

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

-----x  
IN THE MATTER OF: : Docket Number  
PARKER KNOLL PUMPED STORAGE : P-13239-002  
HYDROELECTRIC PROJECT :  
-----x

Holiday Inn Express, Richfield  
20 West 1400 North  
Richfield, UT 84701

Tuesday, December 11, 2012

The above-entitled matter came on for Scoping Meeting,  
pursuant to notice, at 10:10 a.m., Matt Buhyoff, FERC  
Moderator.

1

2

## 1 P R O C E E D I N G S

2 MR. BUHYOFF: I guess we'll go ahead and get  
3 started here. I want to welcome everybody. Thank you so  
4 much for coming.

5 My name is Matt Buhyoff. I work for the  
6 Federal Energy Regulatory Commission out of Washington, D.C.  
7 I'm a fisheries biologist by trade. But I'm acting in the  
8 capacity of the project coordinator for this project.

9 And we're here to do NEPA scoping for the  
10 Parker Knoll Pumped Storage Hydroelectric Project.

11 I first want to start with some housekeeping  
12 items. The temperature of the room: I hope it's okay. We  
13 wanted to cool it down a little bit to get you guys ready  
14 for winter. And hopefully it keeps all week.

15 We have -- Let's see. Bathrooms are just right  
16 across the hall. We have some water and coffee for you  
17 folks.

18 If anyone needs a break at any point in time  
19 let me know and we'll try to accommodate that.

20 So today we're also going to talk -- I'm going  
21 to talk a little about, you know, this presentation I'm  
22 giving is mostly designed for public meetings. But I've  
23 found it's been helpful in the agency meetings as well.  
24 Some of the material might be kind of basic for you folks,  
25 and I apologize for that.

26

1                   But I'll give you a quick introduction to FERC  
2                   and our division, the Hydropower Licensing. I'll discuss,  
3                   you know, what scoping's about and why we're here today, and  
4                   then give a quick review of the traditional licensing  
5                   process, which is what Parker Knoll Hydro has been going  
6                   after in this.

7                   So we have the court reporter in attendance.  
8                   Everything that's said here today will go onto the public  
9                   record. It's part of our record for this proceeding.

10                  Bear in mind that our court reporter does have  
11                  recording equipment around. Please, especially if you first  
12                  start to speak, say your name. That will help him out  
13                  greatly. We have the sign-up sheets. I hope everyone's  
14                  signed in. And so we should have the spelling of your name  
15                  correct.

16                  Also, if there are any strange acronyms and,  
17                  you know, especially for us federal employees we tend to  
18                  throw those out a lot. If you'll explain those acronyms or  
19                  any strange spellings. We have to spell them. So let's  
20                  keep that in mind.

21                  I think I talked about breaks. What I'm going  
22                  to do is I'll give my presentation. We'll have Parker Knoll  
23                  give their presentation about their proposed project. And  
24                  then we'll go ahead and take a break and then do the second  
25                  half of the meeting.

26

1           Thirdly, I'm going to introduce you guys to --  
2           if you haven't already, take a look at our e-Library and  
3           e-Subscription. We have these little pamphlets back there,  
4           and towards the end of the pamphlet we have some websites.

5           Our e-Library is a good source. You can get --  
6           if there's any documents related to this project, it goes  
7           directly to that. It can notify you when new documents pop  
8           up. So it's a good way to, you know, keep track of the  
9           project; right there you can see, you know, when new filings  
10          are coming out and so on and so forth.

11          All right. So who are we? We are the Federal  
12          Energy Regulatory Commission. We're an independent  
13          regulatory agency. We have a five-member Commission. Those  
14          folks at the top are appointed by the President and  
15          confirmed by the Senate. The Chairman is designated by the  
16          President. We have about 2500 people. Most of us are in  
17          that office building right there in D.C. But we do have  
18          some field offices which do most of our dam safety work,  
19          mostly engineers.

20          We regulate all forms of interstate  
21          electricity, electric power, natural gas, oil pipelines, and  
22          us: hydroelectric projects. Specifically the hydropower  
23          program is combined of three things: licensing -- that's  
24          us, the license administration compliance. When we issue a  
25          license the compliance division makes sure that the entity  
26

1 is doing everything that we told them to do.

2 And then dam safety, which is pretty obvious: making sure  
3 that a dam is safe and not going to harm the public.

4 And then within that, you know, we use the  
5 licensee's input, resource agencies, Tribes, NGOs and all  
6 local stakeholders, we all use your input to help inform  
7 what we do.

8 Like I said, Parker Knoll Hydro is following  
9 the traditional licensing process. Before 2005 it was the  
10 process that we used to do licensing. Now as some of you  
11 have been involved with FERC projects you might have heard  
12 the ILP. That tends to be the default process now.

13 And the TLP, the folks really on -- the onus is  
14 really on the applicant before they file an application they  
15 have to get together with the agencies, do their  
16 consultation, perform any studies if any studies are  
17 necessary. And then FERC comes in once the applicant files  
18 an application.

19 There aren't any established timeframes. Like  
20 the ILP, again if some of you folks are used to that, the  
21 ILP moves right along and you're either with the ILP or  
22 you're not and you're falling off the train sometimes. So  
23 this one, it's a little bit more flexible. Obviously, you  
24 know, we like to keep things moving regardless.

25 So how did we get here today? These are the  
26

1 steps that led up to where we are. We call it pre-filing.

2 Parker Knoll Hydro issued a Notice of Intent --  
3 or NOI -- and a PAD, or pre-application document. That  
4 pretty much brings together any relevant information. We  
5 then had to approve the use of the traditional licensing  
6 process because, again, anything that's filed with us now  
7 automatically goes through the integrated licensing process.

8 They held public meetings; they consulted with  
9 the agency; they conducted some studies. And finally they  
10 filed the application with FERC, which got us here to what  
11 we call post-filing.

12 So the licensing application, I believe -- Did  
13 you folks -- were you able to bring some license  
14 applications with you?

15 MR. BARKER: Okay. I did, yeah.

16 MR. BUHYOFF: So we have some license  
17 applications on the table. It's the good first source of  
18 information for this project. It brings together all the  
19 existing relevant, reasonably available information,  
20 provides all the details regarding Parker Knoll Hydro's  
21 proposed action. It's also the foundation for our future  
22 NEPA documents.

23 So we're here to do scoping.

24 So here's the post-filing steps. We've noticed  
25 the application. In the yellow box you can see we're now --

26

1 we're doing some NEPA scoping now. And then you can see the  
2 steps ahead of us here.

3 We're also doing the public meeting, obviously.

4 So scoping: what is it? The idea of -- what  
5 we did here today, we produced a scoping document, which  
6 I've sat on the table. We also mailed it out to anyone on  
7 the mailing list.

8 Basically what we did is we -- we use this  
9 document as our foundation for the NEPA document. We're  
10 trying to, you know, identify any potential environmental  
11 effects, any of the concerns out there, opportunities. And  
12 also identify if there are any, you know, remaining  
13 informational needs that we just, you know, haven't thought  
14 of yet.

15 Again, the purposes of the scoping: We want to  
16 identify significant issues related to this proposed  
17 project; any cumulatively affected resources; identify any  
18 reasonable alternatives. And then any, you know, any issues  
19 that maybe we identified that you all think, you know, just  
20 may not be an issue. That's also good for us to know.

21 When we talk about today, we'll talk about  
22 existing conditions at the project -- or the proposed  
23 project in this case. Resource management objectives: Any  
24 existing information that's out there -- maybe there are  
25 some studies that you folks know about that, you know, we  
26

1 haven't identified or they haven't identified in the license  
2 application that would be good to know about.

3 And like I said, also informational needs. And  
4 then we'll talk about, you know, what happens next in the  
5 process.

