plan, if
3 you're a city person. We have our site plans for
4 all of our projects. We managed our lands per those
5 site plans required in our hydro license.

6 Oneida Canyon took out six miles of
7 cross fencing that was a hazard to wildlife. We
8 don't graze it anymore. We do noxious weed control.
9 We got vehicle traffic all on the road. Lots of
10 things happen in Oneida Canyon to present the
11 landscape you see there today and the users there.

12 Last time we counted users in the Oneida
13 Canyon, which I think it was 2015, we had sixty-five
14 thousand visitors there in the summer.

15 Oneida Canyon, and I'm just putting this
16 out there so everybody appreciates the importance of
17 the Oneida Canyon, below Oneida dam, that is the
18 longest, free-flowing, publicly accessible piece of
19 the Bear River. That's the importance of that.

20 And there isn't a block of land like
21 that that's publicly accessible going upstream until
22 you get to the Georgetown WMA. And the hydro
23 project over time has kept that, you know, a
24 publicly accessible reach of the river, the
25 reservoir, you know, keeps that available there.

1 It's one of the benefits of the project being
2 there.

3 There was some comments about, you know,
4 what do you do for the region. From hydro
5 standpoint, PacifiCorp has been involved in the
6 conservation of five thousand acres of conservation
7 easements in the actionary here through our
8 environmental coordination committee over the years,
9 either primarily funding or partially funding
10 conservation easements. We've been involved in
11 about a hundred and seventy habitat projects again
12 through hydro projects, funding tributary work with
13 land owners, fencing, fishing screening, you know,
14 all kinds of projects, water quality, cutthroat
15 trout.

16 So there's a multitude of things like
17 that plus local jobs. We have Idaho, about six
18 thousand acres we manage primarily for big game and
19 nongame habitat.

20 So anyway, the point I'm trying to make
21 is there's a lot of -- we are committed to the
22 Oneida Canyon. We've got a lot of interest there.
23 This document, as Matt and I are going to go
24 through, you know, looking at the current
25 environment, the resources around it, study needs,

1 the proposal, it's posted on the PacifiCorp's
2 website.

3 All right. I'm going to jump in here.
4 So our purpose today, we want to inform why
5 PacifiCorp's proposed pump storage facility, the
6 project which is the facility, communicate the
7 process and the schedule under which an application
8 for the project's approval is made, and invite
9 participation from all interested parties to
10 identify issues and concerns with the proposed
11 project.

12 Okay. Our agenda today, and we'll --
13 okay, welcome introductions, general housekeeping.
14 I'm going to talk us through the agenda. We're
15 going to talk about operations and the facilities,
16 who's FERC, you know, I mentioned them.

17 What's the license amendment process
18 that we're following and the schedule? Existing
19 environment, and I'm going to hand this over to
20 Matt. He's going to take us through the existing
21 environment, resource issues identified to date,
22 ongoing studies, proposed studies, information
23 collecting, next steps, and then, depending on the
24 flow of the meeting, we may break up around
25 PacifiCorp folks and consultants to talk in detail

1 about specific issues folks have. We'll kind of see
2 how the flow goes here.

3 Comments and questions, and then site
4 visit directions. We're going to do a site visit
5 today, and we'll go through the details of that
6 starting at 1:00.

7 Anybody have any questions before we
8 jump into this?

9 EVE DAVIES: Can that screen be adjusted
10 at all?

11 MARK STENBERG: So everybody, I think
12 that's the extent of it there. Is that better?

13 EVE DAVIES: Yeah.

14 MARK STENBERG: A lot better. Yeah.

15 Okay. So emergency exit over here,
16 bathrooms are out the door.

17 We will talk about safety when we get to
18 site visit directions. We'll do a little tail board
19 about driving, where we're going, hazards on the
20 route. Okay? All right.

21 Introductions, please remember to sign
22 in. If you'd like to be on the mailing list, also
23 helps us keep track of our consultation record. I'm
24 Mark Stenberg. I'm a local FERC license program
25 manager, work for PacifiCorp.

1 Let's do PacifiCorp first. Just tell us
2 your role, and then we'll do consultants team for
3 introductions, and then if we can move through it
4 quick enough, we'll do other folks.

5 So I'd love everybody to make those
6 connections between your agency partners and
7 landowners and other interested parties. Let's just
8 go around the room. Let's just go --

9 Mark Stenberg, PacifiCorp.

10 CONLEY BALDWIN: Conley Baldwin,
11 PacifiCorp.

12 THE COURT REPORTER: I didn't understand
13 you.

14 CONLEY BALDWIN: Conley Baldwin,
15 PacifiCorp.

16 MATTHEW BURAK: Matthew Burak, WSP.

17 ERIC DUFFIN: Eric Duffin, Cirrius
18 Ecological.

19 MICHELLE FRANKLIN: Lee and Michelle
20 Franklin, property owners.

21 MARK STENBERG: Let's go up front here.

22 JENNIFER JACKSON: Jennifer Jackson,
23 Idaho Fish and Game.

24 BECKY JOHNSON: Becky Johnson, Idaho
25 Fish and Game.

1 STEVE LIECHTY: Steve Liechty, Rocky
2 Mountain Power.

3 JACK KOLKMAN: Jack Kolkman, PacifiCorp.

4 JOHN HUTCHINS: John Hutchins,
5 PacifiCorp.

6 JEFF LOVINGER: Jeff Lovinger. I'm the
7 attorney for PacifiCorp.

8 TIM HEMSTREET: Tim Hemstreet,
9 PacifiCorp.

10 JUSTIN BARKER: Justin Barker with
11 Cirrius.

12 LUJEAN YOUNG: David and Lujean Young,
13 property owners.

14 THE COURT REPORTER: I didn't understand
15 you.

16 LUJEAN YOUNG: David and Lujean Young.

17 STEVEN SMITH: Steven Smith, DEQ.

18 TOM SHARP: Tom Sharp, landowner.

19 TODD OLSON: Todd Olson, PacifiCorp.

20 PAT KENNEDY: Pat Kennedy, Idaho Fish
21 and Game.

22 DANNY MILLER: Danny Miller, Bureau of
23 Land Management.

24 CINDY JERNIGAN: Cindy Jernigan, Bureau
25 of Land Management.

1 ANNA OWSIDK: Anna Owsidk, Idaho Fish
2 and Game.

3 EVE DAVIES: Eve Davies, PacifiCorp.

4 CRAIG MCGREGOR: Craig McGregor, Friends
5 of Bear River.

6 JAIME CAMPBELL: Jaime Campbell,
7 PacifiCorp.

8 MATT SHENK: Matt Shenk, with IDEQ.

9 JENNIFER CORNELL: Jennifer Cornell,
10 IDEQ.

11 ERIC PANKAU: Eric Pankau, Sagebrush
12 Special Interest.

13 ADAM ECKERSELL: Adam Eckersell, IDEQ.

14 AARON HARNSBERGER: Aaron Harnsberger,
15 IDEQ.

16 THE COURT REPORTER: Can you repeat
17 that?

18 AARON HARNSBERGER: Aaron Harnsberger.

19 BROCK FREYER: Brock Freyer, WSP.

20 CHRISTINA MUELLER: Christina Mueller,
21 Friends of Bear River.

22 BRITTANI WATTS: Brittani Watts, Mink
23 Creek resident.

24 LESLIE POMAVILLE: Leslie Pomaville,
25 WSP.

1 TYLER OLSON: Tyler Olson, Franklin
2 County resident.

3 AUBREY MORRIS: Aubrey Morris,
4 PacifiCorp.

5 CLAUDIA CONDER: Claudia Conder,
6 PacificCorp.

7 THE COURT REPORTER: Claudia?

8 CLAUDIA CONDER: Conder.

9 DAVID COTTLE: David Cottle, Bear Lake
10 Watch.

11 BLAINE NEWMAN: Blaine Newman, Bureau of
12 Land Management.

13 JIM DeRITO: Jim DeRito, Trout
14 Unlimited.

15 THE COURT REPORTER: I didn't understand
16 him.

17 JIM DeRITO: Trout Unlimited.

18 SHERI ELLIS: Sheri Ellis, Cirrius
19 Environmental Solutions.

20 NEAL ARTZ: Neal Artz, Cirrius
21 Ecological Solutions.

22 SCOTT EVANS: Scott Evans, Cirrius
23 Ecological.

24 THE COURT REPORTER: Scott Evans?

25 SCOTT EVANS: Scott Evans, Cirrius

1 Ecological.

2 MARK STENBERG: I can help you with
3 those later.

4 THE COURT REPORTER: Yeah. I'm going to
5 need it because they're --

6 MARK STENBERG: I'll get you a copy of
7 the list.

8 Everybody make sure you sign in so we
9 can true this up.

10 One of the FERC requirements is we
11 prepare a transcript of our meetings, so that's our
12 support for that.

13 So questions during the presentation,
14 this is kind an in between-sized group, so I'd like
15 to try to have questions during the presentation.

16 I usually like twenty people just do
17 questions as we go. Larger, we're kind of in
18 between, let's see how it goes. If we get bogged
19 down too much, then we'll save questions until the
20 end, but I like to be able to address them as we go
21 along, or just take comments.

22 We'll be preparing the transcript here,
23 but also the consultant team will also be paying
24 attention during this trying to get people's names
25 and what their comments and issues are so we can

1 follow up on those comments. Okay?

2 When you speak, please identify yourself
3 for the transcript. Okay?

4 And we will post the transcript when
5 it's available. It's usually a couple weeks out.

6 We're going to post this presentation on
7 our website. I've got to get it to the admins. I
8 doubt it will happen tomorrow, but I'll get it to
9 them, and we'll get it up with the ICB here shortly.
10 Okay? At that -- and that's where this document is
11 at that link. Anybody wants to get in, see details,
12 go to the link. You know, lots of information
13 there. Okay.

14 So PacifiCorp's proposal. We would like
15 to work through the process to amend our current
16 FERC license to include a two-hundred mega watt pump
17 storage facility in association with our Oneida
18 development. More details on that to come.

19 As part of this, we would also like to
20 extend the Bear River license for all three projects
21 and the settlement agreement that's the cornerstone
22 of the existing license for another twenty years.

23 FERC allows that through a license
24 amendment process if you're making large capital
25 investments in your project. It helps you with

1 financing around them. We're also hopeful, and I
2 think extension of the settlement agreement, and
3 it's my opinion, would be to the benefit of many of
4 the stakeholders involved in that settlement
5 agreement. But we'll be working on that
6 concurrently with this license amendment piece.

7 Okay?

8 So PacifiCorp has and maintains what we
9 call an Integrated Resource Plan, or IRP for short.
10 The IRP -- the IRP identifies our strategies for
11 serving our customers' energy needs now and into the
12 future.

13 Of particular note that second bullet,
14 eight thousand megawatts of storage resources
15 including batteries, co-located with solar
16 generation, standalone batteries, and the pump
17 storage resources.

18 This two hundred megawatt project fits
19 into that vision there. We have huge tasks ahead of
20 us. To move away from climate change causing
21 emissions, right? We're going to decarbonize our
22 fleet here.

