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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects
Division of Hydropower Licensing

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PacifiCorp Energy : Project No. 2337-076-Oregon
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PROSPECT NO. 3 HYDROELECTRIC PROJECT, P-2337

Ramada Medford & Cnf Center
Rogue Conference Room
2250 Biddle Road
Medford, Oregon 97504
Tuesday, September 24, 2013

The public scoping meeting, pursuant to notice, convened
at 7 p.m., before a Staff Panel:

DIANNE RODMAN, Project Coordinator, FERC

with:

STEVE ALBERTELLI, Pacificorp

1 A T T E N D E E S

2 Dianne Rodman, FERC

3 Sean W. O'Neill, FERC

4 Kelly Wolcott, FERC

5 Matt Cutlip, FERC

6 John Matkowski, FERC

7 Michael Tust, FERC

8 Carolyn Clarkin, FERC

9

10 Steve Albertelli, PacifiCorp

11 Monte Garrett, PacifiCorp

12 Peter Sukraw, PacifiCorp

13 Kaylea Foster, PacifiCorp

14

15 Mary Graineey, OWRD

16 Ann Reece, OWRD

17

18 Peter Tronquet, Native Fish Society

19 John Ward, Rogue Flyfishers

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

2 MS. RODMAN: Welcome to the scoping meeting for
3 the Prospect No. 3 relicensing. Prospect No. 3 is known by
4 the Commission as P-2337, and that's an important number to
5 remember if you're using our computer system or if you're
6 going to file paper comments on scoping, their pre
7 application document, which is PAD; or the scoping document
8 itself, or if you were going to be filing study requests.

9 MR. WARD: Excuse me. I wonder if you could
10 identify yourself, please.

11 MS. RODMAN: Thank you. We've been out at the
12 project all afternoon, and I'm tired. So --

13 MR. WARD: I understand.

14 MS. RODMAN: I am Dianne Rodman, I'm the
15 coordinator for the Commission's license process for
16 Prospect No. 3. I'm a terrestrial biologist out of
17 Washington, D.C.

18 MR. WARD: You work for FERC?

19 MS. RODMAN: Yes.

20 MR. WARD; Thank you.

21 MS. RODMAN: We have a lot of FERC people here
22 today.

23 Let's see. Hiding in the very back, we have Matt
24 Cutlip, our senior fishery biologist, out of Portland. Then
25 we have Kelly Wolcott, terrestrial biologist; Sean O'Neill,
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1 engineer; John Matkowski, fishery biologist; Mike Tust, also
2 fishery biologist, and Carolyn Clark, an attorney for the
3 project.

4 A lot of these people are really here for
5 training, to see a hydro project, to see how a scoping
6 meeting is run. Some of us, however, will be working with
7 the project for the next five or so years; however long it
8 takes to get a Commission decision.

9 Matt is the only person who is based in Oregon;
10 the rest of us are based in Washington, D.C. And the
11 documents that we issue on this project such as the scoping
12 document will have my name, my phone number and my e-mail
13 address. If you wanted to talk to anybody else, like if you
14 wanted to talk about engineering or fish or cultural
15 resources, get in touch with me and I'll steer you to the
16 correct person on our staff, okay?

17 Also, we have -- oh, before I even get to the
18 licensee, I would like to introduce Dan Hawkins, our court
19 reporter. Dan will be producing a transcript of tonight's
20 meeting, as he worked on this morning's meeting. One of the
21 things about having a court reporter here means that when
22 you speak at least the first couple of times, please
23 identify yourself so that he will be able to attribute your
24 comments to the correct person in the transcript.

25 If you for some reason want to read the
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1 transcript in the next say ten days, two weeks, something
2 like that, you could talk to Dan after the meeting, he will
3 give you the contact information for his company, and you
4 can buy it, paying a reproduction fee. However, in about
5 two weeks, I'd say, the Commission will put the transcript
6 on our website, and there's no charge for viewing it or
7 downloading it or printing it.

8 Now, PacifiCorp. Steve.

9 MR. ALBERTELLI: I'm Steve Albertelli, I'm the
10 relicensing project manager for Prospect No. 3. We have
11 some other members of the company that will be here shortly;
12 they got held up. Monte Garrett, another terrestrial
13 biologist, and our resource coordinator will be here, Kaylea
14 --

15 MR. WARD: He worked on the North Umpqua project
16 here.

17 MR. ALBERTELLI: He did, that's correct.

18 Kaylea Foster, our aquatic scientist will be
19 here, and Pete Sukraw, the director of what we call Hydro
20 South; and the production manager for the Prospect project
21 will be here as well.

22 And here they are. [Participants arriving]

23 I just introduced you guys.

24 MS. RODMAN: I'd remind everybody that we do have
25 a sign-up sheet at the door, as well as copies of the

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1 scoping document. And I did ask in that sign-up sheet if
2 anyone wanted to present comments at this time; and once I'm
3 pretty sure that we've gotten the last few people on the
4 sign-up sheet, I'll go get it so that we'll be able to let
5 you talk. But we have a bunch of things to get through
6 first.

7 First of all, if you received a copy of the
8 scoping document in the mail but you're not on the list of
9 recipients in the back of the scoping document, that means
10 that you're not on the mailing list and you won't receive
11 further paper copies of documents. So if you do want to
12 continue to receive paper copies, we have instructions on
13 how to get on the mailing list in -- on the second page, the
14 cover memo of the scoping document.

15 The best way to stay informed about the
16 relicensing, however, is to eSubscribe. eSubscribing is a
17 mechanism by going to the Commission's website:
18 www.FERC.gov -- and whenever either an incoming or an
19 outgoing document hits our files, you would get an e-mail
20 saying that PacifiCorp filed something; the Commission
21 issued something; Oregon Department of Fish & Wildlife
22 issued something -- something like that. And it would have
23 a hyperlink that you could click that would take you
24 straight to the document in our files.