6 After this stage, once we get a complete  
7 application -- we've filed for some additional information  
8 based upon their first filing application. Once we feel  
9 like the application is complete we'll issue something  
10 called a Ready for Environmental Analysis.

11 We'll ask any agencies for any recommendations  
12 and conditions on any potential license. Some of those  
13 recommendations and conditions are mandatory. In this case  
14 I believe it's just the Bureau of Land Management. The  
15 project will occupy Bureau of Land Management land. So the  
16 terms and conditions they file will be mandatory in spite of  
17 our input, in a sense.

18 Next we prepare an EIS. And we've already  
19 stated that we'll be doing a draft and final EIS. That EIS  
20 will contain recommendations that we'll pass on to the  
21 Commissioners. And based upon our recommendations we'll  
22 decide whether or not to issue a license for this project,  
23 and if we issue a license, what conditions we put on that  
24 license.

25 And I apparently got ahead of myself, because  
26

1       there it is: The licensing decision. The Commissioners  
2       will review the project record and make a licensing decision  
3       based upon our recommendations.

4               The upcoming schedule. We're here on scoping  
5       meetings. I think the next important date to focus on,  
6       generally -- like I said, anything said here today will be  
7       placed on our record regarding this project. But if anyone  
8       would like to file written comments, we would appreciate  
9       those by January 11th. That's 30 days from the date of this  
10      meeting.

11             If we decide that enough substantive comments  
12      were said at this meeting, the public meeting, or in written  
13      comments that, you know, really change what we wrote in our  
14      scoping document number one, we'll issue a revised scoping  
15      document reflecting those comments.

16             And, like I said, after that step we're going  
17      to look for the complete application. Once we get a  
18      complete application we'll issue an REA, and that kicks off  
19      the NEPA document stage.

20             That schedule is also on our scoping document  
21      number one, which is on the table. And again, it's also on  
22      our e-Library site. You can find that schedule there as  
23      well.

24             So just to review: We talked about what FERC  
25      is, what building we're in, and our division here in

26

1       Hydropower Licensing. We talked about what I'm hoping --  
2       what we're all hoping to get out of scoping today, and then  
3       what's ahead.

4                        So if anyone has any questions, I can answer  
5       that now. Otherwise we'll have kind of a roundtable  
6       discussion later where we can, you know, get into the deeper  
7       issues.

8                        (No response.)

9                        MR. BUHYOFF: Seeing no questions, I'll hand it  
10       over to Justin and he can give a quick synopsis of what  
11       Parker Knoll is proposing.

12                       MR. BARKER: My name is Justin Barker. I work  
13       for Symbiotics and I represent Parker Knoll Hydro on the  
14       Parker Knoll project.

15                       And I have to find my presentation again. Bear  
16       with me.

17                       (Pause.)

18                       MR. BARKER: I'm going to apologize. This is  
19       really geared toward the public meeting tonight.

20                       What I'm going to do is, you know, give a quick  
21       introduction on what pumped storage is; most everybody here  
22       is aware of what it is. Then talk about wind and solar for  
23       a minute and why the need for storage, why pumped storage in  
24       Utah. And then we'll get into the Parker Knoll project.

25       We'll talk about the project features, the resource issues,

26

1 water benefits, and then we'll just go right into the  
2 discussion and comments.

3 So this is a pretty basic slide on how pumped  
4 storage hydro power -- what it is is, you know, you're  
5 pumping water from a lower reservoir into an upper  
6 reservoir, storing that energy and then releasing it, that  
7 energy, when it's needed into the grid.

8 Pumped storage is the most widely used form of  
9 storage. It's the oldest storage capability we have. You  
10 know, we're getting more storage types, CAESS -- and that's  
11 a compressed air energy storage system -- batteries, we have  
12 flywheel technology, you know. But as far as storage goes,  
13 pumped storage is the largest form of storage there is.

14 And there's been some really significant  
15 advancements in how we operate pumped storage, the turbines,  
16 the generators, and their capabilities and their flexibility  
17 to help regulate the grid.

18 And this is a question that always comes up.  
19 It's like, well, you're pumping water uphill; you're a net  
20 consumer of energy. You know, so the old model was, well,  
21 how is it economically feasible. And, you know, the old  
22 model was, well, you buy off-peak power when it was cheap,  
23 you store it, and then you turn around and sell it high.

24 That's not necessarily the case anymore with  
25 all these renewables coming online, you know. So we look at  
26

1 the benefits for pumped storage is, you know, block-loading  
2 and balancing services, load-following, following the  
3 renewable energy, the intermittent resources. You know how  
4 wind goes up and down and it's not a stable power.

5 We also provide spinning reserves, big chunks  
6 of power for local utilities that they can call upon that  
7 power at any time.

8 And then one of the things that pumped storage  
9 can do is help reduce some of the constraints on the  
10 transmission infrastructure for renewable wind integration,  
11 solar integration, things like that.

12 So basically it becomes the new paradigm, the  
13 renewable solution. You know, where are we going to get our  
14 energy in the future. We see a growth rate -- Utah I think  
15 is still growing its energy needs at 2.4 percent -- and I  
16 think that one just came out this year in the energy  
17 pamphlet that the state puts out.

18 So how do we meet that need without greenhouse  
19 gas emissions, NOx emissions, sulfur dioxide, you know, all  
20 the good oxides that slowly kill us. And what the country  
21 has come up is, you know, we're going to go to wind and  
22 solar power, renewable energy sources.

23 Well, how do we integrate that intermittent  
24 energy into the energy system, the grid infrastructure? And  
25 there's a couple of ways you can really do it. And that's  
26

1 either through storage or building out massive transmission  
2 infrastructure, you know, to take and absorb all that  
3 intermittent energy.

4           So to talk a little bit about wind energy, this  
5 is just a wind resource map of the United States. It gives  
6 you an idea of where some of the key developments are. And,  
7 you know, you can see in the Midwest that it's probably the  
8 best place for wind energy. And then you get along the  
9 coasts. However, it's like there are good local spots that  
10 wind can be developed, you know, in Utah and Idaho and have  
11 that ability for each state to bring renewables in.

12           Here's a solar characteristic map. This is  
13 kilowatts per meter squared per day. So you start looking  
14 at it and you get around Arizona, New Mexico, southern  
15 Nevada, southern Utah and you have the highest production  
16 per meter squared for solar panels.

17           So just showing those two things and knowing  
18 the intermittency of our renewable energy that we're  
19 building out, the need for storage is there and that is  
20 really to shape this wind and solar. You know, and one of  
21 the questions, you know -- or one of the comments that came  
22 up some years ago is more wind is better because if you have  
23 a wind farm here and a wind farm here, it's going to shape  
24 itself. And that's what everybody thought. But that's not  
25 going to be the case. And I can illustrate that in a  
26

1 second.

2                   You know, and then another thing that pumped  
3 storage can do is the daily variability. We can store that  
4 energy when we don't need it, you know, if the wind is  
5 blowing early in the morning we're not using it. We store  
6 it and then we, you know, generate the energy in the  
7 afternoon during the hours of peak need.

8                   And then one of the other things is  
9 load-following. As we know, the intermittent energy, you  
10 know, is quite variable. The wind isn't always constant,  
11 you know; solar always isn't constant because we have  
12 clouds. And the technologies are getting better, you know,  
13 there's -- what is it? -- solar thermal storage where it  
14 kind of ramps down now.

15                   So to kind of show you that more wind is not  
16 better, this is a graph of two sites in the eight states of  
17 the Midwest, including Wyoming. And so these are all  
18 weather stations. And so you can see that they follow the  
19 same pattern. And, you know, wind is generated from the  
20 thermal cooling and heating of the earth. So more wind is  
21 not always better.