23 The important thing with storage, when
24 you have -- and I don't want to go into it too much
25 because of time, but -- so our carbon, our

1 coal-fired fleet, they get those things fueled up,
2 tuned up, they can run, provide base power.

3 As we replace those with wind and solar,
4 those resources is more variable. Solar, as an
5 example, solar works during the day. Wind, the
6 wind's got to be blowing. Right?

7 So to replace that resource that's
8 available, say, ninety percent of the time with
9 resources that are available, say, solar, daytime
10 only, we've got to be able to store power. Right?
11 We've got to be able to collect it when it's
12 generated. We've got to be able to return it to the
13 grid at times it's needed. Okay?

14 So short story there.

15 Quick orientation on PacifiCorp's
16 facilities. We'll get the pointer out here.

17 All right. I've got the Bear River
18 coming down through Wyoming. It comes in. We've
19 got our Bear Lake facilities up here that are
20 managed, and we store water at Bear Lake for
21 irrigation deliveries during the summer. We return
22 that water to the Bear River through the lift and
23 pumping station, Outlet Canal. We've got the Soda
24 Dam, Last Chance project, Grace Dam, Oneida Dam
25 north of Preston here.

1 Bear River then goes on to our Cutler
2 project down in Utah. We also are working on a
3 relicensing project down there to relicense that
4 facility down there with FERC. Okay?

5 So jumping in to the project overview,
6 so the concept, how this works, and there's -- I was
7 talking to a couple of our operators yesterday out
8 in the field, and some -- little bit of
9 misinformation floating around, but I will try to
10 dispel that. And this is -- there's some important
11 pieces here, so if anybody doesn't track, stop me,
12 let's make sure we're -- we understand how this
13 would function potentially. Okay?

14 So, Oneida Reservoir sits here. Upper
15 Reservoir up on the mountain, twenty-three-acre
16 footprint of the reservoir. We're going to need a
17 little bit of land around it, fencing, that type of
18 thing. Okay?

19 Two eleven-foot-diameter steel penstocks
20 would connect the upper reservoir to a new power
21 house pumping station. There would be two,
22 one-hundred megawatt reversible. They both
23 generate, and they pump in this new powerhouse.

24 And if you know the Oneida development
25 where Old Camp is, where they used to have old

1 homes. We took most of those down a few years ago,
2 four years ago now. It would be at the north end of
3 that is the proposal at this point. Okay?

4 Water would go back and forth between
5 Oneida Reservoir, and this is the point I want to
6 clarify. This wouldn't be connected to the river.
7 Okay? And that was some of the misinformation
8 yesterday that was floating around. Folks were,
9 like, wow, that's really going to change the river
10 below the dam. It does not connect to the river.
11 It connects to the reservoir.

12 When the Oneida project was built,
13 there's two large pipes going through the earthen
14 embankment dam. One is used. Currently it's
15 connected to the existing powerhouse. The other one
16 has just sat there. It's capped. There's a
17 headgate on it. It's unused. So the proposal would
18 connect to that existing cap into the reservoir
19 existing intake structure right where the red dot
20 is. Okay?

21 So other -- questions on that? So it's
22 back and forth from the reservoir. Okay?

23 Existing lower reservoir is four hundred
24 and eighty acres. Oneida actually has two dams. We
25 have a concrete dam. It's about a hundred and

1 fifteen feet tall, I think it is. Here. And then
2 we have an earthen embankment dike on this side.
3 Okay?

4 We'll have a new substation next to the
5 powerhouse in Old Camp, and about a half mile of new
6 transmission line to connect to the existing Oneida
7 substation.

8 So everything down low here is tucked in
9 an area that's already developed for generations.
10 The new facilities would be up here crossing land
11 managed by BLM.

12 And then on to private land up top here,
13 it's about seventy-five acres plus or minus on
14 private, about thirty-five on land managed by BLM.

15 Road access. We don't know yet. That
16 will be part of ongoing engineering work to look at
17 road access needs, options, you know road study.
18 Okay?

19 And Jack, how far -- just how far along
20 would you say? Is engineering one percent?

21 JACK KOLKMAN: Yeah.

22 MARK STENBERG: Yeah. So that's how far
23 engineering is at this point. It is at one percent.
24 So very preliminary. I just talked through this
25 slide a little bit in advance of the slide, but the

1 purple is Bureau of Reclamation lands that are
2 managed by BLM here. The yellow is BLM, and then
3 this is PacifiCorp, and then the private lands are
4 up above here. It shows just, you know, it's
5 outlined here. Okay?

6 So a little more on how this works, and
7 this is a pretty good representation, kind of. This
8 is a Department of Energy graphic on the right here,
9 and this is how pump storage works in an open loop
10 concept, where open means that water is flowing
11 through this lower reservoir. It's coming down the
12 river. It's going down the reservoir. It's going
13 through the current powerhouse. You know, that just
14 kind of continues on as an operation. It's just
15 that stays there.

16 And then the pump storage project
17 operates in the reservoir, pumps up the hill to this
18 new upper reservoir, and returns water. Okay?
19 Pumping would happen when electrical demand is low.
20 It would move water from the lower to the upper
21 reservoir.

22 This project as proposed right now would
23 provide potentially about ten hours of generation if
24 it ran continuously.

25 And so upper reservoir -- and I get

1 questions about this: Can people go to the upper
2 reservoir? And the answer is no because it's going
3 to fluctuate about a hundred and fifteen feet in a
4 full cycle from top to bottom of water within that
5 twenty-six-acre footprint. Okay?

6 The lower reservoir would fluctuate five
7 to six feet. We are -- we'll talk about it in a
8 little bit -- one of the studies we haven't done
9 yet. We're going to do an imagery survey this fall
10 and really look at the storage capacity in the
11 reservoir, so we'll be able to put a finer number on
12 that with some more information.

13 The hydraulic capacity of this would be
14 about two thousand cubic feet per second when fully
15 engaged. That would be the water moving in and out
16 of that second intake earthen dike.

17 Two hundred megawatts, potentially could
18 generate thirty-five to forty-five percent of the
19 time and it would be pumping forty-five to
20 fifty-five percent of the time. You can't pump the
21 water up as fast as you can generate with it. Okay?

22 Questions on where we're at right here?

23 Claudia. Claudia Conder.

24 CLAUDIA CONDER: What is the distance
25 from the existing dam up to the upper reservoir?

1 What's the distance?

2 MARK STENBERG: Yeah. So the penstock
3 length is fifty-eight hundred feet approximately.

4 Any further questions? Matt?

5 MATT SHENK: This is Matt with the DEQ.
6 Did you say the upper reservoir dam was
7 going to be three hundred feet tall?

8 MARK STENBERG: Yup.

9 MATT SHENK: But the fluctuation is only
10 going to be a hundred fifteen feet within that?

11 MARK STENBERG: Yup. And we'll see that
12 today. The topography is very steep up there and
13 it's in a bit of a, you know, notch, so there's what
14 we call a dead pool in the bottom of it.

15 MATT SHENK: Okay.

16 MARK STENBERG: And you would be using
17 the top hundred fifteen feet or so of the three
18 hundred and fifteen feet. Two hundred feet would be
19 this wedge down at the bottom that would kind of sit
20 there.

21 MATT SHENK: Thank you.

22 MARK STENBERG: FERC. FERC regulates
23 our projects. Federal Energy Regulatory Commission.
24 They issue licenses for our project. They set the
25 process, the requirements for consultation like

1 this. They would approve this capacity amendment.
2 If we get to the point where we make application,
3 they're the ones that would approve it.

4 They're responsible for NEPA analysis on
5 these undertakings, and they are, as it states
6 there, they're an independent government agency that
7 regulates non-federal hydroelectric projects by
8 authorizing their construction and operation.

9 MATT SHENK: Okay.

10 MARK STENBERG: FERC license capacity
11 amendments. There's a couple. There's two types of
12 license amendments, and when I say license, I'm
13 talking about the Bear River hydroelectric license.
14 There's two types of amendments.

15 One covers noncapacity things, and we
16 have to maintain a bunch of exhibits with FERC. One
17 of them we call it Exhibit A, they call it
18 Exhibit A, and it is a text description of all of
19 our facilities. So it describes the year the
20 generator was built, when it was rewound, what the
21 capacity of it was.

22 If we, say, go in and change a
23 generator -- right? -- we have to file a license
24 amendment with FERC with an updated Exhibit A
25 saying: Okay. Generator three at Grace was

1 rewound, the new capacity is this, et cetera.
2 That's a simple license amendment. I've done them
3 multiple times on the Bear River. There are
4 boundaries, and mostly, like, facility upgrades and
5 things like that within the plants.

6 So FERC also allows you to use an
7 amendment for capacity increases, and the
8 requirement for FERC is you have to apply for a
9 capacity amendment if you're proposing to add more
10 than fifteen percent to the hydraulic capacity. The
11 total hydraulic capacity of the project and increase
12 its nameplate capacity by at least two megawatts,
13 and adding two hundred megawatts to the Bear River
14 project requires license capacity amendment
15 essentially. Okay?

16 So we follow the steps FERC tells us for
17 license capacity amendments to follow the steps of
18 the traditional licensing process to get our
19 amendment put together, our amendment application
20 put together.

21 We're following that process right now
22 with this meeting, with our notice of this meeting,
23 with our posting of the initial consultation
24 document. So we propose an amendment, and then we
25 ask the question, you know, is it capacity related?

1 Is it, you know, new dam, et cetera, new turbines?
2 If it's no, you know, we consult with the agencies,
3 interested parties, and we can file an application.
4 That would be a simple exhibit update.

5 For this capacity amendment, we'll
6 complete three-stage consultation following FERC
7 regs. This is -- we're in the first part of this,
8 and we'll look at this more in a second. We file a
9 license application to amend the license. There
10 will be a sixty-day -- there's another big review
11 period that will come up with when we have the
12 application drafted, hopefully late next year, early
13 the following year.

14 There'll be public notice around that,
15 around the modification. FERC takes care of NEPA,
16 NEPA document which would be an environmental
17 assessment or environmental impact statement will be
18 prepared by FERC, and FERC makes the decision to
19 approve or not approve the amendment.

20 We have other federal agencies involved
21 like BLM on the BLM land there which will be plugged
22 into that, the whole process. Okay. So here we
23 are, three stages of consultation. This first one
24 is grade a little bit here, licensee issues, initial
25 consultation document, and it seems like probably

1 right now it's probably all Mark's talked about this
2 morning is this document. But there it is.

3 We conduct joint agency public meetings
4 and site visit, and we're doing that today. And
5 then the interested parties can provide written
6 comments and study requests to us, and they have
7 sixty days after this meeting to do that. Okay?

8 So the timelines of this meeting, we're
9 predicated by the filing of this, and then sixty
10 days from this meeting is the deadline for comments,
11 and Matt will talk about some of FERC's guidance on
12 preparing comments to us.

13 In the license capacity process,
14 comments can come directly to PacifiCorp. You can
15 send them straight to us. If you want to file them
16 on the FERC website, you're more than welcome to.