25 So eSubscribe is a totally wonderful thing. And
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1 since we are working on an Integrated Licensing Process
2 proceeding, it would be extremely valuable, because there
3 are certain dates that are very port, and it's much better
4 to find a public notice that sets those dates the day that
5 it's issued rather than wait a week or so to have a paper
6 copy reach you.

7 If you do, let's see. One thing you need to, if
8 you haven't worked with our computer system before, they'll
9 ask for a docket number, and that would be: P-2337. It
10 doesn't particularly care whether you have a capital p or a
11 lowercase p, but p-2337, to get to that project.

12 We had the site visit at 1 o'clock this
13 afternoon; we had a bunch of people in hiking boots and
14 muddy jeans. So the Commission staff and the agencies, and
15 anybody who had wanted to attend, we visited pretty much as
16 much of the project as is easily accessible.

17 This is a scoping meeting, and by 'scoping' what
18 we mean is we're trying to get a handle on what the issues
19 are that will factor into the Commission's eventual decision
20 on this hydroelectric project; which ones are big issues,
21 which ones are small issues, which ones seem to be a problem
22 but aren't really.

23 We'd like to get an idea of what information
24 might be out there that PacifiCorp or the Commission did not
25 know about, and we'd also like to get your opinions on the
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1 magnitude of the various issues that we'll talk about, and
2 any that we've missed.

3 You can file written comments; you don't have to,
4 if you're uncomfortable with public speaking or you go home
5 and you think of something that "Dang, I wish I'd said that,
6 that was really insightful and trenchant and they needed to
7 hear it." You can provide written comments for the next 30
8 days to the Commission. There are instructions for how to
9 file written comments in the scoping document, and I'm not
10 going to hold you up while I stumble through this. I wish
11 I'd had some coffee.

12 Do you have any questions? I am tired, and there
13 are many things I have forgotten that you don't know or that
14 you need to know.

15 MR. WARD: Are there changes to the project from
16 where it is today?

17 MS. RODMAN: No. Actually, I'm going to have
18 PacifiCorp describe their project and their proposal, which
19 is going to be the next item on the agenda.

20 Steve, would you like to --

21 MR. ALBERTELLI: Certainly. In the list of
22 things that we've forgotten since we began at 9 o'clock this
23 morning or earlier for some of us, our equipment for the
24 PowerPoint presentation, it's still at Prospect.

25 So I have the presentation here on paper if you
26

1 want to come move up closer; I don't know it will help. I
2 can show these. Can you see them from where you are.

3 MR. WARD: No, I thought you'd just hold up
4 slides.

5 (Laughter)

6 MR. ALBERTELLI: Exactly. Hold them up to the
7 light.

8 MR. WARD: Well, that's optional.

9 MR. ALBERTELLI: Yes, we could. If you want, I
10 can hold these up. We have some photos, but I can mainly
11 describe the project to you if you have any specific
12 questions. I can show you the photos after. Many of the
13 photos came directly from the pre application document.

14 The Prospect project No. 3 project is primarily
15 to the east of the town of Prospect, so approximately 45
16 miles from Medford, 30 miles from the south gate of Crater
17 Lake National Park. It's primary accessed from the Butte
18 Falls-Prospect Highway. There are portions of the project
19 that are on the Rogue River-Siskiyou National Forest.
20 Primarily the Diversion Dam and the first 4,000 linear feet
21 of the flow line, the woodstave flow line.

22 And the surrounding area is primarily dominated
23 by timber operations. PacifiCorp owns the remainder of the
24 land that's not on Forest Service property, and our
25 neighbors outside of our property line and outside of the
26

1 existing FERC boundary are timber operators, and there is a
2 fair amount of clear cutting and live timber operation in
3 the area.

4 There is beyond just the standard diversion dam -
5 waterway structure and powerhouse, the transmission line
6 that runs from the powerhouse, from the generating unit to
7 the Prospect central substation is within the FERC boundary.
8 It's approximately seven miles of a 69-kilovolt line.

9 So we'll go through -- I'll give you a short
10 project overview and then we'll go through some of the
11 project facilities from upstream to downstream. The project
12 itself was constructed in 1931 and put into service in April
13 of 1932. We have a water right of 150 cfs from the South
14 Fork Rogue that again is diverted by the South Fork Rogue
15 Diversion Dam. This is a run-of-river project; there's no
16 significant storage capability, so the water is coming from
17 the river through the waterway system, through the
18 powerhouse, and ultimately returned to the river. We'll get
19 into the details of that in a minute.

20 The waterway is about 16,000 feet long, and the
21 waterway primarily runs across the plateau that's between
22 the South Fork and the Middle Forks of the Rogue. The
23 powerhouse itself is on the South bank of the Middle Fork
24 Rogue; but water in general and under normal operating
25 conditions is not returned to the Middle Fork at that point.

26

1 The generating unit itself, it's a 47-inch
2 diameter, 10,000 horsepower vertical shaft Francis turbine,
3 under 693 feet of net head. The project is a 7.2 megawatts
4 generating unit under the 150 cfs that we have available.
5 We mentioned already the transmission line which is a part
6 of the project. The current license that we're operating
7 under now was issued in January of 1989, and our current
8 license expires December 31st of 2018.

9 MR. WARD: Of 2013?

10 MR. ALBERTELLI: 18. It's a 30 year license.
11 The license, like I said, was issued in January of 1989, but
12 it was effective the first day of the month. So it
13 therefore expires on the last day of December.

14 The Diversion Dam itself, it's a concrete
15 facility, it's 172 feet long, 24 feet high. There's a 98-
16 foot, uncontrolled ogee, as any spill that goes over the dam
17 exits into the South Fork Rogue itself.

18 The impoundment upstream of the dam is about one
19 acre, and about ten acre-feet of capacity, at least in the
20 design of that facility. What it is now may be another
21 story because of sediment that's filled in there.

22 The elevation of the crest of the dam is at 3,375
23 feet; so we have, from top of the project to bottom of the
24 project at the substation, there's about an 800-foot
25 difference in elevation.