22                   We tend to exacerbate our problems with the  
23 intermittent resource.

24                   There's just a graph of thirty days of  
25 production from Goldendale, Washington in the Columbia River  
26

1 Gorge, which has some of the best energy for wind  
2 production. And you can see that it's really intermittent.

3 So how can pumped storage help intermittent  
4 renewables? This is a modeled effort that was done by  
5 Grasslands Renewable Energy. And what they did is they  
6 modeled a 3000 megawatt wind farm. And this 3000 megawatt  
7 wind farm was spread over Montana, some Wyoming wind. And  
8 what they figured is they would gather it all in into one  
9 transmission line firm, and then send it down.

10 And so this is -- the top graph is the 3000  
11 megawatt wind production. And you can see that it's quite  
12 variable. And then below what they've done is modeled it  
13 with the injection of a 600 megawatt pumped storage  
14 facility. And basically what you get is close to 1000  
15 megawatts of firm energy by absorbing some of the  
16 over-generation and then re-injecting that energy into the  
17 grid when the resource is lacking.

18 That leads us to why Parker Knoll. You know,  
19 it's in the middle of Utah.

20 I don't know if you can see it, but these are  
21 big energy transmission projects that are being proposed,  
22 that are being constructed throughout the west. You know,  
23 and they all kind of are feeding down into California.

24 So Utah is pretty centrally located. It's in  
25 an area where there's great solar potential. We have some

26

1 great state resources down here. And on top of that, moving  
2 Wyoming wind or wind from the Midwest into California down  
3 some of these big transmission projects. Parker Knoll is  
4 situated in a pretty unique -- in a unique area where it can  
5 shape a lot of those resources, firm it up and either ship  
6 it on to California, the surrounding states, or right back  
7 up the Wasatch run.

8 A little bit about the pumped storage project  
9 itself. Probably the two largest features are the  
10 reservoirs. They are going to create the largest impact by  
11 displacing the land. A lot of the tunnel -- well, all of  
12 the tunnels powerhouse are all proposed to be underground.  
13 And this is all based on a thousand megawatt net capacity  
14 with ten hours of generation capability that has a net head  
15 of 1935 feet.

16 So the reservoirs are proposed to each have  
17 about 6800 acre-feet of capacity. And we'll need about 7900  
18 acre-feet to fill it: 800 acre-feet of evaporation on an  
19 annual basis. That 7900 comes from you need some dead  
20 storage to keep -- to stay in the reservoirs, you know, so  
21 you don't cavitate the turbines and a few things like that.  
22 And then, of course, there's the associated pipeline that's  
23 about 13 miles upgrades to the roads; substations, short  
24 transmission line to connect to the existing one down there.

25 This is just an illustration of a conceptual  
26

1 underground powerhouse for the project. It's a four-turbine  
2 configuration. Each turbine is 250 megawatts.

3 To give you an idea -- and, Bob, you can  
4 probably jump in here; you know more about it than I do --  
5 but the powerhouse is about 330 feet wide. And then close,  
6 from the bottom of the turbines to the top is going to be  
7 somewhere around 150 feet. So it will be an extremely large  
8 cavern when we go in and start excavating.

9 This is the planned profile of Parker Mountain.  
10 And what you don't see is the lower reservoir in here  
11 because it stretches out. And I can point it out. It's  
12 pretty hard to see here.

13 But this is the upper reservoir; this is about  
14 the dead storage; and then you have a head race tunnel that  
15 runs over to a vertical shaft. This vertical shaft is about  
16 2000 vertical feet, and it will have a seven percent  
17 downgrade into the tower house. And this is about a  
18 thousand feet.

19 And then from there this -- the pumped storage  
20 plant will sit below -- about 153 feet below the dead  
21 storage pool of the lower reservoir so we don't have any  
22 cavitation of the turbines.

23 As we started this, you know, we went through  
24 and looked at the resources that we thought that we were  
25 going to have to look at, propose studies on and work with  
26

1 the agencies on them, identifying all the resources at risk.  
2 And so this is pretty much just a list copied right out of  
3 the license application of the resources that we looked at.

4 Studies completed. These are the studies that  
5 we actually went in and did after meeting with the resource  
6 agencies, cultural resource surveys, and modeling pygmy  
7 rabbit surveys, sensitive plant surveys, prairie dog  
8 surveys, vegetation characterization. That also includes  
9 weed surveys, visual resource assessment; visual  
10 observations for sage grouse, raptors and other birds of  
11 concern.

12 And one of the things as we get into it and get  
13 -- as we got closer to construction, then we'd probably do  
14 more monitoring, monitoring more raptors, things like that.

15 We also collected some water quality samples to  
16 model the water quality at the proposed reservoirs, because  
17 they're isolated basins over time there would be evaporation  
18 and we could see a potential increase in salinity. And so  
19 how do we manage that water.

20 Ongoing studies: The geology studys, studying  
21 the Paunsaugunt Falls, and Tribal consultation.

22 This is where it's really geared towards the  
23 public.

24 Where do we get the water for the project  
25 because they're isolated basins. We're proposing to build a  
26

1 pipeline as part of the project down to Otter Creek  
2 Reservoir, make improvements in the irrigation system within  
3 the Sevier River Basin for the additional water because the  
4 basin is fully adjudicated so there's no new water rights.  
5 These efficiency improvements in this system will allow us  
6 the evaporation and the initial fill of the reservoir.

7 Project benefits. These are some of the  
8 benefits that we think can be realized from a pumped storage  
9 project down here. It's a clean source of needed peak  
10 power, especially with all the intermittent renewables being  
11 built. The storage infrastructure to support, like I said,  
12 more solar, more wind in the region, possibly Wyoming and  
13 the surrounding states.

14 It'll have some pretty significant economic  
15 benefits to the area. It's a two billion dollar  
16 construction job. And you'll see a pretty large labor force  
17 during construction. We estimate that we'll see 31  
18 permanent employees working at the facility in some capacity  
19 or the other -- some capacity or other.

20 Benefits to Piute County in property taxes.  
21 Revenue to state lands. They own the land on top so we'll  
22 have to have a lease agreement with them so that they  
23 receive revenue from the project that will go into the  
24 schools.

25 Environmental benefits through mitigation and  
26

1       enhancements.

2                       And then we'll see efficiency improvements and  
3       upgrades in the existing irrigation conveyance systems.

4                       Local benefits that we would see. And this is  
5       really modeled after a similar economic study that was done  
6       in a west coast area -- I can't say; it's still all  
7       confidential. Sorry. But it's a similar project; it's a  
8       similar area. It's an ag-based community.

9                       So what we did is this is based off of IM plan.  
10       It's a model that was built during the American Recovery  
11       Act. It's probably the most up to date model on economic  
12       growth in jobs.

13                      And so within this model we estimate that, you  
14       know -- and this is based on industry standards -- the  
15       average employee would receive a \$60,000 paycheck. And I  
16       don't know what that compares to to the region down here,  
17       but I would imagine it's a little bit more.

18                      95 percent of the economic benefits will be  
19       realized within Sevier & Piute County, within the region.  
20       Like I said, property taxes to Piute County.

21                      And when you have an injection of 31 jobs like  
22       this into a local economy, there's additional job creation.  
23       And that's what we see in these graphs at the bottom. And  
24       their breakdown of distribution of jobs, you know, we have  
25       plant operation. And then I think it's a three-to-one  
26

1 creation.

2 So what the model estimates is there's 31 jobs  
3 that will be created from the pumped storage. But in total  
4 within the region there will be 96 jobs, and 45 will come  
5 from services: ten from retail, nine from construction, and  
6 one from other -- and I'm not sure what that other job is.

7 MR. LAMARRA: The boss?

8 MR. BARKER: Yeah, it's probably the boss.

9 (Laughter.)

10 MR. BARKER: So there will be an increase in  
11 economic benefits.

12 And I was going to throw dollar signs in there  
13 but I just don't think that it really matters at this point  
14 because I don't have all the data for, you know, Sevier and  
15 Piute County.