17 FERC isn't really involved in this
18 up-front piece of licensed capacity amendments until
19 we get to the third stage. Okay?

20 Second stage, we'll complete reasonable
21 and necessary studies. One to two field seasons.
22 We'll provide a draft capacity related license
23 amendment application and study results to
24 interested parties. That will be ongoing here.

25 Interested parties comment on draft

1 application -- and it's ninety days. I just
2 misspoke. I said it was sixty. It's ninety days,
3 and that will be once we have the application
4 together, potentially like fourteen months from now.

5 Third stage, we file this
6 capacity-related license amendment application with
7 FERC, and we send copies to interested parties.

8 Consultation record, and I just bring
9 that up, consultation record is required to be
10 submitted with that, you know, and this is part of
11 the consultation record we're working on. Plus just
12 everything we've done to consult, you know, we'll
13 keep track of that throughout, and that will be part
14 of the consultation record that will go in here.

15 Questions?

16 (No audible response.)

17 MARK STENBERG: I'm either doing really
18 good or --

19 (Laughter.)

20 MARK STENBERG: So amendment schedule,
21 stuff that's grade here, kind of keeping in that
22 theme, are things that were complete.

23 This first line. This was an ad hoc
24 thing we did early this year which is we put a draft
25 study plan -- and by ad hoc, I mean it's not part of

1 the FERC process, but we wanted to get out in front
2 of it.

3 So we put a draft study plan document
4 together early this year. We gave it to the Bear
5 River environmental coordination committee. Had
6 some informal talks around that.

7 We started some study work this year
8 around water quality monitoring and recreation,
9 habitat mapping, and noxious weeds, threatened and
10 endangered species. It doesn't mean that we can't
11 receive comments on those studies as they're in
12 here. We just wanted to get ahead on them, and if
13 we needed to change course, add things, adjust, we
14 look forward to comments on those. Okay?

15 Filed and distributed the ICD
16 September 18. We have the October 19 notification
17 of this meeting day. We published the notice as
18 required.

19 And today we're here having this
20 meeting. Okay? And, like I said, this presentation
21 will be posted so if you want to go back to it, look
22 at the details, we'll put it up. It's a good
23 summary.

24 I'm doing a time check. 9:38. Okay.
25 Comments and ICD and study requests, no later than

1 sixty days, December 26. That's just where it lands
2 following the FERC rules. Okay? We'll consult with
3 people who give us comments as we get them. Okay?

4 Perform field studies, stage two. This
5 is underway but will continue next year. Will
6 circulate draft study reports and as we get them
7 solicit comments. Yeah. Draft license amendment
8 application, fall, winter, 2024.

9 We'll look for comments back from folks,
10 you know, ninety days after we send that around to
11 everyone. That's weird.

12 Stage three, once we give it to FERC,
13 then FERC takes over. FERC will post the license
14 amendment application. They'll ask for comments on
15 it. They'll make additional information requests at
16 PacifiCorp, if needed. FERC will solicit comments,
17 motions to intervene, motions to protest.

18 FERC will issue an EA/EIS at some point
19 and an amended order, if they get there. Okay? So
20 that's it. Okay.

21 So any questions on what we went through
22 this morning? And I also -- I talked -- the
23 consultants and I talked. We have a lot to go
24 through here this morning. It's really a
25 distillation of this bigger document, so it's kind

1 of a -- we've got the executive summary here, but
2 without being here for three hours listening to us
3 talk, we're going to kind of roll with it, keep it
4 kind of high level.

5 So raise your hand if you've got
6 questions, identify yourself, and we'll take
7 questions as we go and keep going along.

8 Yes, ma'am?

9 CHRISTINE MUELLER: Is that document
10 available anywhere?

11 THE COURT REPORTER: I need a name.

12 MARK STENBERG: Yeah. So this is
13 posted -- it's been posted since September 18th on
14 PacifiCorp's website. It's posted on FERC's
15 website, and there's a hard copy at the public
16 library over there.

17 THE COURT REPORTER: I need your name.

18 CHRISTINE MUELLER: Christina Mueller.
19 Sorry.

20 MARK STENBERG: Thank you.

21 MATT SHENK: We also have two hard
22 copies there for everyone to look at.

23 MARK STENBERG: Yeah. If anyone wants
24 to page through it, there's two copies here. Just
25 don't take the one with my name on it.

1 If anybody -- I actually had one phone
2 call since September 18th. All the notices that
3 went out have my cell phone number in them, so if
4 anybody had questions or has questions, you've got
5 my cell phone number to call me.

6 The landowner Vincent Johnson called me:
7 Mark, I can't get into the website. Help me walk
8 through this. We took a few minutes, got him
9 into -- so he could find it on PacifiCorp.com. And
10 anyway, got him in. He's good. But that's the only
11 reach-out I've had since September 18 was that one
12 individual that was trying to get to the lay of the
13 land.

14 LEE FRANKLIN: Mark, I have a
15 significant number of questions and comments, and I
16 don't know whether to interrupt you as we go along
17 continually, or to wait until the end. Kind of give
18 me some guidance. I don't have one question.

19 MARK STENBERG: Okay. We can -- we can
20 talk any time and after the meeting between the
21 meetings -- Lee is the owner of the private land up
22 at the top of the hill, Lee and Michelle, and so --

23 LEE FRANKLIN: Let me say this: In
24 appendix four it lists interested parties and
25 adjacent landowners. Legally, I'm an adjacent

1 landowner, not listed, and I'm a very interested
2 party.

3 MARK STENBERG: Yeah. And I think we
4 corrected that, and I apologize for that. We had to
5 fix a couple things in the document.

6 LEE FRANKLIN: It's not the one that I
7 looked at this morning.

8 MARK STENBERG: On the website?

9 LEE FRANKLIN: It's not important.

10 MARK STENBERG: Okay.

11 LEE FRANKLIN: You and I have talked,
12 but the document has generated a tremendous amount
13 of questions I have --

14 MARK STENBERG: Yup.

15 LEE FRANKLIN: -- and very big concerns,
16 and I don't want to continuously interrupt you, but
17 I want to do it in a way that you want to do this
18 meeting, too.

19 MARK STENBERG: Sure.

20 LEE FRANKLIN: So you have to kind of
21 tell me.

22 MARK STENBERG: Honestly, Lee, if you
23 have, like, you know, landowner PacifiCorp
24 questions, comments, let's take those offline.

25 LEE FRANKLIN: Okay.

1 MARK STENBERG: And work with Buffy and,
2 you know, myself, management.

3 LEE FRANKLIN: Mine are bigger than
4 that.

5 MARK STENBERG: Yeah. If you have other
6 natural resource issues questions, let's bring them
7 up.

8 Matt?

9 MATT BURAK: So just to build off of
10 that, also, like just for the public record because,
11 you know, sometimes these side conversations,
12 issues, kind of go one way versus the public record
13 goes another.

14 During that comment period, you can
15 write your comments down in written form and submit
16 them to PacifiCorp, and they'll become part of the
17 public record. Everybody has a chance to review and
18 we'll offer that, too.

19 LEE FRANKLIN: What is WSP?

20 MATT BURAK: We're a large environmental
21 Williams Sale Partnership. We've been around for
22 over a hundred years.

23 My name is Matt Burak. I'm with WSP.
24 I'm the project manager spearheading the FERC aspect
25 of this project. We have our engineering side, too,

1 that are doing the designing and engineering for
2 PacifiCorp for the project. The consultant that's
3 with WSP, Cirrus Ecological and Certus.

4 I'll be taking the rest of the
5 presentation, going through the existing
6 environment, discussing the current resources that
7 are in the project area. So getting back to the
8 comments and questions that Mark was alluding to,
9 most of those should focus around the effect of the
10 proposed project so the operations and additional
11 information that's needed to assess those operations
12 on what FERC considers the existing environment.

13 Those are the resource areas that are
14 listed here: Geology and soils, water, fish and
15 aquatics, wildlife and wetlands, rare, threatened,
16 and endangered species, rec -- recreation and land
17 use, aesthetic and visual, cultural and tribal
18 resources as well as socioeconomic.

19 So the next few slides are, you know, in
20 the -- in this ICD document. It's quite detailed
21 summarizing the existing condition of all of these
22 resource areas. The next set of slides are going to
23 be kind of the sentinel points from that preliminary
24 analysis that we already did.

25 So first up is geology and soils. The

1 proposed project is located on alluvial fan
2 deposits, sedimentary rock, quartzite, some
3 landslide deposits, and some boulder gravels.

4 There's no mapped, active faults in the
5 project footprint, so there's a negative --
6 negligible risk of surface fault rupture.

7 Relief, so elevation in kind of the
8 vicinity ranges from forty-five hundred and nine
9 thousand feet.

10 Soils, the most common soil type are
11 Hondoho, stony surface-Ricrest complex, and
12 Polumar-Ireland complex. These two soil types have
13 low to moderate erosion potential. And what low and
14 moderate erosion potential here means is what's
15 termed sheet and real erosion.

16 Sheet is kind of just uniform water
17 going over the plain or surface; whereas, real
18 erosion is the water creates a gully and mobilizes
19 soil particles in those gullies and takes them away.

20 So water resources kind of falls under
21 two categories: Water quantity, so that's the
22 amount of water that's in the area flowing through
23 the river and quality.

24 This slide speaks to water quantity, so
25 how much water is going through the Bear River

1 system right now. Monthly flows range from five
2 thousand -- excuse me, not five thousand -- five
3 hundred CFS, cubic feet per second, to about a
4 thousand CFS instantaneous flow, so essentially flow
5 in the river at any given moment can range from
6 seventy to almost thirty-five hundred CFS.

7 Your typical high flows occur in July
8 and low flows occur in fall and winter. Again,
9 speaking to the lower reservoir, so the existing
10 Oneida Reservoir, as Mark says, four hundred eighty
11 acres. It's approximately five miles in length, has
12 a normal pool elevation of 4,882.4 feet.

13 Its elevation fluctuates about one or
14 two feet from month to month, and plus or minus four
15 feet throughout the year, has a usable storage
16 facility of 10,880 acre feet, and hydraulic
17 retention time, so when a water particle enters from
18 the upstream, it takes about six days for it to exit
19 the reservoir.

20 It has an average depth of 28 feet, and
21 maximum depth of about 85 feet. The water in the
22 areas used for hydropower generation, irrigation,
23 it's used by cold water and warm water aquatic life,
24 and for recreation: Fishing, boating, and swimming.

25 So for water quality, the water quality

1 of the existing waters are suitable for cold water
2 salmonid spawning, primary contact recreation,
3 industrial water use, agricultural water use. Idaho
4 DEQ has two assessment units to set the kind of
5 beneficial uses for the system. Once upstream, goes
6 from Oneida Reservoir to Alexander Reservoir.

7 Downstream of Oneida is the second
8 assessment unit. Both assessment units are
9 classified as high quality waters, and current
10 monitoring indicates -- past and current monitoring
11 indicates the Oneida Reservoir is a sink for total
12 suspended solids and total phosphorus.