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1 There at the Diversion Dam, we have fish passage
2 facilities, both upstream and downstream. The upstream
3 facility is a 15 pool, 86-foot long fish ladder. It's a
4 weir ladder. It has one switchback, so at pool 6 it turns
5 and goes back up the dam. And then there are two exits from
6 the ladder into the South Fork Rogue above the diversion.

7 The downstream fish passage structure is a fish
8 screen; it's an incline plane screen that has -- the
9 wedgewire is a quarter inch, and it has a surface area of
10 about 200 square feet. From the screen, fish that are
11 screened out of the waterway, out of the project canal
12 system, are returned to pool 6; there at the switchback in
13 the fish ladder, and then returns to the downstream side of
14 the South Fork Rogue.

15 From project waters that pass the fish screen
16 then enter a 66-inch diameter woodstave pipeline, this is an
17 original project facility from the 1930s. The woodstave
18 runs for approximately a mile before it enters an open
19 concrete canal. The woodstave is on the north side of the
20 South Fork Rogue in the canyon there. It starts very low,
21 immediately adjacent to the river, and then kind of ascends
22 the canyon and exits at the top of the plateau.

23 There are two wildlife underpasses under the
24 woodstave that allow habit connectivity for wildlife going
25 back and forth on that canyon. Once project waters enter
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1 the open concrete canal section, they run for approximately
2 another mile, 5800 feet through that open canal section.
3 The canal is fenced, so wildlife are not entrained in the
4 canal; it's fenced for the entire length of that open
5 section. And there are six wildlife crossings on the canal,
6 open canal section that allow habitat connectivity, and
7 specifically big game to pass back and forth.

8 As I mentioned, that portion of the waterway is
9 on a relatively flat upland plateau between the Middle and
10 South Forks, and once the project waters reach the terminus
11 of the open canal section, there is a short tunnel section
12 that it passes through. The tunnel is 5 foot wide by 6.5
13 feet high and 700 feet long.

14 When water exits this short tunnel section, it
15 returns to open canal and to what we call the forebay, but
16 the forebay is just an expanded section of the canal, a
17 little wider, a little higher. And that transition, this
18 canal-to-penstock transition, is 416 feet long.

19 Before project waters pass into the intake
20 structure and into the penstock, there is a side channel
21 spillway there at the forebay that provides for overflow,
22 and if there's -- as we learned a lot about today, a unit
23 trip or any other number of maintenance actions that would
24 cause water to surge or back up above the penstock. It
25 would discharge to the side channel spillway; that's
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1 approximately 2500 feet long, and ultimately discharges to
2 Daniels Creek to the northeast of the project waters.
3 Daniels Creek is ultimately tributary to the Middle Fork,
4 just upstream of the powerhouse.

5 So after the project waters enter the intake
6 structure at the end of the forebay, they go through the
7 penstock; penstock is steel, 66 to 58 inch diameter and
8 3,254 feet long. This penstock is on the south side of the
9 Middle Fork canyon. And there are, similar to the woodstave
10 flow line, there are wildlife underpasses under the penstock
11 as well; there are five of them that allow for habitat
12 connectivity and wildlife movement.

13 At the terminus of the penstock is the
14 powerhouse, the whole reason the project exists in the first
15 place. There is a single generating unit, as I mentioned,
16 that has 7200 kilowatt capacity. The average annual energy
17 output of the system is 37,125 megawatt hours; and project
18 waters passing through the turbine then enter the project
19 tailrace. Waters exiting the powerhouse here are not
20 standard to what you may have seen at other hydro
21 facilities. Water from the project, Prospect No. 3 project
22 that's diverted from the South Fork Rogue to not enter,
23 under normal operating circumstances, the Middle Fork of the
24 Rogue. They enter a tailrace structure, and from there are
25 siphoned across and above the Middle Fork Rogue across to
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1 our Prospect 1, 2 and 4 project to the Middle Fork Canal of
2 that project.

3 There is another overflow spillway there at the
4 tailrace structure. The tailrace structure itself is 20
5 feet by 20 feet by 5 feet; it's a pretty small concrete box;
6 but if there is a surge when operations shut down or
7 backflow from the Prospect 1, 2, 4 project, there is an 172-
8 foot long overflow spillway which, much like the spillway up
9 above at the forebay, discharges to Daniel Creek. But it is
10 much closer to Daniel Creek than the one up above.

11 The siphon that I mentioned, after the tailrace
12 of the powerhouse, is a 66-inch diameter woodstave pipeline
13 -- primarily woodstave; there is one section that's steel
14 immediately above the Middle Fork Rogue. It is elevated
15 above the Middle Fork. And like I mentioned, it does route
16 flows from the P3 powerhouse and from the tailrace across to
17 the separate project of Prospect 1,2,4 and the waters that
18 are diverted from the Middle Fork.

19 The transmission line we already mentioned, is
20 approximately seven miles long, 69 kilovolts, connects to
21 the Prospect central substation. The right-of-way alignment
22 of the transmission line overlaps the FERC boundary of the
23 Prospect 1, 2 4 project. There's about 40 percent overlap
24 of the transmission line alone with the Prospect 1,2,4
25 project. Generally it runs parallel to the canal, over the
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1 canal, or over the flow lines, whatever the case may be.
2 But generally immediately adjacent to that project.

3 It runs, once it goes across the Middle Fork it
4 then follows in a westerly direction following our project,
5 crosses over Highway 62, then goes south, crosses over
6 Highway 62 again where the two dual steel flow lines are
7 under the highway; and then the Prospect central substation
8 is right there between Middle Creek and Highway 62.

9 We had a question earlier about the project and
10 whether it would be consistent with the current FERC
11 boundary. There are now new project facilities proposed, no
12 modifications to the boundary proposed. We are, the current
13 proposal that PacifiCorp has outlined in the pre application
14 document is to continue to operate the facility as it's
15 operating now, with any protection, mitigation or
16 enhancement measures that are deemed necessary, as well as
17 those that we would expect to continue to follow, based on
18 the past license.