16 And that's all I have for the presentation.

17 MR. BUHYOFF: So if anyone has any specific  
18 questions about the project proposal, now is a good time.  
19 Otherwise we can take a ten-minute break, get some water, go  
20 to the bathroom, and then come back and we'll discuss our  
21 scoping document and kind of do a roundtable.

22 MS. CHI: I have a question.

23 MR. BUHYOFF: Sure.

24 Could you say your name first?

25 MS. CHI: Yes. Renee Chi with BLM.

26

1                   I was just curious what, if any, anticipated  
2 noise may be generated from either the pumping water from  
3 Otter Creek Reservoir, or just pumping water back up to the  
4 upper reservoir.

5                   MR. BARKER: That's a good question. And we've  
6 looked at some of the operational scenarios. And a lot of  
7 it is modeled off of Iowa Hills. And that's a pumped  
8 storage project that was proposed in California.

9                   And as far as noise goes, what they figured,  
10 you know -- and I don't know how it translates to this --  
11 but you would see about a 50 dba noise level at the entrance  
12 of the tunnel. You would never -- you won't hear the water.  
13 I mean there's not going to be a lot of vortexing in the  
14 reservoirs, you know; they're just going to come up and come  
15 down. And during operation you're not going to see a lot of  
16 noise.

17                   MS. CHI: Do you have a sense of what that  
18 level of noise may be when you're standing on a sage grouse  
19 lek nearby? Would it be able to pick that up?

20                   MR. BARKER: No.

21                   MS. CHI: Okay.

22                   MR. BARKER: No. Because the DK of noise, if  
23 it's 50 dba right at the entrance to the tunnel, it's a  
24 three dba reduction for the doubling distance. So, you  
25 know, one foot it's three. So you would be down around  
26

1           forty I think a hundred feet away, maybe 200 feet away.

2                           I'm not 100 percent sure of that. But, you  
3 know, the closest lek is two miles. It would not be  
4 perceptible.

5                           MS. CHI: Okay.

6                           MR. BARKER: I think the biggest impact on  
7 noise would be construction. And that's why we went in and  
8 did some noise modeling, to see how far it would impact out  
9 and radiate out.

10                          MR. THOMPSON: Perry Thompson, Utah Science  
11 Technology Research and Utah Office of Energy Development.

12                           I've got a couple of questions directed towards  
13 your transmission integration to the existing transmission  
14 line, your PPA.

15                           And again, going along with her noise, your  
16 sage grouse impact, because we just got done with a  
17 preliminary report here in Utah for sage grouse and how it  
18 affects economics and so forth. And I want to know how you  
19 plan to integrate that plan within your development.

20                           MR. BARKER: The sage grouse plan?

21                           MR. THOMPSON: Yeah.

22                           MR. BARKER: I haven't actually seen the new  
23 state plan. We went to some of the working groups and we  
24 actually met with Fish & Wildlife Service while we were  
25 there. And they didn't anticipate our project having a  
26

1 significant impact on the sage grouse.

2 So, I mean, to answer your question, I haven't  
3 seen the State's plan and how we would integrate our project  
4 into it because I know it's within one of the sensitive  
5 areas, which is the Parker Mountain area.

6 MR. THOMPSON: Okay.

7 And then about the transmission, your  
8 integration into existing lines and who you split them with  
9 in the Hartford system agreement and so forth.

10 MR. BARKER: Yeah. The transmission line, the  
11 transmission line is currently owned by PacifiCorp. And  
12 it's a mile away from the project. We've met with some of  
13 the big utilities.

14 We've met with PacifiCorp; we've met with the  
15 PacifiCorp CEO in Portland, you know, and talked to him  
16 about the project, talked upgrades, the upgrades that they  
17 would make on their system. We've talked to other  
18 utilities. And it's our understanding that an anchor tenant  
19 brings their line down into our project. And what it  
20 becomes is a resource upgrade on the existing line.

21 So as far as the transmission line, we're only  
22 bringing our transmission line down to the existing one.

23 MR. THOMPSON: So there's enough capacity;  
24 you've already spoken with them and there's --

25 MR. BARKER: There isn't enough capacity on  
26

1       that line. That's a 230 kV line.

2                   MR. THOMPSON: Okay.

3                   MR. BARKER: It's got a 300 megawatt capacity.  
4       So as anchor tenants come in -- say at PacifiCorp they come  
5       in and upgrade their own line.

6                   MR. THOMPSON: Okay. So you're going to be  
7       using their line. So you work with them on charges and so  
8       forth like that.

9                   And have you gotten a power purchase agreement?

10                  MR. BARKER: No.

11                  MR. THOMPSON: No.

12                  MR. BARKER: Couldn't even get a power purchase  
13       -- you couldn't even get a commitment without a license.

14                  MR. THOMPSON: Well, yeah.

15                  One of the things I want to -- I'm concerned  
16       about is moving forward with this project without having any  
17       destination for the power.

18                  MR. BARKER: Uh-huh.

19                  MR. THOMPSON: And then again also, the use of  
20       the transmission lines and so forth. And how many phases  
21       are you anticipating? You have four 250 megawatt  
22       generators. Are you planning on using all at once or phase  
23       one, phase two? How many phases are you anticipating?

24                  MR. BARKER: Bob, do you have any idea on that?

25                  I mean the construction, I would assume that  
26

1 they're going to bring all the turbines in and construct a  
2 project in one shot.

3 MR. HUZJAK: Bob Huzjak, H-u-z-j-a-k.

4 Yeah, we would construct a project in one shot.  
5 It makes no sense to build a small cavern and go out there  
6 again.

7 MR. THOMPSON: What's the anticipated fill time  
8 for your reservoirs?

9 MR. BARKER: The initial fill, we're looking at  
10 probably two, two years to fill them.

11 So what we'd do is we'd go in and we'd start  
12 working on the lower reservoir, excavating the tunnel  
13 entrance in to get to the cavern, and then probably start  
14 building the pipeline and build it at the lower dam's  
15 faster. So we could start filling during construction,  
16 because we're looking at about a four-year construction  
17 window. So I don't think that you would see a project like  
18 this come online before 2019.

19 MR. LAMARRA: This is Vince Lamarra with  
20 Symbiotics, L-a-m-a-r-r-a.

21 To answer directly your comment about power  
22 purchase agreement, there's two pieces to this. One is to  
23 enter into an agreement to buy energy because we need energy  
24 to pump the water uphill, essentially, and then to sell the  
25 peak power.

26

1                   Because of the sensitive nature of the  
2 negotiations that we're into right now, I can't specifically  
3 delineate who this energy's going to be sold to. But we  
4 actively understand the need to commercialize this project.  
5 But it's a Catch-22: We need a license to fully enter into  
6 an agreement. And yet you're asking that we deal with that  
7 issue up front. And they're sort of going hand in hand  
8 right now.

9                   I can't disclose because of the proprietary  
10 nature of the negotiations. I'd be happy to talk to you off  
11 the record about it, though.

12                   MR. THOMPSON: Okay.

13                   MR. LAWRENCE: Keith Lawrence, biologist with  
14 Ecosystems Research.

15                   And your question about the sage grouse, you  
16 know, one thing I may mention is that in the license  
17 application one of the proposals that we had was to develop  
18 a sage grouse protection mitigation plan, which presumably  
19 would be made a condition of the license, were it to be  
20 granted.

21                   And so obviously there's going to be more work,  
22 working with the agencies as we have, to develop that plan,  
23 which will interface with the strategic management plan --  
24 or however it's called -- you know, for the sage grouse  
25 that's just been developed.

26

1 MR. THOMPSON: So you're performing that?

2 MR. LAWRENCE: I don't know if I will be.

3 Right now I'm filling in for Nick Palazato, who was the  
4 biologist, you know, who put together the information that  
5 went into the license application and worked with the  
6 agencies. And so I don't know who that individual will be.  
7 It may not be me, but there will be somebody doing that.