13 Continuing with water quality, data is
14 kind of currently limited for assessing water
15 quality, and I'll speak to that a little later
16 building off of some ongoing sites that we currently
17 have going on. Water temperatures range from half a
18 degree Celsius to twenty-five degrees Celsius.

19 The reservoir does undergo through a
20 short-term stratification, so that's means there's a
21 warm, less dense layer of water sitting on the top,
22 and cooler more dense layer of water on the bottom,
23 and that cold dense layer is referred to as the
24 hypolimnion.

25 Turbidity near -- turbidity is

1 relatively higher in the inflow section and lower
2 near the dam, and if you think about it, that makes
3 sense because there's a suspended sediment particle,
4 and it's floating water, it's mobilized, it hits the
5 slow water of the reservoir as it settles out, so
6 the water is more clear towards the dam versus the
7 upper reservoir part.

8 LEE FRANKLIN: I'm Lee Franklin.

9 I hate to interrupt, but the turbidity
10 thing, you guys are going to take a flow of water
11 that probably averages maybe seven hundred cubic
12 feet per second, and out of the Grace dam, I know it
13 changes throughout the months and all that, but it's
14 a fairly low number.

15 And then you're going to take two
16 thousand and thirty cubic feet per second out of
17 that. You're going to suck the water out of the
18 lower reservoir. You're going to drain the Bear
19 River.

20 The Bear River is going to staid up and
21 make that water more turbid, isn't it? And then
22 you're going to dump the water out of the upper
23 reservoir into lower reservoir at twenty-five fifty
24 cubic feet per second and just increase it that much
25 more. What is the turbidity of the water going to

1 be like when it leaves, when it's in the Oneida
2 Reservoir and when it leaves the dam?

3 MATT BURAK: Well, that gets to a point
4 of --

5 MARK STENBERG: Yeah. Lee, one of the
6 studies we're working on, so Eric and Justin are
7 working on a sediment study, and also the imagery
8 study.

9 LEE FRANKLIN: What study?

10 MARK STENBERG: Imagery. So it's the
11 contours in the reservoir.

12 So we'll have knowledge about the
13 sediments, especially up in the headwater, you know,
14 where the river channel's going to be exposed
15 potentially during draw down.

16 We're going to run a build and run a
17 two-dimensional model to look at sediment transport
18 and what will happen during this operational regime.
19 So we don't have a good answer for that. It's a
20 question that's been raised. What's going to
21 happen, DEQ has raised it. You know, as you add a
22 daily fluctuation to this, what's going to happen to
23 accumulated sediments primarily in the headwater
24 area.

25 All these reservoirs have what you call

1 a hinge point where the river comes in and then it
2 makes a little spot like that, and the reservoir
3 sits there. And as we draw down, you know, that
4 point moves deeper in the reservoir, and you have
5 this area that has exposed sediment, et cetera.

6 So, yeah, a perfect example of stuff
7 we're working on to answer questions that we don't
8 have the answers to yet.

9 LEE FRANKLIN: On page 44 in the
10 document it talks about shorelines and how the water
11 level varies seasonally but is consistent
12 relatively, for a short time period is consistent,
13 it's not changing a lot. And currently there are no
14 erosive forces caused by fluctuating water levels.

15 So now we're going to drop it five or
16 six feet every day, what -- what does that do, or is
17 that part of the study to try to figure it out?

18 MATT BURAK: Yes. We do have an ongoing
19 study on erosion site.

20 MARK STENBERG: If you want to talk to
21 Brock in the back there about shoreline erosion. So
22 Brock went out and has done the mapping. He's a
23 geologist looking at the, you know, what's there,
24 how stable is it, how it's going to interact with
25 the fluctuation regime. We don't have the results

1 on that yet, though.

2 MATT BURAK: Because the type of
3 erosional water levels is different than the sheet
4 and real erosion that I spoke to. It's a little
5 different. So that's what the purpose of this study
6 is.

7 Okay. Let's see, so yeah. Bear River
8 has, you know, temperatures range from 1.3 to
9 22 degrees Celsius. Currently, the temp -- the
10 chronic temperature standards for salmonid fish is
11 typically exceeded in the summer months. So the
12 chronic temperature standard, so what does that
13 mean? It has to do with being exposed to a certain
14 environmental -- in this case a temperature
15 threshold that would result in -- or could result in
16 mortality or reduced reproduction or potential to
17 the species of interest.

18 Dissolved oxygen, DO levels, are
19 currently above the state standard, which is a good
20 thing. And total phosphorus sometimes is not at the
21 state standard.

22 So fish and aquatic resources, that
23 speaks to the fish that are in the reservoir, fish
24 that are in the river as well as other aquatic
25 organisms like fresh water mussels is a typical one

1 as well as their habitats.

2 So in the reservoir the habitat includes
3 talus slopes, boulders, mud flats. Downstream in
4 the Bear River, you know, you have your complex
5 riffles, glides, pools with cobble, gravel and
6 boulder substrate.

7 Oneida Reservoir is primarily managed as
8 a sport fishery which the dominant species is --

9 THE COURT REPORTER: Can you slow down?

10 MATT BURAK: Yeah, sorry. There's a lot
11 to get through. Sorry.

12 -- with walleye, carp, smallmouth bass,
13 and perch.

14 Downstream sections of the Bear River is
15 managed as a sport fishery stocked with nonnative
16 rainbow trout. Other dominant species include Utah
17 sucker, smallmouth, and mountain white fish.

18 It's current, as Mark alluded to with
19 the current settlement agreement, there's measures
20 to promote Bonneville cutthroat trout populations.
21 There's no diadromous fish present. Diadromous fish
22 refers to migratory fish that go between and among
23 the oceans in fresh water.

24 There's no designated essential fish
25 habitat that refers to a habitat designated under

1 the Magnuson-Stevens Fish Conservation Management
2 Act. There's benthic macroinvertebrates. The two
3 primary ones are oligochaetes, so your worms, and
4 your chironomids, midges. There's no fish
5 entrainment or turbine mortality studies for the
6 current Oneida development.

7 LEE FRANKLIN: So isn't that a concern?
8 I mean, right now we don't know how many fish die,
9 so we're going to make it tremendously more
10 difficult.

11 How does a fish live in a situation
12 where they're used to some current, and then they go
13 to a current that is three times higher than what
14 they're normally used to? And how does the fish
15 spawn, typically in shallow water, more often, how
16 do they spawn when the water level changes five to
17 six feet a day?

18 MATT BURAK: Well, that's something that
19 could be looked at; but, usually, fish adapt.
20 They'll move deeper. And that fluctuation zone
21 wouldn't be occupied by the fish.

22 LEE FRANKLIN: And what about fish being
23 taken up in the two thousand cubic feet per second
24 draw up to the upper reservoir, and they've been run
25 through the turbines? This is going to -- the water

1 in here is going to run through that -- you've got
2 about twenty thousand acre feet, I think.

3 CONLEY BALDWIN: Two thousand. Two
4 thousand.

5 LEE FRANKLIN: No. The reservoir has
6 about twenty thousand acre feet of water.

7 CONLEY BALDWIN: The lower reservoir?

8 LEE FRANKLIN: The lower reservoir.

9 CONLEY BALDWIN: Eleven -- ten thousand.
10 Ten thousand acre feet on the lower. Ten thousand
11 acre feet on the lower. They show it on the thing,
12 ten thousand acre feet is the volume to the lower
13 reservoir.

14 LEE FRANKLIN: Okay. I thought there
15 was active and intermediately?

16 CONLEY BALDWIN: I think it was just a
17 total.

18 THE COURT REPORTER: I need your name.

19 CONLEY BALDWIN: Conley Baldwin.

20 LEE FRANKLIN: So if it's ten
21 thousand -- if it's ten thousand acre feet, and
22 you're taking two thousand acre feet, you're taking
23 twenty percent of that reservoir's water and running
24 it through this cycle every day, or real close to
25 it. I mean, how can any kind of aquatic species

1 live in that.

2 MATT SHENK: Well, there's lots of pumps
3 that are sourced throughout the country, and fish
4 and wildlife tend to sustain themselves.

5 LEE FRANKLIN: Are there a lot where it
6 takes ten percent of the volume of -- sorry, twenty
7 percent of the volume of the water and runs through
8 this? I mean, I got it if you have a huge body of
9 water and you suck out two thousand acre feet and
10 let it back in, you haven't changed anything. The
11 water level doesn't drop five or six feet. Maybe it
12 drops an inch, if it is a large body of water.

13 This is a small body of water. This is
14 going to make a huge difference, isn't it? Are
15 there other projects like this with small bodies of
16 water where twenty percent of the water is getting
17 run through this cycle every day?

18 MATT BURAK: I can think of one. It's
19 in Upstate New York. It's called Blenheim-Gilboa.
20 It's a New York Power Authority project. It's on a
21 creek, actually, and it's a lot smaller. Actually,
22 it's a lot smaller than this and the capacity -- the
23 generating capacity is larger.

24 BROCK FREYER: A lot of fluctuations --

25 THE COURT REPORTER: I can't hear you.

1 BROCK FREYER: Brock Freyer. I'm just
2 noting that the fluctuation is five to six feet
3 because of the topography in the site, so like a
4 normal reservoir is flatter, take the same amount,
5 it's going to drop less. So since we're in a canyon
6 environment, that's why you get the higher
7 fluctuation in the area.

8 LEE FRANKLIN: I understand pump
9 storage. I know it's very efficient. It's a
10 fantastic thing. I just don't see how it is good
11 for a small body of water when you take twenty
12 percent and mess around with it.

13 MARK STENBERG: One of the things we
14 don't know yet is depending on where the intake is
15 can have different effects on the fishery.

16 LEE FRANKLIN: The depth.

17 MARK STENBERG: Because fish are hanging
18 out in their bands.

19 Where that intake is right now, the top
20 of that intake, if we use just the intake that is
21 there, is about thirty feet below full pool.

22 So that's just a question we've got to
23 kind of work through. It's a good question. Yeah.

24 MATT BURAK: Because fish -- fish
25 have different -- different species of fish have

1 different tolerances for their environment. Some
2 fish won't go down that deep if the environmental
3 conditions aren't suitable to their tolerance
4 threshold, so....

5 LEE FRANKLIN: They better not.

6 MATT BURAK: So for wildlife mechanical
7 resources, you know, typical, you've got your
8 mammals, birds, amphibians, reptiles that are
9 present in the ecoregion.

10 You have seven Upland habitat types
11 present. Most dominant is sagebrush steppe.

12 There's some noxious weeds that are
13 present. Currently there's weed control measures in
14 place. The project would be situated in Game
15 Management Unit 77. There's no big game migration
16 routes or stopovers known in the area.

17 There's land management and buffer plans
18 in place.

19 For wetlands, riparian, and littoral
20 resources, there's nine wetland and waterway classes
21 that occur in the area. The most prevalent are
22 lacustrine and riverine, and some palustrine
23 classes.

24 For your rare, threatened, endangered
25 species, the ones that have the potential to occur

1 in the area are wolverine, your Ute ladies' tresses,
2 and the canyon species monarch butterfly.

3 There's no designated critical habitat
4 in the area as of yet.

5 There's some state species that could
6 occur. There's one mammal, the silver-haired bat;
7 twenty-two birds, two amphibians, and six
8 invertebrates.