19 While no new facilities are proposed, we do plan
20 to replace existing facilities; specifically the woodstave
21 flow line that we talked about; that's upstream, partially
22 on Forest Service property, and the siphon that goes from P3
23 powerhouse to the Middle Fork Canal. Both of those are
24 scheduled for replacement in 2020.

25 And with that, are there any questions? That is
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1 the basic summary of the project facilities. I know it's
2 kind of a complicated web. Even those of us who have been
3 here for a long time learned new things today about it, so.

4 MR. TRONQUET: I'm Peter Tronquet, for the record
5 [spelling]. I represent the Native Fish Society. We're a
6 nonprofit organization, we advocate for migratory fish, the
7 wild fish of Oregon; primarily salmon and steelhead, but
8 we're interested in this project because trout passing the
9 project, migratory fish passing the project both ways.

10 MR. ALBERTELLI: Sure.

11 MR. TRONQUET: So I have some questions about
12 that.

13 So Steve, the first question I have for you is,
14 has ODFW commented on this?

15 MR. ALBERTELLI: ODFW was here at our morning
16 meeting. They were involved in the meeting and in the site
17 visit, and they've made it clear that they will be preparing
18 additional comments to the scoping document and the PAD that
19 will be delivered within the next 30 days. And they are
20 active participants in the process, in the ILP process.

21 MR. TRONQUET: I saw that somewhere -- minimum
22 instream flows were 10 cfs?

23 MR. ALBERTELLI: That's correct, under the
24 current license.

25 MR. TRONQUET: Okay. And you have a water right
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1 for 150 cfs.

2 MR. ALBERTELLI: We do. There are many times,
3 based on the base flows up there, especially in summer
4 months, there is normal operation not to take our full 150
5 cfs based on the flows that are available up there.

6 MR. TRONQUET: Say that again, Steve?

7 MR. ALBERTELLI: The natural flow upstream of the
8 dam is often less than 150 -- or, let me say this, less than
9 150 cfs. So the project waters that are taken into the
10 system through the intake at the dam are often less than 150
11 cfs.

12 MR. TRONQUET: Does the South Fork ever dry,
13 below the project?

14 MR. ALBERTELLI: No, because our minimum flow is
15 10 cfs. Or the inflow to the project, whichever is less;
16 but as a historical record, what's our low on record? 4 cfs
17 or something like that?

18 MS. FOSTER: Yes.

19 There's anecdotal stories that way back in the
20 day, before the Eighties, it had occasionally got dry,
21 before there was any minimum flow restriction. But of
22 course we don't operate that way anymore.

23 MR. ALBERTELLI: So because of entrainment of the
24 full upstream flow into the project --

25 MS. FOSTER: Correct. The company was taking the
26

1 full flow back in those days.

2 Kaylea Foster.

3 MR. ALBERTELLI: We were discussing during the
4 site visit just for interest's sake to keep us all awake,
5 what the high was on record. I thought it was 7,000.

6 Do you remember?

7 MS. FOSTER: I don't remember. That's
8 incredible.

9 MR. ALBERTELLI: Yes.

10 MS. FOSTER: A lot of water.

11 MR. ALBERTELLI: That's a lot of water .

12 MR. TRONQUET: Another fish question. I'm
13 pleased to see all the biologists here --

14 MR. ALBERTELLI: Sure.

15 MR. TRONQUET: Makes me feel better.

16 Is there a monitoring of fish passage through the
17 project?

18 MR. ALBERTELLI: So when the fish passage was
19 first -- we have spotty records of when it was first
20 constructed. It was upgraded at the time of the last
21 licensing period; the upgrades were made in 1996, and as
22 part of the requirements of that license, the license issued
23 in 1999, we had a monitoring plan to essentially gauge the
24 effectiveness of the upgrades; and they were shown to be
25 effective and were passing fish both upstream and downstream

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1 with little harm, and very successfully.

2 MR. TRONQUET: Is the monitoring intermittent, or
3 is it something that's --

4 MR. ALBERTELLI: Well, the monitoring of actual
5 fish that were passing through the structure was a one-time
6 event.

7 MR. TRONQUET: When it was installed --

8 MR. ALBERTELLI: Correct. When the upgrades were
9 made.

10 Any others?

11 MR. ALBERTELLI: Okay.

12 MR. TRONQUET: Thank you.

13 MR. ALBERTELLI: Yes, absolutely. I apologize
14 again for not having our exciting pictures.

15 MS. RODMAN: You could put them on your company's
16 website.

17 MR. ALBERTELLI: We certainly could, and we will.
18 We do have a website that is part of the -- that lists all
19 of our relicensing documents, and we can put the PowerPoint
20 there for sure. Although most of the pictures that were in
21 the presentation are also in the pre application document.

22 MS. RODMAN: Sir, have you signed the sign-up
23 sheet?

24 MR. TRONQUET: No, I haven't.

25 MS. RODMAN: Okay, and I remind the other
26

1 participants to also sign that.

2 I believe you had, sir. You're the first person
3 on the sign-up sheet, Mr. Ward?

4 MR. WARD: Correct.

5 MS. RODMAN: Returning back to the scoping
6 document, we do have a section on cumulative effects, and
7 our preliminary analysis of the information that PacifiCorp
8 provided and what knowledge we had of the Rogue River Basin
9 indicated that we would put down terrestrial and aquatic
10 resources as the likely resources that would be cumulatively
11 affected by relicensing of this project with other things
12 happening in the Basin.

13 And we chose as our geographic scope for the
14 cumulative effects the Upper Rogue Basin above Lost Creek
15 Lake. And that is subject to modification or any discussion
16 that anyone would wish to have about cumulative effects.
17 Also, if you know of other things happening in the Upper
18 Rogue Basin like a timber sale upstream of the project, that
19 would dump sediment into the stream, that would be good to
20 know. That is certainly something that we would need to
21 fold into our cumulative effect analysis.

22 So any questions about cumulative effects?

23 Yes, sir.

24 MR. WARD: Don Ward, Conservation Chair, Rogue
25 Flyfishers.

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1 Sediment was not one of the elements that I think
2 you were going to monitor and report on? If I correctly
3 read that.