8 MR. MC ABEE: This is Kevin McAbee --  
9 M-c-A-b-e-e -- with Fish & Wildlife Service.

10 And we have been working with Symbiotics along  
11 the way developing this mitigation plan along with them.  
12 And, you know, our office is fully aware that sage grouse is  
13 kind of a moving process right now. You know, there's new  
14 land use plans, there's new considerations. And so, you  
15 know, we're going to work with them to update what they've  
16 already prepared to go along with negotiations between  
17 state, federal, local agencies.

18 So I think that, you know, everyone understands  
19 it's kind of the moving target right now. It's definitely  
20 not something that we can say firmly because lots of  
21 negotiations are going on.

22 MR. THOMPSON: As long as they're working with  
23 -- that this requires state agencies to make sure that that  
24 issue is being addressed. That's one of our concerns, you  
25 know, moving forward with this project.

26

1                   MR. MC ABEE: Yeah. I think that's a great  
2 concern.

3                   MR. BUHYOFF: Okay. And actually -- this  
4 dovetails directly into what we want to talk about kind of  
5 working in the second session. We're going to go through  
6 all the issues that we've identified in our scoping resource  
7 by resource.

8                   So let's just take -- I'm not used to this dry  
9 Utah air, so I need a drink of water myself. So let's take  
10 just maybe a five-ten minute break.

11                  And then our scoping document will kind of  
12 guide our discussion next. So we'll just go resource by  
13 resource and talk about what we've identified. And then,  
14 you know, if you guys see any, you know, missing links like  
15 we've talked about, that's important information for us.

16                  Also, you know, if there are any -- we have a  
17 list of comprehensive plans that we've identified that might  
18 be applicable to some of it. If there are any, you know,  
19 such as this state plan that we haven't identified, that's  
20 also -- that will be good information for us to know what's  
21 out there.

22                  So let's take -- I have about 10:50 on my  
23 watch. Let's come back at 11:00. And it should just take  
24 another 35-45 minutes, and I can get you all out before  
25 lunch.

26

1 (Recess.)

2 MR. BUHYOFF: All right. On the record again.

3 All right. So the second part, you know, we  
4 talked about what FERC was, a little bit about the process.  
5 We talked about the proposed project itself.

6 So next I wanted to go -- you know, I think the  
7 best way to do this is we'll go through our scoping document  
8 kind of resource by resource. And if I haven't -- I'm  
9 sorry, I should have introduced Carolyn Templeton, who is  
10 also on the project team.

11 We work in multi-disciplinary teams when we're  
12 evaluating a project and then doing a NEPA document. So I  
13 do fisheries and water quality.

14 MS. TEMPLETON: For this project I will be  
15 doing recreation, land use, and aesthetics. But I do a  
16 bunch of different resources.

17 MR. BUHYOFF: Allen Mitchnick --  
18 M-i-t-c-h-n-i-c-k -- is also on our project team. Allen  
19 handles terrestrial resources.

20 And then Frank Winchell -- W-i-n-c-h-e-l-l --  
21 is our Tribal resource.

22 What we'll do is on page 12 of our scoping  
23 document we've developed a list of potential -- excuse me --  
24 developed a list of any issues, you know, we've discovered  
25 through -- in the pilot -- again, in the project record, in

26

1 the project application. And so I think that's a good way  
2 to kind of outline our discussion.

3 I'll go ahead and I'll start resource by  
4 resource. So we'll just go resource by resource. I'll go  
5 ahead and list off the bullet that, you know, that we've  
6 described. If anyone, you know, has anything to add, now  
7 would be a good time to add. If there's anything you want  
8 to discuss in that bullet, we can discuss it.

9 So geologic and soil resources. We identified  
10 the effects of the construction of the proposed dam,  
11 powerhouse, tail races, tunnels, emergency spillways,  
12 construction roads and transmission facilities on soil  
13 erosion and sedimentation.

14 Does anyone think there's -- Yes.

15 MR. WETZEL: Wayne Wetzell -- W-e-t-z-e-l --  
16 with the BLM.

17 Have you included in that -- I know you had an  
18 ongoing study regarding the fault and so forth. Make sure  
19 you include that in the geologic.

20 MR. BUHYOFF: Okay. So seismic issues.

21 MR. WETZEL: It will have some bearing on what  
22 they have to do in construction, too, and do whatever they  
23 might do.

24 MR. BARKER: It really determines whether the  
25 project is constructable, you know, because it does cross  
26

1 the Paunsagunt fault.

2 How far along is this study?

3 MR. LAMARRA: Justin, it's not going to  
4 determine whether the project can be built; it's going to  
5 determine how much it's going to cost to build the project.

6 MR. HUZJAK: Right. The project can be built.  
7 We're doing the study to evaluate is the fault active or  
8 inactive. And that defines how we design the facilities.  
9 So it's well underway. We completed a lot of the additional  
10 evaluations. There's a more detailed field work stage  
11 that's still yet to come.

12 MR. BARKER: Do you have an anticipated  
13 completion date?

14 MR. HUZJAK: No.

15 MR. BARKER: Okay.

16 All right. Anyone else regarding geology or  
17 soil?

18 (No response.)

19 MR. BUHYOFF: Hearing none, I'll move on.

20 Aquatic resources. The effects of  
21 construction-related accidental spills of fuel, lubricants  
22 on the water quality. We identified effects of  
23 construction-related erosion, sedimentation on water  
24 quality.

25 Operations and maintenance on groundwater.

26

1                   Lake evaporation on the salinity concentrations  
2                   at the project reservoirs.

3                   The effects of project operations on stream  
4                   flow and aquatic habitat in Otter Creek Reservoir, the east  
5                   fork in the Sevier River, and the main stem of the Sevier  
6                   River from its confluence with the east fork of the Sevier,  
7                   the point of diversion downstream of Piute Reservoir.

8                   The effects of project operations on the water  
9                   quality of Otter Creek Reservoir and east fork of the Sevier  
10                  River.

11                  And the effects of project-related fish  
12                  entrainment via the project intake in Otter Creek Reservoir.

13                  MR. WETZEL: Just one other thing.

14                  Are the ponds going to be artificially lined?  
15                  I know that you're trying to keep -- have evaporation taken  
16                  into account. Do you have seepage taken into account,  
17                  because it's two different basins? Do we have any  
18                  inter-basin transfer issues with micro-, macro-invertebrates  
19                  and that sort of thing?

20                  MR. BARKER: The upper reservoir we haven't  
21                  planned on lining. The lower reservoir, there's a lot of  
22                  alluvium in that lower basin. So we had planned on lining  
23                  it.

24                  The project isn't going to release water. So  
25                  it's really not technically an inter-basin transfer of  
26

1 water.

2 MR. WETZEL: Unless it leaks.

3 MR. BARKER: Yes, every --

4 MR. WETZEL: As in a thunderstorm event where  
5 it has to use the emergency spillway.

6 MR. HUZJAK: What is your question, leakage or  
7 spillage? I mean if you have a rainfall event then  
8 emergency spill would release the water to the same basin.  
9 So there's emergency spillways in the upper reservoir and --

10 MR. WETZEL: If the upper reservoir is full and  
11 you have a rainfall event up there, it's lower basin water  
12 in the upper reservoir. If it spills there then it goes  
13 into the Fremont system.

14 MR. BARKER: Yeah, but you could also just let  
15 water out of the upper reservoir down into the lower  
16 reservoir and then release it back into the Sevier because  
17 that's where the water --

18 MR. WETZEL: The question is do you have a  
19 programmable controller on your thing letting you know what  
20 the upper level is --

21 MR. BARKER: Oh, yes.

22 MR. HUZJUK: Yeah, it would all be automated so  
23 you would know exactly where your reservoir water levels are  
24 at all times.

25 MR. WETZEL: So you don't actually need a  
26

1 spillway up there.