9 Bald eagles have historically nested at
10 the project site, and golden eagles have been
11 observed. And there's also potential -- there's
12 potential habitat for six BLM special plant species.

13 Yes.

14 CHRISTINA MUELLER: Christina Mueller.

15 What about the swans and they're
16 migrating every year? And also, what about golden
17 trout? Aren't they resident? Don't they live in
18 that lake?

19 MATT BURAK: Justin, do we have any
20 golden trout present?

21 JUSTIN BARKER: No golden trout.
22 They're native to California. You're thinking of
23 Bonneville cutthroat trout?

24 CHRISTINA MUELLER: No. There were
25 golden trout at one point, probably twenty years

1 ago. It was one of the last places.

2 JUSTIN BARKER: They would be stocked.
3 They're not native to the Bear River.

4 THE COURT REPORTER: I can't hear you.

5 JUSTIN BARKER: Oh, sorry. They're not
6 native to the Bear River system.

7 THE COURT REPORTER: And I need your
8 name.

9 JUSTIN BARKER: Justin Barker.

10 CHRISTINA MUELLER: So the swan
11 migration will be --

12 MARK STENBERG: Hey, Christina, can you
13 tell me -- so are you seeing swans on the reservoir
14 or on the river?

15 CHRISTINA MUELLER: Reservoir and the
16 river.

17 MARK STENBERG: And the river.

18 CHRISTINA MUELLER: Both.

19 MARK STENBERG: The interesting thing
20 about the river is we didn't see them on the river
21 until we really -- we changed all of our grazing and
22 land management practices down there.

23 CHRISTINA MUELLER: How long ago?

24 MARK STENBERG: 2007, 2008, 2009, was
25 the first time I saw when we started getting away

1 from everything being there.

2 CHRISTINA MUELLER: But you've only been
3 here since 2006.

4 MARK STENBERG: What's that?

5 CHRISTINA MUELLER: You've only been
6 here since 2006.

7 MARK STENBERG: I've been here since
8 '05. All I'm saying is just observationally,
9 because I was down in Oneida Canyon a lot then.

10 And I don't know about the reservoir,
11 but below the dam, I saw the swans come in three or
12 four years after we changed all our land management
13 practices. And we had a lot more riparian down
14 there, and even seeing them there all winter,
15 wintering through the winter down there now on the
16 river, which is pretty cool.

17 CHRISTINA MUELLER: They've been there
18 for a long time. They've been coming for a long
19 time, decades.

20 MARK STENBERG: Excellent.

21 MATT BURAK: So the project area is
22 popular for camping, boating, fishing, hunting,
23 picnicking, swimming, and bicycling.

24 There's five rec sites in the project
25 area: Maple Grove, Oneida Day-Use Area, where we'll

1 meet for a site visit later on. Redpoint Campground,
2 and Oneida Narrows Put-In and Oneida Narrows
3 Take-Out.

4 Land use includes conservation land,
5 project operations land, and developed recreation
6 land.

7 For aesthetics and visual resources, the
8 project area is characterized by forested hills,
9 mountains, range lands, agricultural lands with some
10 homes, ranches, and small towns.

11 Visual assessment was conducted in 2003.
12 Some findings from that is partially developed
13 landscape, low to moderate viewer sensitivity to
14 development, class 3 scenic classification, the
15 visual character of the landscape is partially
16 retained and changes to the landscape do not
17 dominate the view of the observer.

18 LEE FRANKLIN: I have some comments
19 about the last three things, and I apologize for
20 interrupting.

21 You're going to build a dam that's three
22 hundred fifteen feet high, two hundred feet wide at
23 the base --

24 MATT BURAK: Uh-huh.

25 LEE FRANKLIN: -- almost a half mile

1 width.

2 MALL BURAK: Uh-huh.

3 LEE FRANKLIN: It'll be visible from
4 space. There's the Great Wall of China, and maybe
5 Hoover Dam, and then this thing. This thing is
6 going to be huge. It's going to significantly
7 affect the aesthetic and visual resources.

8 Is the upper reservoir lined with
9 concrete, or is it all subject of erosion as the
10 water goes up and down also?

11 MATT BURAK: The engineering is not
12 complete, so....

13 LEE FRANKLIN: So the dam, if it is like
14 I said, it's about a million yards of concrete.

15 MATT BURAK: Uh-huh.

16 LEE FRANKLIN: So how does that material
17 get to that site?

18 MARK STENBERG: So Lee --

19 LEE FRANKLIN: That's a hundred and
20 twenty-five thousand concrete trucks.

21 MARK STENBERG: As I mentioned earlier,
22 you know, when I asked Jack -- we're about one
23 percent engineering, so we haven't done, you know, a
24 road study, looking at construction routes, or
25 staging routes, or material sources, operation

1 routes long term. We haven't done any of that yet.

2 We're working -- you know, here we're
3 trying to identify issues, and obviously roads are
4 an issue, access, getting through people's property,
5 how we're going to do it, you know, at the simplest
6 would be how are we going to get up there daily if
7 it's built, right?

8 To your aesthetic question, so the road
9 study, that's on Jack's plate over there,
10 engineering, going down the road, working with
11 landowners.

12 LEE FRANKLIN: We've got the Oneida
13 Narrows that is maybe ten miles long. I don't know
14 exactly how long it is. That is a two-lane road.
15 That's a fine road. It's not going to be good if
16 you put a hundred twenty-five thousand trucks on
17 there.

18 MARK STENBERG: Right.

19 LEE FRANKLIN: And I'm guessing you're
20 not going to truck the concrete in. You're going to
21 truck the materials in, make the concrete, and take
22 it -- how does that road survive, and how does
23 anybody have any enjoyment recreation on that river
24 with trucks going by for -- I don't know how long
25 this project is, it's got to be a couple of years.

1 I mean, a hundred and twenty-five thousand worth of
2 concrete trucks going up and down that road. That
3 road will be destroyed, I would think.

4 Once you get it there, you got to go up
5 twelve hundred feet in less than a -- about a mile,
6 that's incredibly steep. I don't know how you're
7 going to do it with vehicles.

8 If you get helicopters to do it, then
9 the noise of a helicopters -- how long is this
10 project supposed to take?

11 MARK STENBERG: Jack, what were your
12 construction predictions?

13 JACK KOLKMAN: Three to four.

14 MARK STENBERG: Three to four years.

15 JACK KOLKMAN: Yeah.

16 MATT BURAK: How do we -- how do we
17 accommodate recreation? You know, what happens,
18 temporary project impacts? That's part of the
19 analysis that has to happen, right?

20 Most of the concepts we've talked about
21 are lined, so you know, to hold water infiltration
22 down.

23 LEE FRANKLIN: So it's more than the
24 yards of concrete.

25 MARK STENBERG: Our initial -- it

1 depends on the liner, but our initial visual
2 simulations interestingly, and I was surprised by
3 this, and these were our -- we'll look at this out
4 in the field today from the sites, because I was
5 fairly certain you're going to see that thing,
6 right? You can't see the dam.

7 Interestingly, from our road system and
8 our parks down, and you can see the penstocks that
9 come down and they come down between the dam and the
10 transmission lines, come down to the fence level.
11 You can see those, and I'll have copies of those for
12 people to look at.

13 LEE FRANKLIN: Penstocks are basically
14 pipes.

15 MARK STENBERG: The pipes, yes. You'll
16 be able to see it from space, but not from Oneida
17 Canyon.

18 MATT BURAK: And we have some slides to
19 speak to that later on.

20 In terms of cultural and tribal
21 resources in the area, there's a rich prehistory and
22 history of human occupation.

23 The indigenous groups that are
24 associated with the area are the Northern Shoshone,
25 and the Shoshone-Bannock, and the Northwestern Band

1 of the Shoshone Nation.

2 The Oneida dam was originally
3 constructed and complete in 1923.

4 There's three archeological sites, six
5 historical structures, and one linear site near the
6 proposed facility.

7 Currently, those resources are managed
8 under the Bear River project historical properties
9 management plan which is overseen by FERC.

10 There's no specific tribal resources
11 identified in the proposed facility as of yet and
12 continuing coordination with Tribal Nations with
13 ties to the area is ongoing.

14 It's kind of a standalone slide with
15 socioeconomic resources, kind of just what's there
16 in terms of ownership and employment and household
17 income. Most of the land is federal. Most of the
18 employment is in the private sector, and the medium
19 household income is almost fifty-seven thousand.

20 So reviewing this, all the existing
21 environment, speaking with stakeholders to date,
22 we've identified various resource issues, and those
23 are summarized in more detail in section 5.1 of this
24 initial call document.

25 So for geology and soils, issues

1 identified were operation effects on shoreline
2 erosion. So speaking to water level fluctuation and
3 causing erosion of the Oneida Reservoir shoreline,
4 and also some geotechnical investigations that we've
5 done as part of engineering.

6 For water resources, operation effects
7 on existing water quality. So speaking to the
8 turbidity issue that was brought up.

9 For fish and aquatic resources,
10 obviously the water level fluctuations on benthic
11 macroinvertebrates, so the food resources for the
12 fish that are in the reservoir, and operational
13 effects on the existing fish community. So that
14 would be spawning, habitat, and the water reservoir
15 periphery.

16 Wildlife and botanical issues brought up
17 would be construction effects on wildlife and their
18 habitats, operational effects on wildlife, and
19 introduction and spread of invasive plant species,
20 mainly through construction vehicles.

21 In terms of wetland, riparian, and
22 littoral habitat, habitat change from construction
23 and operation, again alluding to the effects of
24 water level fluctuations.

25 And in terms of the resource issues with

1 the RTE species, some displacement could occur and
2 habitat lost from construction and habitation could
3 also occur.

4 With recreation land use, again,
5 speaking to water level fluctuations and, namely,
6 access in existing boat ramps, and also effects of
7 operations on boating, fishing, and hunting.

8 So with aesthetic and visual resources,
9 temporary construction effects, noise, dust,
10 construction vehicle effects. New infrastructure
11 crossing the landscape and another one is exposed
12 reservoir shoreline, speaking to more level
13 fluctuations.

14 For cultural and tribal resources, none
15 have been identified to date, but there's an ongoing
16 study that will be looking into those potential
17 issues.

18 And for socioecon, no socioeconomic
19 resources have been identified.

20 So taking those resource issues that
21 we've identified to date --

22 MARK STENBERG: Matt, can we pause right
23 there for a second?

24 So we heard a few things, you know --
25 not a few, several from Lee, Christina in the back

1 were also on that list.

2 Is there other issues that we don't have
3 identified on that list? I've got notes from Lee.
4 A lot of things Lee brought up, we have on the list.

5 Is there any other items than we're
6 missing here? You know, I'll throw maybe hot
7 springs, you know, fluctuations in their pool. I'll
8 throw that to the issue list.

9 What else have we got?

10 MATT BURAK: Fish entrainment.

11 MARK STENBERG: Fish entrainment, yes.
12 Specifically entrainment. Uh-huh.

13 LEE FRANKLIN: They better be strong
14 swimmers.

15 MATT BURAK: So right now we have
16 ongoing wetlands waters mapping. The goal of that
17 study to determine types, quantity, and distribution
18 of the wetland types that are present.