4 MS. RODMAN: What --

5 MR. WARD: Temperature and something else.

6 MS. RODMAN: We said 'including'; including DO
7 and temperature.

8 MR. WARD: Yes, DO.

9 MS. RODMAN: I'm not sure that that is, that
10 those were the only parameters that would be of interest.
11 And I don't know that there is anything in the Upper Rogue
12 Basin that would increase sediment both, it's ambient
13 levels; but that is a possibility. Since we're from 3,000
14 miles away, our information is not quite as good as yours,
15 as local residents.

16 MR. WARD: They've discovered a lot of
17 sedimentation occurred in Colorado recently, in an
18 unexpected series of storms. We expect in climate change
19 some impacts, particularly in the Rogue Basin, and it's not
20 unlikely. If you stop by in Shady Cove, you can see that
21 one time the city was basically under water. So it can be
22 very exciting up there.

23 MS. RODMAN: Well, we are going to have a section
24 where we go through the various bullets in our resource
25 issues, so we can revisit that, okay?

26

1 MR. WARD: Sure.

2 MS. RODMAN: Okay. And actually, resource issues
3 is next on my agenda.

4 Sean, could you do geology and soils?

5 MR. O'NEILL: Yes. Sean O'Neill, FERC.

6 So based on the information provided in the PAD,
7 we identified relates to geologic and soils resource issues
8 possible effects of ground-disturbing maintenance activities
9 and project related recreation on sloughing and soil
10 erosion, particularly on steep slopes associated with the
11 penstock and dam access road, as well as effects of
12 potential woodstave pipeline rupture and the resultant
13 erosion arising from rockfall damage.

14 Anyone have questions about that or other items
15 you want to discuss?

16 (No response.)

17 MS. RODMAN: Okay, John, could you take over the
18 water resources and fisheries?

19 MR. MATKOWSKI: Yes, sure. John Matkowski, FERC.

20 For water resources, we had effects of project
21 operations on water quality including water temperature and
22 dissolved oxygen. In the first scoping meeting, we added pH
23 and turbidity as two other parameters; and also from the
24 first meeting, we added effects on water quality from
25 project operations in Daniel Creek.

26

1 That's what we had for water resources. Don't
2 know if anybody had anything else to add.

3 MR. TRONQUET: Does the scoping document have
4 those comments about water quality in here?

5 MS. RODMAN: Not yet. This is scoping document
6 1. After we get to any written comments that may come in,
7 we're going to issue a scoping document 2 that's going to
8 have the modifications from the morning meeting, the evening
9 meeting, and any written comments.

10 And hang on -- let me look in Appendix B. The
11 schedule for issuing the second scoping document will be
12 December 13th. The comments would be due on October 29th,
13 and that is an important date. Let me beat everybody over
14 the head with it: October 29th.

15 Okay, John, you had a couple of other bullets.

16 MR. MATKOWSKI: So the next one will be fisheries
17 resources. We had effects of minimum instream flow releases
18 on aquatic habit in the bypass reach of the South Fork Rogue
19 River. We had effects of project operations and facilities
20 on upstream and downstream fish passage.

21 Effects of project operations on flow
22 fluctuations in the bypass reach, Daniel Creek, and we added
23 the Middle Fork Rogue River -- due to planned maintenance
24 events and emergency situations. We also added, in the
25 first scoping meeting, effects on whitewater boating flows
26

1 on aquatic resources.

2 MS. RODMAN: If there is some interest from an
3 NGO in whitewater releases downstream of the project, they
4 have not -- they haven't attended the meetings; they may
5 comment during the scoping document period, and we don't
6 really have a proposal yet. But there is an interest in
7 whitewater flows.

8 MR. WARD: There is an interest?

9 MS. RODMAN: Yes.

10 Do you gentlemen have any other questions or
11 comments about that?

12 MR. WARD: I guess the water quality issue would
13 be temperature. It's an issue for us on the Rogue below the
14 Lost Creek Dam, but I don't know what impact the project has
15 on all that; it goes through a reservoir, obviously. And so
16 managing the cold water in the reservoir for spring Chinook
17 is a part of the conservation plan that ODFW wrote, approved
18 by the Fish & Wildlife Commission. And so temperature is a
19 big part of recovering the wild spring Chinook here on the
20 Rogue River.

21 So I don't know if you're all aware of that, but
22 -- and maybe that's not germane to this discussion.

23 MS. RODMAN: The Chinook are downstream of --

24 MR. WARD: Everything -- all the anadamous fish
25 get stopped at --

26

1 MS. RODMAN: At lost --

2 MR. WARD: Lost Creek, right.

3 MS. RODMAN: William Jess Dam.

4 MR. WARD: Right.

5 In a generic way, we've got a lot of warm water
6 coming in the reservoir, it becomes more difficult to manage
7 cold water releases that protect migrating salmon and
8 steelhead, so. ODFW should be -- I don't know if they made
9 comments on that or not.

10 MR. CUTLIP: Matt Cutlip. I had a pretty good
11 conversation with the Assistant District Bio today about
12 that very issue. So they didn't let on that they were
13 necessarily -- well, they didn't really let on their
14 position on the project as it relates to anadamous fish. I
15 imagine that if it's an issue with them that they're going
16 to file written comments and let us know. Because right now
17 there's nothing in the scoping document about that. Either
18 the temperature issue isn't really reflected as a cumulative
19 effect; but like I say, I envision that if this is an issue
20 for ODFW, they're going to bring it up in their written
21 comments; they typically do that.

22 MR. WARD: Okay. Thank you.

23 MS. RODMAN: Do you have anything else?

24 MR. WARD: Doing my best here, so.

25 MS. RODMAN: Okay, sure thing.

26

1 All right, I'm going to handle the rest of the
2 resources; terrestrial resources is my area anyway.

3 We have: effects of the project on deer and elk
4 migration and movement, and we got a comment to add 'small
5 mammals'. Then the second bullet under terrestrial
6 resources is the effect of maintenance activities such as
7 road maintenance, transmission line maintenance, and rights-
8 of-way vegetation management, and any project-related
9 recreation on wildlife habitat and wildlife, including the
10 establishment and spread of noxious weeds.