2 MR. HUZJUK: Well, you need a spillway for dam  
3 safety in case you get a large flood over that tops the dam.  
4 It's required for dam safety.

5 MR. WETZEL: That's because you have no basin  
6 area, really, to collect water at the upper reservoir you  
7 don't anticipate that you'll ever need it.

8 MR. HUZJUK: No, you don't. But you have to  
9 have it because you have the design the dam for the probable  
10 maximum flood, which could mean several feet of rain over a  
11 very short period of time. So for dam safety it has to be  
12 included.

13 MR. LAMARRA: I think in this -- this is Vince  
14 Lamarra again.

15 I think in the license application or the draft  
16 -- I can't remember which one -- we were very cognizant of  
17 the Colorado River drainage, which is the top going east.  
18 And having worked in the Colorado River and knowing the  
19 issues, you have to deal with rare and endangered species --  
20 primarily the fish -- we thought -- honestly, we thought the  
21 major issue would be snowpack accumulation on the upper  
22 reservoir and how to monitor the volume of that water that  
23 would then have to be released from the upper reservoir to  
24 simulate that melting, so that we keep that water in the  
25 Colorado River basin and not have a trans-basin transfer.

26

1                   So we're really well aware of it. I don't know  
2 how we would elucidate that -- a water management plan or  
3 something like that that we could talk about how to do it.  
4 But these things are going to be so heavily monitored from  
5 an engineering standpoint -- primarily because of the  
6 failure of some dams back east -- that were not closed  
7 basin. They were open basin, so they just kept pumping up  
8 on the top and would overflow to the upper reservoir.

9                   We can't do that here. There's more capacity  
10 in each reservoir than the whole water in the system.

11                  MR. WETZEL: I don't know that there's any  
12 impact associated with it. I just know that it wasn't on  
13 the list of things that I want to make sure it was brought  
14 up.

15                  MR. BUHYOFF: Okay. That's very helpful.

16                  MR. MONROE: Harry Monroe. I'm with the  
17 Division of Water Rights here in the Richfield office.

18                  My questions -- I need to hear a little bit  
19 more about where you're going to acquire the water rights  
20 for this project from. You talked a little bit about  
21 increasing efficiencies and basing the water acquisition on  
22 those efficiencies.

23                  As a rule of thumb, increased efficiencies does  
24 not allow you to increase your depletion amount.

25                  What's your plan on acquiring this water? A  
26

1 one-time fill I can understand on a temporary change. But  
2 you're talking an 800 acre-foot requirement on a yearly  
3 basis for your evap and seepage.

4 MR. BARKER: Uh-huh.

5 MR. MONROE: That would be considered 100  
6 percent depleted water. So you're going to be looking  
7 somewhere in the neighborhood of 1200 acre-feet of water  
8 you'd have to come up with on an annual basis.

9 MR. BARKER: I'm going to let Dick answer this  
10 one.

11 (Laughter.)

12 MR. CUMISKEY: My name is Dick Cumiskey and I  
13 represent the Brookland Canal Company.

14 The plan would be, in talking with Kurt  
15 Fordwick, that Brookland Canal would literally transfer some  
16 unknown number of shares to the company for annual  
17 replenishment.

18 MR. MONROE: Okay. And along with that would  
19 be identified acreage, irrigated acreage going dry.

20 MR. CUMISKEY: Not necessarily, Terry. We are  
21 looking at piping and pressurizing the Brooklyn canal  
22 system, which would eliminate our loss due to saturation and  
23 evaporation.

24 MR. MONROE: I understand that.

25 MR. CUMISKEY: And that savings could be --  
26

1                   MR. MONROE:  However, that does not allow you  
2                   to increase your consumption used.  If you're taking 1200  
3                   acre-feet of water out of your system, that would require  
4                   400 acres to go dry.

5                   MR. CUMISKEY:  It would require some unknown  
6                   quantity of water to be withdrawn from the acreage.

7                   MR. MONROE:  It would have to be dry.

8                   MR. CUMISKEY:  I think we're saying the same  
9                   thing two different ways.

10                  MR. MONROE:  Okay.  We're interested in seeing  
11                  your proposal.

12                  MR. BUHYOFF:  I should note that we won't issue  
13                  a license unless the project proponent has all necessary  
14                  rights and certifications.  So that's not something that,  
15                  you know, FERC gets involved in generally.

16                  MR. MC ABEE:  Matt, this is Kevin McAbee again.  
17                  We have been working with the project applicant  
18                  to develop a potential settlement agreement for some aquatic  
19                  resource issues that may not necessarily fit the licensing  
20                  application.  I was wondering if you could speak to what  
21                  schedule you'd like to see for drafts and finalization for  
22                  that type of agreement.

23                  MR. BUHYOFF:  Yeah.  Generally, you know, we  
24                  look favorably on settlement agreements.

25                  You know, that being said, in order for us to  
26

1 make any licensing decisions, you know, we need to analyze  
2 the, you know, conditions of that settlement agreement in  
3 our NEPA document. So, you know, I think preferably by our  
4 REA stage.

5 MR. MC ABEE: To have a signed settlement  
6 agreement between the parties.

7 MR. BUHYOFF: Correct.

8 Now, you know, like I said, the TLP, it is a  
9 little bit more flexible of a process. So, you know, if you  
10 guys are making headway, I think that would be something we  
11 could talk about in terms of, you know, holding the process.  
12 But --

13 MR. MC ABEE: So estimated around February  
14 2013, based on your slide?

15 MR. BUHYOFF: Right.

16 MR. MC ABEE: Okay.

17 MR. BUHYOFF: And that's again assuming -- we  
18 do have some AIRs out, which I think are due back to us in a  
19 couple weeks. And we only go forward with the REA once we  
20 have the complete application. So we still need to evaluate  
21 the AIRs to make sure that they meet our needs to go forth  
22 with that REA.

23 MR. MC ABEE: Okay.

24 MR. BUHYOFF: So, you know, these are all  
25 estimated times right now. They're the best case scenario.

26

1                   MS. TEMPLETON: Could I say one other thing  
2 about settlement agreements?

3                   MR. BUHYOFF: Sure. Yeah, definitely.

4                   MS. TEMPLETON: And I don't know if you've  
5 worked on FERC projects before, so you might already be  
6 familiar with what I'm going to say. But FERC can only  
7 regulate and require a licensee to do something.

8                   So if there's any part of a settlement  
9 agreement that, you know, requires Fish & Wildlife Service  
10 to do something on behalf of the project, we wouldn't be  
11 able to incorporate that as part of the license for the life  
12 of the applicant. So I'm sure you're aware of that; but  
13 just for other people's knowledge as well, we can only  
14 require things in a license that are applicable to the  
15 applicant only.

16                  MR. BUHYOFF: Anyone have any other issues? We  
17 talked about, you know, basin transfer of water, there may  
18 be spillage. And aquatic resources. Anything else that  
19 maybe we just missed the boat on?

20                  MR. MC ABEE: I think on your fifth bullet  
21 here, effects of project operations on stream flow and  
22 habitat, I think another comma in the actual organisms that  
23 use that habitat.

24                  MR. BUHYOFF: Okay.

25                  MR. MC ABEE: I'm pretty sure that's in the  
26

1 license application already, but just to kind of make that  
2 bullet a little more complete.

3 MR. BUHYOFF: Okay.

4 All right. I guess we'll move on. You want to  
5 hear someone else.

6 MS. TEMPLETON: So let's move on to terrestrial  
7 resources. And I will read through the bullets as Matt did  
8 earlier, and then we can touch back and discuss the ones  
9 that you want to add to or think are not necessary.

10 Effects of the temporary and permanent loss of  
11 about 650 acres of shrub steppe, woodland, riparian and  
12 emergent wetland vegetation on local wildlife species.

13 Effects of the project on crucial summer and  
14 winter range for mule deer, elk and pronghorn, and movement  
15 patterns.