19 Data collection occurred in September,
20 so that's complete, but analysis is ongoing.

21 Some sentinel findings so far. High
22 level temporary impacts to the wetlands are likely
23 to occur along the lacustrine fringe of the upper
24 reach of the lower reservoir, so Oneida Reservoir.

25 Potential impacts would occur as the

1 wetlands adjust to temporal and spatial variations
2 in water levels.

3 And the effects of the proposed
4 operating regime on the wetlands will be a focus of
5 the ongoing study.

6 MARK STENBERG: Matt, would you just
7 interpret for folks on that fourth bullet a little
8 bit.

9 MATT SHENK: So wetlands would adapt to
10 the new hydrologic regime. That's what that
11 means.

12 MARK STENBERG: They're likely --
13 they're going to change in some respect because of
14 the daily fluctuations on them. Likely still going
15 to be wetlands there, but the vegetation components,
16 how are they being used where they are could
17 potentially shift.

18 BROCK FREYER: To build on that. The
19 temporary impacts and anticipate impacts, but again,
20 any systems, especially with the potential managed
21 fluctuation, wetlands and riverine systems, they
22 adjust to, like, a dynamic equilibrium, so that
23 takes time and seasons, but through that seasonality
24 and that adjustment to dynamic equilibrium, we can
25 expect a certain number of things.

1 There's a lot of potential for a lot
2 of -- I think a lot of benefit to the systems, but I
3 think a lot of what these studies by --

4 THE COURT REPORTER: I can't hear you.

5 BROCK FREYER: Where should I start
6 over?

7 THE COURT REPORTER: No. Just, "a lot
8 of studies by..."

9 BROCK FREYER: I didn't hear that
10 either.

11 THE COURT REPORTER: You said, "but I
12 think a lot of studies by," and then I couldn't hear
13 you.

14 BROCK FREYER: Oh, they will help inform
15 that fifth bullet there so the effects on -- what we
16 study we'll continue studying and interpreting, and
17 will consider it in terms of, you know, what the
18 expected operating regime will have effects on the
19 wetland riverine systems present.

20 THE COURT REPORTER: Your name again?

21 BROCK FREYER: Brock Freyer.

22 LEE FRANKLIN: And the water fowl
23 nesting is not a big deal when the ducks nest just
24 close to the water, and the ducklings hatch and the
25 water is suddenly a long ways off is no big deal.

1 MICHELLE FRANKLIN: Excuse me, you said
2 there -- I'm sorry, whoever spoke -- there could be
3 benefits or would be benefits.

4 What benefit to the water thing? I'm
5 just curious.

6 BROCK FREYER: So one thing to consider
7 is right now the wetlands present especially in
8 the -- when we say lacustrine fringe, that's just
9 the shoreline, the existing shoreline where it's
10 static.

11 And then the upper reaches that kind of
12 lacustrine, that lake, river, ring interface -- I
13 forget the term Mark used -- but that nick point.

14 For moving and adjusting it, also we
15 have variable depths of water including, you know,
16 enclosing either different types of sediments or
17 different topography.

18 So there's a potential that we have a
19 static, like, kind of a mono-type of weapons, but
20 you have the opportunity to kind of stagger it to
21 more of an organic or like degraded one, so if you
22 look downstream, you have, you know, your uplands,
23 you have your wetland forests, and then they migrate
24 down to a kind of weapons system, and then your
25 lower --

1 THE COURT REPORTER: Can you -- wait,
2 wait, wait. There's a truck going by.

3 System and then your lower --

4 BROCK FREYER: I kind of lost my train
5 of thought.

6 I guess the case in point is there's
7 potential or opportunity to have more of a diverse
8 ecosystem with these fluctuations. Again, there's a
9 lot to consider yet to determine, you know, if
10 that's a potential or an opportunity, but in terms
11 of, like you mentioned habitat or threats to nesting
12 birds, there's a potential you actually would
13 benefit that and also add, like, additional wetland
14 function value by adding that diversity in either
15 wetland or footland types.

16 MICHELLE FRANKLIN: When it fluctuates
17 daily?

18 BROCK FREYER: Correct.

19 MATT BURAK: Also alluded to earlier,
20 we're doing soil erosion mapping and the goal is to
21 pretty much identify the existing areas of erosion
22 along the Oneida Reservoir.

23 Field data collection is complete, but
24 the analysis is ongoing.

25 In general, the established shoreline

1 appears to be stable and naturally armored. There's
2 relic erosional features that were observed. They
3 were generally isolated -- they were isolated and
4 generally healed.

5 LEE FRANKLIN: What is relic? Does that
6 mean historical?

7 MATT SHENK: Yup, yup.

8 And potential erosion below the
9 established shoreline is likely to occur in areas
10 with shallower slopes and recent depositional
11 features associated with fine materials, and
12 surface, subsurface water inputs meaning your seeps
13 and springs.

14 There's ongoing water quality
15 monitoring, and the purpose of that is to collect
16 updated baseline water quality information in the
17 area to support an analysis of project effects and
18 evaluate consistency with Idaho DEQ water quality
19 standards.

20 Data collection is ongoing and that
21 includes water temperature, dissolved oxygen
22 turbidity, total suspended solids, total phosphorus,
23 and reservoir sediment. Samples actually collecting
24 some sediment, and doing analysis on the actual
25 physical sediment.

1 Moving forward, the reservoir does
2 actually stratify in the summer, with a thermocline
3 so that layer -- the intermittent layer between the
4 warmer surface water and the colder bottom water is
5 present around fifteen meters of depth.

6 Above that thermocline, DO is at or
7 above the water quality standard, but below a
8 thermocline. It typically decreases below the water
9 quality standard.

10 Yes.

11 ANNA OWSIK: Anna Owsiak, Fish and
12 Game.

13 You mentioned this before, could you
14 walk through again just visually the
15 twenty-four-hour period when that five- to six-foot
16 decrease in water level would occur and when it
17 would be filled back up just sort of as to get the
18 visual picture to help understand with what we could
19 expect for changes in system.

20 MARK STENBERG: And, Matt, Conley, do
21 you want to field that?

22 CONLEY BALDWIN: Sure. So you can
23 imagine -- Conley Baldwin -- filling in for variable
24 resources is going to be kind of variable, and so we
25 don't anticipate five and six feet every single day.

1 That's very -- kind of more of a rare situation. So
2 kind of using the current anticipated prices, to
3 kind of very informally simulate. It's much more
4 frequent that you'd have two to three four-hour
5 exchanges rather than ten hours every single day.
6 So that's relatively rare or not anticipated to be a
7 frequent occurrence.

8 So and then it wouldn't be -- most
9 likely would not be an immediate reversal from
10 generation to pumping because obviously kind of
11 imagine the load and the variation and solar and
12 wind and the need for that storage is going to be
13 you'll need generation for two to five hours, and
14 then you could be kind of in stasis for five or six
15 hours, and then have generation again or pumping for
16 two to five hours when there's an excess kind of in
17 the -- maybe in the evening hours when wind is
18 strong in Wyoming.

19 So basically it's complicated, and it
20 will be varied based on the actual resources
21 available, and so the -- yeah, that's what we kind
22 of informally currently anticipate.

23 LEE FRANKLIN: The document says -- I'm
24 trying to find it, but thirty-five to forty-five
25 percent and forty-five to fifty -- thirty-five to

1 forty-five percent producing electricity over that
2 ten-hour-time period and generating power, and then
3 it has forty-five to fifty percent pumping back
4 up.

5 CONLEY BALDWIN: So that's just a
6 function of -- of the -- no. That's just a function
7 of -- all that's relating to is the generation also
8 you have loss of efficiency when you're pumping to
9 generation. That's just when it's operating. It
10 is -- it will be pumping more frequent for a
11 slightly longer period of time than it's generating
12 just because of the efficiency of water.

13 So that's not a -- it wasn't intended to
14 be the representation of the actual operations.
15 It's just kind of indicating kind of that efficiency
16 loss when you're pumping water.

17 LEE FRANKLIN: So when will PacifiCorp
18 come up with this is the way it will be forever? By
19 that I mean, we're not going to start off doing -- I
20 can't remember what you just said -- four feet, and
21 then, oh, well, in five years we're going to do five
22 to six feet.

23 Will there be a time when we know this
24 is the way it is going to be, or is it just
25 depending on whatever is needed whenever?

1 CONLEY BALDWIN: We'll work through
2 that, and that will be in the future documents.
3 We'll have -- we don't have any -- any
4 preconceptions on that.

5 MARK STENBERG: And, Lee, for these
6 documents right now, we have to present kind of a
7 full transparency. This is the worst case, full
8 capacity, which is almost six feet, you know, in a
9 twenty-four-hour period right where it's going to
10 start full in the morning, glide down here during
11 the day, and run it at night. And it would just be
12 that's the worse case, you know, full capacity
13 situation that we presented to the ICD.

14 And as Conley articulates, it's likely
15 going to be something different, you know, run, run,
16 fill, run, fill, run, you know, following energy
17 needs, yeah.

18 LEE FRANKLIN: You're going to spend a
19 lot of money to get your return on investment for
20 this very efficient process, you're better off doing
21 it every day, right?

22 CONLEY BALDWIN: No. It depends on the
23 energy, the variable energy resource, because you
24 have to -- you're just filling in the holes. So
25 it's just a matter of when the energy is available,

1 and when it's in excess of the need, so it just
2 fills in the hole.

3 LEE FRANKLIN: It's less expensive.

4 CONLEY BALDWIN: That's the metric, but
5 for the power company, we actually need physical
6 power. So if there is a need for physical power,
7 then we release and we generate at the pump storage
8 facility.

9 So it's all based on operations and the
10 needs of our customers for energy.

11 MARK STENBERG: Lee, there's also a
12 scenario, not to get into this too much, but there's
13 a need to get rid of surplus power at times now
14 because of variable renewable power, and this is a
15 place where we've got surplus power from, say, when
16 we've got a place to put it -- all right? -- versus,
17 you know, is asking somebody to turn on a big
18 furnace or something and using power.

19 LEE FRANKLIN: This is a water
20 battery.

21 MARK STENBERG: Yeah. And it's a
22 long-life one.

23 You know, our hydro facilities on the
24 Bear is over a hundred years old. We still run
25 them, and it's super efficient for our customers.

1 It provides a lot of benefit. Let's take a small
2 side trip. Pump storage siting, you know, it is --
3 you've got to have certain factors to make it
4 economic.

5 Topography, you've got to have large,
6 you know, topography that's close so the water
7 bodies aren't, you know, four miles apart, five
8 miles apart, but you've got to have good topography
9 so you can get things up and down.

10 We're looking for sites that have a
11 thousand feet of head, thousand feet of elevation
12 between upper and lower. Transmission is an issue.
13 The cost of getting transmission into a facility
14 like this, so sites like Oneida or Cutler, you've
15 got transmission going coming in, going out. You've
16 got two substations. We're already there. We've
17 got our roads in and everything.