11 We also got a request from, I believe it was the
12 Fish and Wildlife Service, to add a bullet talking about the
13 effects of the transmission line on birds, related to either
14 electrocution or collision.

15 So for threatened and endangered species we have
16 one bullet: Effects of project operation on federally-
17 listed species and U.S. Forest Service and State of Oregon
18 rare and sensitive species. I think that the resource
19 agencies are going to provide us with more comments about
20 that, because the mention the Oregon spotted frog, the
21 Northwest pond turtle, and the lone wolf in the county.

22 For recreation and land use, we have one on the
23 effects of the project of whitewater boating use of the
24 South Fork Rogue River, including the feasibility of
25 providing whitewater boating flows and facilities in the
26

1 project area. And that would tie in with the effects of any
2 such boating flows on aquatic resources.

3 Cultural resources is fairly generic, because
4 there's a very established procedure for dealing with them.
5 It would be: Effects of the project on archaeological,
6 historic and traditional cultural properties located within
7 the project area of potential effect.

8 And aesthetic resources, we only have one bullet,
9 but that's the effects of the project on aesthetic
10 resources, including consistency with visual/aesthetic
11 objectives, standards and guidelines developed in the Rogue
12 River-Siskiyou National Forest Land and Resource Management
13 Plan.

14 Do you have any comments about those? I kind of
15 zipped through them quickly.

16 Steve, do you want to mention just briefly the
17 studies that you've identified that should be done at this
18 time?

19 MR. ALBERTELLI: Certainly. So we had a list of,
20 I believe it was seven studies that we proposed in the pre
21 application document, the first of which was a study of
22 dissolved oxygen and temperature below the diversion dam but
23 before the influence of ground water. So that's from about
24 river mile 8.5 to river mile 10.5.

25 In addition to that, we've proposed to do a
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1 habitat duration analysis using a finer scale analysis than
2 was used previously to take a look at whether there are a
3 variety of environmental -- of environmental flows to
4 protect it from life stages of aquatic species at different
5 times of the year.

6 Did I sum that up okay, Kaylea?

7 MS. FOSTER: You did. The main species we're
8 concerned with being rainbow trout.

9 MR. ALBERTELLI: So in addition to the aquatics
10 and fisheries studies, we also propose to do a noxious weed
11 survey of the project area as well as a survey for
12 sensitive, rare, threatened and endangered species, the
13 tentacle species, with specific focus on the areas of the
14 forest, and the forest-sensitive species that are part of
15 their management plans.

16 In addition to those, two terrestrial items, the
17 three cultural resource items that Dianne already somewhat
18 referred to, an inventory of historic properties, structures
19 or facilities that may be Register-eligible as well as a
20 survey of -- pedestrian survey of the project area and
21 cultural resource survey.

22 MS. RODMAN: That's a fairly preliminary list
23 because PacifiCorp has elected to use the Integrated
24 Licensing Process to prepare the application and get
25 together the information that our agency needs to make its
26

1 decision; and in the case of the forest service, they have
2 certain decisions that they need to make as well.

3 Are you familiar with that?

4 What about you, sir?

5 MR. WARD: Vaguely so.

6 MS. RODMAN: Oh, dear.

7 (Laughter)

8 MR. TRONQUET: I'm good. I can catch up on that.

9 MS. RODMAN: But it is important, Because it
10 tells you when the agencies are going to chime in and what
11 happens, and how the studies are -- what studies of how
12 they're going to be done are determined.

13 And it also has to do with the schedule in
14 Appendix B, which is pretty well cast in concrete. I mean,
15 it can slip, yes; but we don't want it to. So you do have
16 some familiarity with the ILP? Okay. All right.

17 Well, let's see with, the minimum I can get away
18 with saying. The next due date is going to be comments on
19 the pre application document that PacifiCorp filed with us
20 July 7th; the scoping document itself, and a request for
21 studies. That is due October 29th.

22 If anyone wishes to request studies, Appendix A
23 has the seven criteria that that entity must address, to the
24 extent that they're applicable. For instance, No. 2 says:
25 If applicable, explain the relevant resource management
26

1 goals of the agencies or Indian tribes with jurisdiction
2 over the resource to be studied. If you're not an agency
3 with jurisdiction or you're not an Indian tribe, then you
4 probably just need to say 'This is not applicable to me.'

5 But I would say do not skimp on these seven
6 criteria. It is very important that you have the full
7 information, because if you don't treat it seriously, any
8 study requests might not be treated as seriously as you'd
9 like them to be. Okay?

10 So that's October 29th. There are two things
11 that are going to happen on December 13th, 2013. One is
12 that we're going to issue the revised scoping document,
13 Scoping Document 2, that will have the changes that people
14 requested in today's meetings and in any written comments
15 that are filed October 29th.

16 The second thing is that PacifiCorp will file its
17 proposed study plan. And this will ideally have not only
18 the studies that they propose to do, but detailed
19 information on how they propose to do them, what areas would
20 be studied, and so forth so the people could evaluate them.

21 Then on or before January 12th, 2014, we would --
22 at least I and probably several other staff people would
23 come back to Oregon and we would hold a study plan meeting
24 in which we would informally talk about what studies are
25 needed, if that's the correct methodology, should they do it
26

1 for one year, should they do it for two years, are there
2 certain areas that need to be concentrated on.

3 Then formal comments, written comments on the
4 study plan, after we've actually had a meeting and sat down
5 and talked, are due March 13th, 2014. Now those allow a
6 nice little gap of time for people to meet informally to
7 again hash things out, try to resolve differences of
8 opinion. Then PacifiCorp would take the comments on its
9 proposed study plan and revise its study plan. Like if
10 somebody has convinced them that "Yeah, you really do need
11 to do this study" that they had originally not intended to
12 do or some change in the methodology or the timing or
13 something like that, that would be in the revised study
14 plan; and that is due April 12th.