16 Effects of noise and increased human activities  
17 during construction on local wildlife populations.

18 Effects of the potential introduction or spread  
19 of non-native invasive plant species from project  
20 construction, operation and maintenance.

21 Effects of the proposed transmission line on  
22 birds, including collisions or electrocutions and increased  
23 predation.

24 MS. CHI: I have a question about that one.  
25 This is Renee Chi.

26

1                   I was wondering, is it just taking into account  
2                   the proposed transmission line to the existing line, or does  
3                   the analysis also include the need for upgrading the current  
4                   kV line?

5                   MR. BUHYOFF: It would also -- it would include  
6                   anything that the project action involves. So in this case  
7                   if the project action includes upgrading that line, it would  
8                   include that as well.

9                   MS. CHI: Okay.

10                  MS. TEMPLETON: Effects of maintenance  
11                  activities, such as road maintenance, transmission line  
12                  maintenance and rights-of-way vegetation management and  
13                  project-related recreation on wildlife habitat and wildlife.

14                  Effects of project construction, operation and  
15                  maintenance on the Bicknell milk vetch, pygmy rabbit, and  
16                  other special status plant and animal species.

17                  And finally, effects on proposed management of  
18                  about 1300 acres of wildlife mitigation lands on vegetation  
19                  and wildlife.

20                  So I know that was a lengthy list, but I'll  
21                  give you all some time to look back on them. And please  
22                  discuss anything that you want to talk about further in  
23                  terms of issues or things we may have missed under  
24                  terrestrial resources.

25                  MR. BUHYOFF: And also going back to your  
26

1 comment, if it would be -- we could also just point that out  
2 specifically, maybe after the proposed transmission line,  
3 including the upgrade.

4 MS. CHI: That would be great.

5 MR. BUHYOFF: That would be a good addition.

6 MR. MC ABEE: Kevin McAbee again.

7 I think, to get to what Renee had asked before  
8 the break, I think we also need to consider the effects of  
9 noise not only during construction, but also during  
10 operation for both the pump house from Otter Creek and from  
11 the powerhouse. And if that, you know, truly is negligible,  
12 that should be a pretty easy additional analysis.

13 MS. TEMPLETON: Anybody else have any items  
14 that they want to raise to light?

15 (No response.)

16 MS. TEMPLETON: Okay.

17 Let's move on to threatened and endangered  
18 species. There's two bullets under this item that we listed  
19 as possible issues.

20 The effects of project construction, operation  
21 and maintenance on the federally-listed Utah prairie dog,  
22 which is threatened, and its habitat.

23 And the effects of project construction,  
24 operation and maintenance on greater sage grouse -- which is  
25 a candidate species -- brood-rearing habitat and known leks.

26

1 I think we've talked --

2 MR. BUHYOFF: Yeah.

3 MS. TEMPLETON: -- quite a bit on the sage  
4 grouse and the terrestrial resources. So I'm not sure if  
5 there's anything else we want to bring up.

6 MS. CHI: You might want to mention, rather  
7 than just specifying brood-rearing habitat, all seasonal  
8 habitats. Because this makes it sound as if you're just  
9 focusing on impacts to brood-rearing and impacts to other --

10 MR. THOMPSON: Yeah, because there are  
11 migration pathways and winter habitat, summer habitat that  
12 they deal with.

13 MS. TEMPLETON: Great. Thank you.

14 MR. MC ABEE: Yeah. Fish & Wildlife Service  
15 will be submitting some more comments on that, as I alluded  
16 to before the break on kind of our updated management plans  
17 for sage grouse and how those are ongoing. And we don't  
18 have to get into all those specifics currently because we'll  
19 file those on the record.

20 I do think FERC and Fish & Wildlife Service may  
21 want to have a conversation about the Endangered Species Act  
22 consultation for this project. These are the only two  
23 species of concern to my knowledge right now.

24 Utah prairie dog, it's my understanding all the  
25 impacts are going to be to historical habitat, so that's a

26

1       pretty easy consultation.

2                       With sage grouse being a candidate species,  
3       that would be a different process than our true biological  
4       opinion.  Because it's a candidate, we would be going  
5       through a conference opinion.  So we may just want to touch  
6       base on timelines with that and how your office wants to  
7       proceed.

8                       MR. BUHYOFF:  Sure.  We'll be available for it.  
9       Thank you.

10                      MS. TEMPLETON:  Anything else under T&E?

11                      (No response.)

12                      MS. TEMPLETON:  Okay.  Moving along, I might as  
13       well keep talking since this is my resource.

14                      (Laughter.)

15                      MS. TEMPLETON:  We've lumped all -- the next  
16       couple ones all together:  recreation, land use and  
17       aesthetics.

18                      Effects of project construction and operation  
19       on public access and recreational opportunities, including  
20       off-highway vehicle use, hunting, fishing, boating, camping,  
21       gold-panning, photography, hiking, horseback riding,  
22       snowmobiling and skiing in the project area.

23                      Did I miss anything under that list?

24                      (No response.)

25                      MS. TEMPLETON:  Adequacy of proposed public  
26

1 access and recreational facilities within the project area  
2 to meet future recreational demand.

3 Effects of project construction activities on  
4 existing roads, including improvements to existing jeep  
5 trails.

6 And effects of project construction and  
7 operation, including the new transmission line, on visual  
8 resources in the project vicinity.

9 MR. WETZEL: Wayne Wetzel.

10 The road that goes up over the hill and down  
11 into the lower reservoir, I'm assuming that it's going to be  
12 re-routed around the reservoir and it's going to be left as  
13 a continuous road, or is that not the case?

14 MR. BARKER: I don't think we had ever planned  
15 on re-routing the road around it. I mean I guess it's a  
16 possible --

17 MR. WETZEL: So it would be two dead-ends  
18 coming up to the project boundary?

19 MR. BARKER: I think so. Because, you know,  
20 one of the things is you're going to have to probably fence  
21 the whole reservoir, you know, and then with water  
22 fluctuating 100 feet on a daily basis, you know, giving a  
23 lot of public access or just the potential for people to hop  
24 the reservoir, get in, you know, slip, fall, hurt  
25 themselves, and it becomes liability.

26

1                   So, you know, we haven't really talked about,  
2                   you know, connecting that road.

3                   MR. WETZEL: I just bring it up because it  
4                   connects through now and there will be some local hunters  
5                   and bird watchers and others that traditionally use that  
6                   road that will probably raise some objections about that.

7                   MR. LAMARRA: I think that's a fair analysis,  
8                   actually. I mean I could imagine during construction  
9                   there'd be some limitation.

10                  But I don't think there's -- we really need to  
11                  fence the reservoirs, I believe, from a safety standpoint.  
12                  But there might be some observation points, a parking lot  
13                  adjacent to the access tunnel where people could -- I would  
14                  tend to believe that we're probably going to have to be --  
15                  have a fairly secure facility. This is a very big project.  
16                  And it's going to be an infrastructure project.

17                  And so I think from a security standpoint it's  
18                  just going to be equivalent to any other reservoir. So that  
19                  being said, I think there's some opportunity there to have  
20                  joint access, yes. But we should do the analysis.

21                  MR. BUHYOFF: Yeah.

22                  MR. LAMARRA: It's a fair question.

23                  MR. THOMPSON: Perry Thompson with the Office  
24                  of Energy.

25                  My experience is if you don't connect those  
26

1 roads they're going to do it themselves. So, you know, how  
2 you want to have that environmental impact, assess that or  
3 deal with it, you know, I think that's something that would  
4 be a concern that you probably should address.

5 MR. BARKER: It would be pretty hard to connect  
6 them because they'd be going through junipers.

7 MR. THOMPSON: People find a way.

8 MR. BARKER: Yeah, that's true. That's very,  
9 very true. It could become maybe possibly a project  
10 mitigation to connect that road, that the roads back off,  
11 you know, parking areas so people can actually see it; put  
12 an interpretive sign there.