18 Water rights, topography, transmission,
19 and proximity. You know, maybe if you need power,
20 near your -- near your renewable storage,
21 near somewhere. You know, we can't go a thousand
22 miles away and build something. So it's a
23 challenge. It's a challenge.

24 And the Oneida site has multiple things
25 kind of that simple, you know, maybe over-simplistic

1 criteria. Got the elevation transmission right
2 there. We have existing infrastructure that we can
3 leverage that lower reservoir, and there's some
4 things on there.

5 There's the second intake that was never
6 used, smaller, but there's a lot of pieces there.

7 While I'm talking about this, where does
8 this go is the question, too. If we haven't talked
9 about it, and I don't think we will in the
10 presentation, so where do we go with all of this?

11 So we study. We put study plans out on
12 this. We provide study results to the stakeholders.
13 You know, we consult on study results. Right? So,
14 you know, it's always better to avoid impacts if you
15 can. Is there ways we can design the project better
16 to avoid impacts, right?

17 Well, let's go through that tree. When
18 we've identified impacts from studies, right? How
19 do we -- what are our pathways to avoid causing
20 trouble, right?

21 And the second one is: How do we
22 mitigate for impacts, right? Okay. We've
23 identified impacts to this resource. How will we
24 mitigate for it? Do we need to mitigate for it?
25 What's the context around this water resource?

1 Wetlands is an example, right? We grind
2 through this and we find there's some
3 transformational change to the wetlands and requires
4 us to look at some offset for waterfowl nesting
5 we've looked at. If we can't avoid them completely,
6 what are our options for mitigation of that, right?

7 And we start looking around lands, and,
8 oh, we got twenty-two hundred acres across the hill.
9 You know, maybe we actively manage that for
10 waterfowl nesting for enhancements over the hill.
11 Maybe there's stuff we can do there for mitigation.

12 Then the third piece is enhancements,
13 things the project can support, the stakeholders are
14 interested, you know, there might be benefits.
15 There might be recreation enhancements, other types
16 of enhancements maybe to the road, other types of
17 things can happen.

18 So that whole package comes together and
19 kind of slowly and somewhat organically as we move
20 through until we end up with this basket of things
21 in this potential application process.

22 EVE DAVIES: Mark?

23 MARK STENBERG: Yup.

24 EVE DAVIES: Eve Davies.

25 In the vein that you're going on, I

1 think it might be helpful to clarify that right now
2 we're at the phase of just looking at the
3 feasibility and what do we know at the beginning ICD
4 tells us that all the data that we have right now,
5 that helps us identify the places where there's
6 gaps. That's what the studies are for to fill those
7 gaps.

8 And then after the studies, and you know
9 turn the crank on all that, then eventually the
10 license application will actually have -- like,
11 there'll been an entire exhibit that just deals with
12 what's the proposed project's operation.

13 So your question about how you're going
14 to run this, we don't know that yet because that's
15 the stage that we're just gaining information about
16 how should we hunt it? What would work the best?
17 And what would mitigate for any impact?

18 So there will be an entire exhibit that
19 is proposed project operations, and once that --
20 once that entire license application package goes
21 in, everybody gets to review it, and then there's a
22 full comment period associated with that.

23 So this isn't -- I just want to reassure
24 you. Today's not the last day. Unfortunately, for
25 all of us, this is a grind of a process. And so you

1 know, this is we're very, very early in the process,
2 so that's why it's good to get all this input. But
3 you'll have lots of opportunity even at a much later
4 stage when we say: Here's our actual application.
5 Here's what we think we want to do.

6 Then you still get to say: Well, here's
7 an issue I think I'm seeing with that, or this looks
8 better than I thought it would be. Whatever your
9 comments are, you have that opportunity to make
10 those comments throughout this process, and that's
11 part of the process for us.

12 Like, we have to deal with this work
13 process all the time. A lot of other people don't.
14 It doesn't look very much like what I would consider
15 typical, one-time response, like on an EA or
16 something.

17 This is multiple years, and so we are
18 here to help you to understand that process. You
19 can always ask Mark: When's the next time I have to
20 do something, right, to make sure you keep your foot
21 in the door. We will always help you understand the
22 process because it's a grind. There's just no two
23 ways about it.

24 So that's something we can help with
25 because we actually, sadly, understand all those

1 deadlines and the other -- all these things going to
2 cross your desk.

3 MARK STENBERG: Well-spoken.

4 LEE FRANKLIN: I realize if you build a
5 new lower reservoir to hold water, if you pump that
6 water up and down, you would eliminate affecting the
7 current reservoir and the river. I don't know if
8 that's a closed system or whatever, you could add a
9 little bit of water to it. It would increase your
10 costs, but it would eliminate the non -- the
11 non-construction environmental aspects.

12 But on page 12 it says there are three
13 units currently, three power-generated turbines that
14 the power is turbine limited. What does that mean?
15 Those turbines are not functioning as good as they
16 ought to, or what does that mean?

17 MARK STENBERG: Jack?

18 JACK KOLKMAN: That means the generators
19 are bigger than the turbines themselves. The
20 turbines only produce, let's say, ten megawatts, and
21 the generators can handle twelve megawatts, so the
22 turbines are the limiting factor on how much energy
23 can come out of the project.

24 LEE FRANKLIN: I see. And you can't
25 change those out.

1 JACK KOLKMAN: You can, and you can
2 replace them, but there are limits on how much you
3 can get out of it.

4 MATT BURAK: We're doing ongoing
5 wildlife survey to determine kind of what wildlife
6 species and special-status species are present in
7 the area and what their habitats are.

8 Field data collection is complete, but
9 like the others, the analysis is ongoing.

10 We did discover a new bald eagle nest
11 near the powerhouse.

12 Wetlands upstream of the river have a
13 high biodiversity with some sensitive species that
14 have been observed there, and potential impacts may
15 occur during breeding season from water fluctuations
16 and sedimentation.

17 We currently are performing a T&E plant
18 and noxious weed survey, looking at whether
19 Ute-ladies' tresses is present. BLM sensitive
20 species are present in the area, and what are the
21 potential project effects on those species, and also
22 whether or not some noxious and basic weeds are
23 present.

24 Data collection is complete with that,
25 but analysis is also ongoing.

1 We didn't observe any threatened,
2 endangered species around the Oneida Reservoir or
3 the proposed reservoir site, or the penstock
4 alignment, but some noxious, invasive species are
5 present.

6 We're doing a recreation assessment as
7 well to assess potential impact of construction
8 operation of the project. Field data collection is
9 still ongoing. So far we've met the boating hazards
10 in the lower reservoir and monitoring recreational
11 use at the recreation sites.

12 We are doing also an aesthetic
13 assessment. So basically determining the visibility
14 and visual contrast of the proposed project across
15 the -- on and across the landscape.

16 Data collection is complete. We're
17 still working up those data.

18 The upper reservoir is likely not
19 visible from observation points around the lower
20 reservoir and access roads there. The penstocks are
21 visible. Here the lower -- let's see, the lower --
22 well, first the upper picture is what it is now,
23 what it looks like now -- wish this was bigger --
24 but the observation point right here.

25 And this is a simulation of what the two

1 penstocks will look like going across the landscape,
2 right there. And we'll take a visit to the site
3 later today.

4 And some portion of the new pumping and
5 generation station would be visible from these
6 observation points, but we still need to work out
7 those details.

8 A cultural resources assessment is
9 planned, but still kind of waiting for it to kick
10 off and conduct some consultation with the Tribal
11 Nations and determine what's called an area of
12 potential effect to focus the study.

13 So we did talk about some additional
14 studies that we anticipate performing in addition to
15 the eight ones we just summarized, and those include
16 doing a baseline fisheries survey, bathymetry
17 survey, and a benthic macroinvertebrate survey.

18 So next steps. Okay. So this gets to
19 the comments and/or study requests. Those are due
20 within sixty days of today which, unfortunately, is
21 December 26, so after the Christmas holiday there.

22 For study requests, FERC has their study
23 request criteria, and they're -- if they're
24 followed, it makes for really good study requests so
25 that applicants and licensees can understand exactly

1 what is being requested, what the information is
2 going to be, how is it going to potentially lead to
3 a licensing condition, and how -- what Mark was
4 speaking to, protection, mitigation, and enhancement
5 measures.

6 If you have your phone, you can take a
7 picture of this, and that link is a document that
8 FERC produced to help study proponents, resource
9 agencies, and the general public to craft these
10 study requests, and that document defines all the
11 particular lexicon and parlance, like nexus which
12 basically means connection between the project and
13 operations.

14 So because this is an amendment, FERC
15 would only -- according to them, when they're
16 reviewing proposed amendments to focus on proposed
17 modification to determine its dam safety,
18 environmental, safety, and other effects. So that
19 gets to the point that comments and study really
20 should be focused on the proposed project and the
21 proposed license extension.

22 And we had comments and questions
23 interjected throughout, but this is our dedicated
24 time for that.

25 BLAINE NEWMAN: Blaine Newman of BLM.

1 That's one question that we've had with the last
2 comment.

3 THE COURT REPORTER: Can you speak up or
4 stand up?

5 BLAINE NEWMAN: Sure.

6 So the last comment there is of concern
7 to us with the twenty-year timeline will be amended.
8 We still have a similar opportunity like the
9 settlement agreement for the existing facilities
10 under the license now in addition to the amended
11 term.

12 MATT SHENK: It's possible.

13 MARK STENBERG: Potentially, yeah. And
14 so, Blaine, we're -- and this is kind of my
15 two-bucket example I keep using. It's the best way
16 I can kind of keep it straight for myself.

17 So the one bucket we've got the new
18 facilities at Oneida, right? And we've got these
19 study plans for that, you know, in getting the study
20 results, consultation on them, objection,
21 mitigation, and enhancement and options around
22 Oneida. Okay?

23 There is some creep out from Oneida as
24 in the recreation study, so right now we've got our
25 recreation vehicle counters out at all of our rec

1 sites on the Bear River, and anticipation of that,
2 you know, talking about recreation in a twenty-year
3 extension request on the Bear. So that's that piece
4 here, right?

5 And the other piece, which is the
6 twenty-years license extension, FERC can issue
7 licenses up to fifty years. We have a thirty-year
8 license, so there's twenty years that FERC could
9 allocate to the Bear River license.

10 Our license is largely governed by a
11 settlement agreement that PacifiCorp put together
12 back when it was finalized with the license around
13 2003. Sorry. That settlement agreement is
14 signed -- the signatories of that settlement
15 agreements are the ones, in my view, that would
16 modify that so it could extend it another twenty
17 years.

18 So anything that's in the settlement
19 agreement, I would see that UCC group working on the
20 settlement agreement, the extension, and the
21 language that's in there.

22 At the same time we're working on
23 mitigation, avoidance, enhancement, whatever, you
24 know, terms you want to use at Oneida. Those two
25 are going to come together next year in a package,

1 you know, as Eve was talking about. That's the
2 package that's going to go in that application.
3 Hopefully, we'll have an amendment to the Bear River
4 settlement agreement that will modify terms in there
5 to allow it to live for another twenty years, and
6 then we'll have new stuff that's related to the
7 Oneida pump storage project, and that will all come
8 together in this draft license amendment
9 application.