15 Then again people have a chance to comment on
16 PacifiCorp's proposal. That's the revised study plan
17 comments due. This time it's a very, very tight time frame;
18 it's two weeks after PacifiCorp files their revised study
19 plan comments on it are due. So that's April 27th.

20 So we've had iterations, we've had a meeting just
21 about the study plan, PacifiCorp has revised its initial
22 proposal, everybody's talked about it. A very important
23 date comes up then, and this is the Commission's Director of
24 the Office of Energy Projects' study plan de termination,
25 May 12, 2014. That's when the Commission tells PacifiCorp:

26

1 "Okay, we've listened to your point of view, we've listened
2 to the agencies, we've listened to the other stakeholders,
3 we've listened to our own staff, and this is what we want
4 you to do."

5 There is a possibility, and I don't really want
6 to go in to that in detail, that if somebody really has
7 severe heartburn about the director's decision that there is
8 a study dispute process, and that is listed in Appendix B.
9 Hopefully we won't go there.

10 By the way, we do have a citation to the various
11 FERC regulations. If you wanted to get on, say the GPO
12 website and look for Section 18 of the Code of Federal
13 Regulations and actually read the regulations to follow
14 along with these various due dates.

15 The first study season --

16 MR. CUTLIP: Dianne?

17 MS. RODMAN: Yes.

18 MR. CUTLIP: Comment about study dispute.

19 MS. RODMAN: Yes.

20 MR. CUTLIP: Only the mandatory conditioning
21 agencies --

22 MS. RODMAN: Oh, that's right.

23 MR. CUTLIP: -- have the ability to file for a
24 formal study dispute.

25 MS. RODMAN: So that would be the Forest Service
26

1 and ODEQ? ODEQ, okay.

2 MR. CUTLIP: Probably. And Section 18.

3 MS. RODMAN: Oh, yes.

4 MR. CUTLIP: So nymphs, fish --

5 MS. RODMAN: Right. Yes, because Section 18 of
6 the Federal Power Act is the section of our regulations to
7 Fish and Wildlife Service and the National Marine Fisheries
8 Service to prescribe fishways.

9 Now we already have fishways, so I'm not -- can
10 they prescribe modifications to the fishways? Do you know?

11 MS. RODMAN: Okay. Thank you for that
12 clarification, Matt.

13 The first study season would run roughly from
14 when the office director's decision comes out, May 12th, to
15 May 11th. Then PacifiCorp would prepare an initial study
16 report for all its studies and a meeting would be held May
17 27, 2015. And then PacifiCorp would prepare a meeting
18 summary, and again we have the potential for dispute
19 resolution.

20 There is a possibility after the first field
21 season, or first study season because there is some data
22 that you can get in the dead of winter -- to say "That
23 methodology didn't work very well" or "My God, it was a
24 terribly dry or wet year and therefore the information is
25 not to be, is not as reliable as we thought it would be, so
26

1 there should be a second study season." Or, "There are
2 resources that you really do need two years of study."

3 So page B-2, we have a second -- provision for a
4 second study season, an updated study report being followed
5 by PacifiCorp and provided to all the stakeholders, and
6 again there would be a meeting at the end of that time, and
7 PacifiCorp would file a meeting summary. Again, dispute
8 resolution.

9 The end of this process -- well, close to the
10 end.

11 PacifiCorp would file a preliminary licensing proposal, a
12 PLP. And this is something that looks a lot like a draft
13 application. This document is provided to all the
14 stakeholders, and their comments on it would be due November
15 1, 2016.

16 Now we get to the end. PacifiCorp is scheduled,
17 and our regulations and the expiration date of their
18 license, they have to file their final license application
19 at the end of December 2016, two years before their license
20 application expires.

21 This Integrated Licensing Process will hopefully
22 come up with information that we need, or the decision
23 makers in my agency need to make a good decision; the
24 studies have been conducted using methodology that everyone
25 is comfortable with; and everyone has had as much of a hand
26

1 in shaping this process as they want to. It is --

2 MR. SUKRAW: Excuse me. Everyone has a hand in
3 shaping the process, meaning other agencies, individuals
4 that comment on studies?

5 MS. RODMAN: Yes. All of the above. Or NGOs.

6 MS. SUKRAW: NGOs.

7 MS. RODMAN: Yes, right. For the whitewater
8 people, for instance, it would be NGOs; they're not an
9 agency. The State of Oregon has not said anything so far
10 about wanting whitewater flows.

11 It is a process that takes a commitment from all
12 the participants to stick with it, to meet those dates. If
13 you miss a date like a comment date or something like that,
14 the process marches on; you've just lost your opportunity.

15 MR. SUKRAW: So this whole process of everybody
16 having a voice is actually a peer review, passes for a peer
17 review process?

18 MS. RODMAN: I think you could call it that, yes.

19 MR. SUKRAW: That question comes up a lot in
20 fisheries management questions. A lot of science involved;
21 and so you always like to have another group of scientists
22 and then another group of scientists.

23 MS. RODMAN: Sure, yes.

24 MR. SUKRAW: To comment on management plans.

25 MS. RODMAN: And the Commission is very fond of
26

1 casting as wide a net as possible to get information and to
2 get a range of opinions before make our decision.

3 If you have any more questions about the ILP
4 process, as I said the scoping document does have my name,
5 phone number and email. And I would be glad to help you or
6 Matt is also a pro at this; and Matt is also in your time
7 zone.

8 I guess there's not much else that I have to say;
9 thank goodness. We do have a list of comprehensive plans,
10 starts on page 22 for Oregon, That I believe may be
11 applicable to the prospect project. Oregon has a greater
12 than of comprehensive plans and not all of them have
13 anything to do at this area.

14 If any agencies or individuals know of a plan
15 that is not on this list and if they believe they are, they
16 can be filed for consideration with the CMNN according to
17 Code 18, Code of Federal regulations. 2.19 of the
18 Commission's regulations and we have a link to our website
19 which provides instructions for filing such a plan.