13 MR. THOMPSON: Yeah.

14 MR. BARKER: Something like that.

15 MS. TEMPLETON: For clarification purposes,  
16 does that particular road that you're referencing have a  
17 name?

18 MR. WETZEL: It probably has a number. I don't  
19 have it. You know, we went through the resource management  
20 plan process and the travel management process. And it has  
21 a route number but I don't know what it is right off the top  
22 of my head.

23 MS. TEMPLETON: Okay.

24 MR. WETZEL: But it does go right through the  
25 middle of the lower reservoir.

26

1 MR. MC ABEE: Kevin McAbee again.

2 On the second bullet we have proposed public  
3 access and recreational facilities within the project. Are  
4 there actually any recreational components to this? I  
5 didn't think anybody was going to be allowed on the  
6 reservoirs or anything.

7 MR. BARKER: No. No, they won't be allowed on  
8 the reservoirs. No, they'll be fenced.

9 MR. MC ABEE: Okay.

10 MR. BARKER: That -- Therein lies the issue,  
11 you know, of providing a lot of public access. It becomes a  
12 big liability.

13 MR. BUHYOFF: You had proposed a parking lot  
14 and picnic area.

15 MR. BARKER: Yeah, down by the highway.

16 MR. THOMPSON: Perry Thompson.

17 How tall is this fence, just out of curiosity?

18 MR. LAMARRA: As big as we can make it.

19 MR. THOMPSON: Well, I mean that's the stuff  
20 we've been getting at because you do have some animal life,  
21 elk and deer that would probably want to get in there  
22 somehow, some way. And so you have to have a fence at  
23 least, you know, six, six to some-eight feet tall.

24 MR. BARKER: See, and I was thinking more on  
25 the order of magnitude something that you would find in

26

1 Draper or Gunnison to keep out kids.

2 MS. CHI: And you guys are also analyzing  
3 potential impacts of collision, bird collisions with the  
4 fence around the reservoirs?

5 MR. LAWRENCE: I don't think that's been raised  
6 as an issue.

7 MR. BARKER: No, it hasn't been raised.

8 MS. CHI: Or bats.

9 MR. LAWRENCE: Because I don't think they  
10 really know how high the fence is going to need to be.

11 MS. CHI: I would think it would be maybe even  
12 a bigger issue for bats than it would be for birds.

13 MR. LAWRENCE: Well, that's something that we  
14 could wrap, too, into the bat protection mitigation plan,  
15 which is another one of the plans, you know, at that time.  
16 I don't think that's been considered, really, but would be  
17 an issue, obviously, because they might be foraging for  
18 insects that would be up above the water surface.

19 MS. TEMPLETON: We can add that under  
20 terrestrial resources as well, the effects of the fence  
21 height, proposed fence height on wildlife and bird --  
22 possible bird collisions.

23 MR. WETZEL: There is a water hole right now at  
24 the lower reservoir site. Are we going to be planning any  
25 offsite water hole to replace that one that's there?  
26

1                   MR. BARKER: Is that water hole that's there,  
2 is that BLM for cattle leasing?

3                   MR. WETZEL: Yeah. I think there's probably a  
4 permittee there. And if there's water there, they use it;  
5 if there isn't water, of course they don't.

6                   MR. BUHYOFF: So just to clarify, there is a  
7 water hole in the footprint of the reservoir currently?

8                   MR. WETZEL: On the lowest part of the lower  
9 reservoir right now is a water hole.

10                  MR. BUHYOFF: Okay. So I would probably add a  
11 bullet saying the effects of, you know, displacement of or,  
12 you know, absence of -- or like that -- that water hole.  
13 That's an important bullet item to consider.

14                  MS. TEMPLETON: And it's used strictly for  
15 cattle?

16                  MR. BARKER: Yeah. It's probably --

17                  MR. WETZEL: Deer and elk use it, too, so  
18 wildlife.

19                  MR. BARKER: But it dries up by July, usually.  
20 It was dry last year and the year before.

21                  MR. WETZEL: It just depends on rainfall,  
22 snowfall, and a whole bunch of other factors whether there's  
23 water in it. But when there is water in it, they use it.

24                  MS. TEMPLETON: Anything else under recreation,  
25 land use and aesthetics?

26

1 (No response.)

2 MR. BUHYOFF: Okay. I'll do the cultural  
3 bullet.

4 Effects of project construction and operation  
5 of the proposed project on historic, archeological and  
6 traditional cultural resources that may be eligible for  
7 inclusion in the National Register of Historic Places.

8 And similarly, in socioeconomics we have:

9 Effects on local Tribal and regional economies  
10 of project development -- effects of proposed production,  
11 mitigation, enhancement measures on project economics.

12 So anything within those three categories that  
13 we might have missed?

14 (No response.)

15 MR. BUHYOFF: Okay. Good.

16 Two other things that I'll point out.

17 On page 16 we identify a geographic scope for  
18 our NEPA document. Geographic scope just simply defines,  
19 you know, the area that we'll be analyzing. And it can  
20 change for different resource areas. We've made a stab at  
21 the geographic scope for aquatic resources, for cumulative  
22 effects, but we haven't identified the geographic scope for  
23 other resources at this time.

24 And so on that last sentence under Section 4.12  
25 you can see that we're currently seeking comments and

26

1 recommendations on geographic scope for other resource  
2 areas. So, you know, if you have an idea now you can  
3 certainly share that, or, you know, if it's something you'd  
4 like to file with us in writing, I guess we would appreciate  
5 any help from you folks on, you know, narrowing down a  
6 geographic scope for our NEPA analysis.

7 MR. CUMISKEY: I think you've got an error in  
8 there, in 4.1.2, the second paragraph. You have 68,000 foot  
9 long-fill pipeline. It's really 6800 feet, 6,800.

10 MR. BUHYOFF: Oh. Okay.

11 MR. WETZEL: Are we sure about that? That's  
12 just a little over a mile, 6800 feet.

13 MR. BARKER: Yeah, it's like 13 --

14 MR. WETZEL: It's like 13 miles.

15 MR. BARKER: It's almost 13 miles. So 13 miles  
16 would be 60-some thousand.

17 MR. BUHYOFF: So the fill pipeline is just a  
18 little over a mile?

19 MR. WETZEL: No, it's like 13 miles.

20 MR. BARKER: No, it 68,000 feet.

21 It just seems like an awfully big number when  
22 it should be 13 miles.

23 (Laughter.)

24 MR. BUHYOFF: I believe that pretty much goes  
25 through the issues, you know, that we were looking to scope

26

1 for at this point.

2 So I'll throw it out to you guys, if there's  
3 anything, you know, any other questions you have to ask, any  
4 other issues, we can talk about those now. And if not, we  
5 can conclude the meeting and send you guys to lunch.

6 And like I said, this isn't your only  
7 opportunity to comment. You can file written comments with  
8 us if you need some time to digest the information today.  
9 That's also a possibility.

10 (No response.)

11 MR. BUHYOFF: Any questions?

12 (No response.)

13 MR. BUHYOFF: All right. Well, I'll go ahead  
14 and close this meeting and take our communications off the  
15 record and get our court reporter off the hook for the time  
16 being.

17 And, yeah, thank you so much. We're going to  
18 have more of a public-oriented meeting tonight at six. It  
19 will be pretty much the same --exactly the same information  
20 we went through tonight. So you're more than welcome to  
21 attend, but if you don't feel like doing it again, I don't  
22 blame you.

23 So thank you so much for coming here. I have  
24 business cards if you'd like my contact information. I'm  
25 more than happy to answer any questions about the process or  
26

1 anything else I can help out with.

2 (Whereupon, at 11:38 a.m., the scoping meeting  
3 in the above-entitled matter was adjourned.)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25