10 LEE FRANKLIN: What is the settlement
11 agreement?

12 MARK STENBERG: So there's different
13 licensing paths for hydro projects, right? So you
14 could use a path where that FERC's preferred process
15 right now -- and you just went through it at
16 Cutler -- integrated licensing process.

17 So the schedule is set, timelines are
18 set. FERC's very involved. They make decisions.
19 And you go through very stepwise manner, people make
20 study requests. FERC decides what gets studied. We
21 study it, prepare reports, and it's just back and
22 forth, back and forth between stakeholders and FERC
23 and the licensee. And then you end up with the
24 license at the end. That's one path.

25 Another path that was used on the Bear

1 River, the stakeholders all got together. I wasn't
2 here working on that at the time. Eve worked on
3 some of it, and they put a settlement agreement
4 together which is a list of, you know, its
5 operations, recreation, management of lands,
6 management of cultural resources, and we settled
7 with everything on this package of how we would run
8 the project for thirty years.

9 That settlement agreement goes to FERC,
10 and it's a settlement agreement solving all the
11 issues around new licensing. FERC takes that,
12 incorporates it in your license with other packaging
13 of theirs, and away we go.

14 So what we're talking about is the
15 settlement agreement that I think might be largely
16 supported, what weeks we need to do for that to live
17 for another twenty years.

18 Licensing on the Bear will start in
19 2027, you know, and we were talking about that at
20 the ECC meeting the other day. That's only, you
21 know, four years away, licensing of the project.
22 Our license expires in 2023. And would there be a
23 settlement agreement in that process? I don't know.
24 It just depends on the process picked and how we
25 would follow through that process to get to a new

1 Bear River license.

2 LEE FRANKLIN: I've got four more
3 questions, if that's okay.

4 MARK STENBERG: Let's do it.

5 LEE FRANKLIN: What's the budget for
6 this project?

7 MARK STENBERG: Jack?

8 LEE FRANKLIN: They're big numbers.

9 TIM HEMSTREET: We don't have a budget
10 for this project because it's so early stage. As
11 you've heard from Mark and Eve, we're really just
12 trying to gather information about what are the
13 impacts? Is it feasible, how it could be designed?
14 That would all form --

15 THE COURT REPORTER: Speak up.

16 TIM HEMSTREET: That would all
17 ultimately form its cost and ultimately what company
18 would have to pay to implement a project like this
19 for construction as well as over the term of the
20 license.

21 LEE FRANKLIN: Generally, is it five
22 hundred mill, a billion? Kind of general.

23 TIM HEMSTREET: Yeah. Generally, those
24 type of numbers, yeah, we're seeing the cost of
25 storage in the realm of fifteen to two thousand --

1 fifteen hundred to two thousand dollars a kilowatt.

2 Pump storage projects are more expensive
3 than that, but twice the duration, typically. So,
4 yeah, it's big numbers for sure.

5 THE COURT REPORTER: I need your name.

6 TIM HEMSTREET: Tim Hemstreet.

7 LEE FRANKLIN: And how much of the
8 budget will be funded by the federal government
9 taxes?

10 TIM HEMSTREET: We don't know at this
11 time. I mean, none of the budget would be funded by
12 federal government, but the projects would likely be
13 more investment tax credit would likely be available
14 to the project.

15 LEE FRANKLIN: It's subsidized by the
16 government.

17 TIM HEMSTREET: In that manner, yes, it
18 would be.

19 LEE FRANKLIN: Is it likely to be a
20 third, a half, thirty percent?

21 TIM HEMSTREET: Thirty percent is
22 currently what I see for storage projects.

23 LEE FRANKLIN: And my house is almost
24 under the transmission lines coming out of the
25 Oneida power station, and it leaves there. It

1 doesn't stop at my house. I get my power from
2 Grace.

3 Where does this power go?

4 TIM HEMSTREET: It goes to the bulk,
5 bulk grid. There's a line that runs, I think, back
6 from the -- Bridgerton substation that 345 KV line.
7 So anyway, it goes to the bulk energy system,
8 PacifiCorp system.

9 LEE FRANKLIN: It's not staying locally
10 at all.

11 TIM HEMSTREET: No. It's a lot of our
12 lows in the local area, so the intent of this
13 project would be to support grid reliability in the
14 local community, in Utah.

15 LEE FRANKLIN: Okay. One last question.
16 Mark, you said something about carbon footprint.

17 When does the construction carbon
18 footprint break even with the saved carbon footprint
19 of pump storage hydroelectric?

20 MARK STENBERG: That's a good question.
21 I don't know the answer to that.

22 LEE FRANKLIN: It's got to be decades.

23 MARK STENBERG: I don't know. Anyone
24 have thoughts on that? Greenhouse gas analysis?

25 TIM HEMSTREET: I mean, there is a study

1 from the National Renewable Energy Laboratory that
2 I've heard of, I've not read, that talks about the
3 low CO2 impact of pump storage relative to other
4 storage technologies.

5 So I think that's just a feature of a
6 pump storage, lower carbon footprint of this type of
7 storage versus all of the environmental impacts of
8 mining, those type of resources needed for that kind
9 of a battery, pump storage is having a lower
10 environmental impact.

11 LEE FRANKLIN: Once it's constructed,
12 it's really low, isn't it?

13 TIM HEMSTREET: Yes.

14 LEE FRANKLIN: But getting from there to
15 here, it's got to be really high.

16 TIM HEMSTREET: I think that's taken
17 into consideration.

18 CONLEY BALDWIN: I'd also point out that
19 these special projects allow complete closure to
20 coal plants.

21 So you have to take into account the
22 system-wide effects and not just the construction
23 versus operations.

24 MATT BURAK: So kind of two last points,
25 as shown before, but when the project's website

1 where all of the documents will be uploaded, so if
2 you haven't taken a picture of this yet, take a
3 picture.

4 MARK STENBERG: That's the same link
5 that's been in both of our notices, and this
6 presentation will be up on that link shortly.

7 JACK KOLKMAN: And if you Google
8 PacifiCorp storage, you'll get right there.

9 MARK STENBERG: Okay.

10 MATT BURAK: All right. So next we're
11 going to talk about the site visit. So it'll be a
12 site visit to walk around the project area. That's
13 going to occur from 1:00 to 4:00 today.

14 Everyone is going to meet at the Oneida
15 Reservoir Day-Use Area. That will get you close to
16 where we're going to meet, and the directions are
17 kind of right there. So take a picture of this
18 slide if you want to attend.

19 MARK STENBERG: We'll have packets --
20 I'll have packets when we get there that have hard
21 copies of these initial visual simulations from the
22 days area and the boater put-in below the dam.

23 Rough agenda, we're going to talk a
24 little bit about the existing facilities, orient
25 people to the existing facilities out there. We'll

1 talk about size of the reservoir, capacities, and
2 power houses. We'll do a quick orientation there.

3 We'll look at visual simulations. We'll
4 also do a safety group up to go to the upper site,
5 which is in the packet. We're going to make kind of
6 a clockwise loop from the days area, start at the
7 Day-Use Area, and we're going to go back out to the
8 intersection of Highway 34 and 36, and carpool up,
9 for those that want to go up to the site, upper
10 site.

11 We've got the owners here, Lee and
12 Michelle Franklin with us. We're going to need to
13 really carpool up tight and besides that again when
14 we're up there.

15 We've got six gates to go through across
16 two ranches on our way in. We'll lead with the
17 PacifiCorp vehicle, follow with the PacifiCorp
18 vehicle. There's livestock in there. We have to be
19 aware of livestock, you know, narrowness of the
20 gates, things around the road.

21 The road's generally in very good shape.
22 We cleaned it up a bit yesterday to get the grass
23 down so visibility is better on it. We'll go into a
24 point that Buffy worked out with Lee in the
25 agreement where we can stop under the transmission

1 lines, and have about a four thousand foot walk to
2 look down into the potential reservoir site. Okay?

3 And we can see that. There's a better
4 map of that close up in the packet when we get
5 there.

6 And then the thing about going up there,
7 that I'll stress with everybody, nobody can leave
8 early. So if you come in with us, you've got to
9 stay until we leave in the caravan. Because of the
10 six gates, livestock, horses, et cetera, we've got
11 to be super diligent for Kim Foster and the
12 Franklins to be respectful of the activities on
13 their land and their gates and everything.

14 So it's going to be kind of a control
15 in. We'll go look. We'll group up, make sure
16 everybody's got all of their passengers and leave as
17 a group back to the highway with PacifiCorp folks
18 opening and closing gates as we go through. Okay?

19 So if you get up there and you go, Hey,
20 I want to head out early, you're stuck with us until
21 we're ready to turn around. Okay?

22 And we'll do more safety talk at the day
23 area when we get up there, but it's just, you know,
24 think about, you know, the season, wildlife, vehicle
25 traffic.

1 We're all going to be caravanning, we
2 may have people we're not used to in our car,
3 chatting with them, you're excited to have different
4 passengers, but let's all just be super safe, and
5 aware of our driving, parking, backing, turning.
6 Help each other when we've got to turn around when
7 we get up to the site, and a few spotters, get
8 people turned around.

9 Blaine and I will take the lead on that.
10 Okay. Any questions about site visit?

11 CONLEY BALDWIN: So just the day's area,
12 are you meaning it's just the very first one off of
13 the main road when you first see the reservoir?

14 MARK STENBERG: Yup, yup.

15 CONLEY BALDWIN: So it's right on the
16 main road there.

17 MARK STENBERG: And there was cows up
18 there when we went up there.

19 We had some trespassed cattle in Oneida.
20 And they're there. The first people up there, just
21 try to shoo them out of there. We're in contact
22 with the owner. They're coming in from a different
23 area in the canyon on us.

24 Okay. Thoughts before we wrap up?

25 (No audible response.)

1 MARK STENBERG: We'll wrap up.

2 I really appreciate on behalf of
3 PacifiCorp everybody's time this morning coming in
4 and meeting with us. We look forward to seeing you
5 at 1:00.

6 (Whereupon, the proceedings concluded at
7 11:50 a.m.)

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REPORTER'S CERTIFICATE

STATE OF IDAHO)
) ss.
COUNTY OF BONNEVILLE)

I, DiAnn Erdman Prock, CSR, CCR, a duly
commissioned Notary Public in and for the State of
Idaho, do hereby certify:

That I took down in Stenotype all of the
proceedings had in the before-entitled matter at the
time and place indicated, and that thereafter said
Stenotype notes were transcribed into typewriting at
and under my direction and supervision, and the
foregoing transcript constitutes a full, true and
accurate record of the proceedings had.

I further certify that I have no interest
in the event of the action.

WITNESS my hand and seal this 4th day of
November, 2023.



DiAnn Erdman Prock
Idaho CSR SRL 963, CCR
Notary Public in and for
the State of Idaho

My commission expires November 26, 2025.

PROPOSED ONEIDA PUMPED STORAGE FACILITY, ET AL.

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