20 MR. TRONQUET: Ma'am?

21 MS. RODMAN: Yes.

22 MR. TRONQUET: Do I correctly understand that
23 it's the agency or group's responsibility to make sure that
24 this somewhat dated list is updated?

25 MR. MATKOWSKI: We don't beat the bushes for
26

1 comprehensive plans. If somebody has prepared a plan and
2 wishes us to consider it as one, yes; then they must give it
3 to us. We have a fairly substantial little book that comes
4 out twice a year that has a list of comprehensive plans for
5 the entire country; for each state, and then plans that are
6 nationwide.

7 MR. TRONQUET: On hand, do you know whether
8 you're familiar with the recently-issued Oregon Strategic
9 Water Management Plan?

10 MR. MATKOWSKI: Is it on that list?

11 MR. TRONQUET: No.

12 MS. RODMAN: Nope. Mary, is that one of your
13 agencies?

14 MS. GRAINEY: Yes. We would have to ask you to
15 include that plan. So we'll consider whether that's
16 appropriate here.

17 MS. RODMAN: Okay, thank you.

18 Would either of you gentleman like to say
19 anything now? Or do you have like specific questions, or
20 what?

21 MR. WARD: The only thing I'd like to say is I
22 know you had a meeting this morning, you went on a project -
23 - I can, looked at that project and come back again at 7
24 o'clock at night and did it all again, I appreciate it.
25 Thank you.

26

1 MS. RODMAN: Thank you.

2 MR. WARD: I also am grateful; I had to haul hay
3 this morning, so.

4 MS. RODMAN: Oh, wow.

5 MR. WARD: I'm sure you enjoyed the rain.

6 (Laughter)

7 MS. RODMAN: I'm sure you enjoyed it, too. Oh,
8 why is it raining; I've got to do it today.

9 MR. WARD: Yes.

10 MS. RODMAN: And Thank you also for -- I'll
11 probably say this again, but -- I'll probably say this
12 again, but thank you for coming out. You didn't have to,
13 and it's just wonderful that the people care enough to sit
14 in a hotel conference room at night.

15 MR. WARD: A lot of people I work with have long
16 experience with FERC in terms of the Soda Springs
17 relicensing project; it goes back to 1995. It's quite
18 contentious as far as the NGOs were concerned. So we went
19 through that process with all the agencies. So we're
20 interested.

21 MR. SUKRAW: It mattered.

22 MS. RODMAN: The ILP is a different way of
23 preparing an application; it's what, ten years old, less?
24 Something like that.

25 Five, yes. More like five, I think. And as I
26

1 said before, it does require a commitment to participate.
2 Once the application is filed in 2017, then we would start a
3 licensing process that's more like what you'd be familiar
4 with in the past.

5 We don't have dates for the milestones that will
6 follow once the application is filed, but we do have the
7 sequence of events. Let me see if I can find that.

8 Oh, yes. It's Section 7.0, EA preparation. And
9 we have scoping meetings today, license application filed in
10 December 2016, then we would issue a, sometime in 2017, the
11 Ready for Environmental Analysis notice, in which we would
12 again be calling for comments from agencies, individuals,
13 NGOs. We have the deadline, we would be asking for
14 conditions and prescriptions from agencies. We'd issue a
15 draft EA, comments on the draft environmental assessment
16 would be due, and the final EA.

17 So that part hasn't changed. And if you for some
18 reason are not able to participate in developing the
19 application, then you can certainly participate in analyzing
20 the application after it's been filed.

21 Okay. Is there anything else that you'd like to
22 comment on or remind me that I've forgotten?

23 Yes, Matt.

24 MR. CUTLIP: Just a minor thing; but one of the
25 interesting elements of the ILP is that when we do draft
26

1 NEPA and final NEPA we include in the back, the appendix,
2 draft license articles, so you can see how the applicant's
3 proposal, as modified by staff's recommendations are
4 incorporated, or we recommend the incorporated actual
5 license conditions; so you can see how those would be
6 carried out in a license. And the only change oftentimes
7 between NEPA and the order, but it's usually a pretty good
8 indication of where it's headed.

9 MS. RODMAN: Yes. Kelly?

10 MS. WOLCOTT: Kelly Wolcott, FERC.

11 Did you want to reiterate, it's in Appendix D
12 about the schedule, if we have early issuances, early
13 filings.

14 MS. RODMAN: Oh, thank you. Yes.

15 MS. WOLCOTT: That deadline does not shift. So
16 if something is filed by the applicant or issued by FERC a
17 little bit ahead of schedule, that deadline will not shift.
18 So it might buy you a couple extra days or whatever; but
19 that deadline is pretty hard and fast.

20 MS. RODMAN: Yes, we're not going to rerun the
21 spreadsheet to recalculate this schedule. So you know the
22 schedule, you don't have to go "Oh, something was early.
23 What's the next due date?"

24 The other thing is, and this is fairly standard
25 Commission policy, if the due date falls on a weekend or
26

1 holiday, the due date is the following business day. If you
2 go through the schedule, you may find something on Saturday
3 or Sunday -- I think we managed to miss New Year's Day, but
4 -- so they would be due on the following Monday.

5 Does anybody have anything else?

6 You're positive.

7 MR. TRONQUET: How many people from outside your
8 group were here at the meeting this morning?

9 MS. RODMAN: We had a number of agencies. We did
10 not have any members of the public or any NGOs, which is
11 kind of a pity.

12 STAFF: GEOS

13 MS. RODMAN: Were they actually speaking as a
14 member of the public, or were they a consultant?

15 STAFF: You had Brian Barr.

16 MS. RODMAN: Okay.

17 STAFF: GEOS, right?

18 MS. RODMAN: GEOS Institute. Okay, all right.

19 Do we have any other questions?

20 Okay. Thank you all for coming out. This is
21 great. I think that this is an encouraging sign that the
22 ILP will go well and we'll come up with some good
23 information and we'll all work together well.

24 So again, thank you, and this concludes the
25 meeting.

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1 (Whereupon, at 8:20 p.m., the evening scoping
2 meeting concluded.)
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