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CUTLER HYDROELECTRIC PROJECT SCOPING MEETING

(PROJECT NO. 2420-054-UT)

HELD ON THURSDAY, JUNE 27, 2019

7:05 P.M. TO 8:32 P.M.

AT THE RIVERWOODS CONFERENCE CENTER

615 SOUTH RIVERWOOD PARKWAY

LOGAN, UTAH

FERC REPRESENTATIVES:

KYLE OLCOTT

KELLY WOLCOTT

ROBIN CLELAND

KEN HOGAN

PACIFICORP REPRESENTATIVE:

EVE DAVIES

1 -oOo-

2

3 MS. WOLCOTT: Good evening. Thank you all for  
4 coming out. Just a few quick housekeeping items.  
5 Restrooms are out to the left. And I think everyone has  
6 signed in already but if you haven't please sign in. We  
7 have a sign-in sheet out front. Our teammate Robin will  
8 be bringing that in. We also have a bunch of handouts  
9 we'll be discussing tonight. If you didn't grab those  
10 before you came in, we have a small stack over here if  
11 anyone needs them.

12 Just a quick review of the agenda. We'll do a  
13 quick round of introductions and then we'll go through  
14 the FERC process, Eve Davies will be making a brief  
15 presentation about the Cutler Project, then we'll do a  
16 brief discussion about that, and then we'll turn the  
17 floor over to anyone who wishes to speak to provide  
18 comments or questions, and then we'll wrap up with a few  
19 admin items and adjourn for the evening.

20 Before we get started, we're all project team  
21 members for Cutler but the point of contact after  
22 tonight -- of course we're here to answer any questions  
23 that you have, but moving forward the project  
24 coordinator, who unfortunately couldn't be here tonight,  
25 is Khatoon Melick. Her contact information is on Page 2

1 of the scoping -- well, it's the back of the letter with  
2 the scoping document. It's the last paragraph. Her  
3 name, phone number and email is there for you.

4 My name is Kelly Wolcott. Oh, one more item  
5 for housekeeping. If you'd like to make a comment for  
6 the record or speak at any point, if you could provide  
7 your name. We are having a court reporter transcribe  
8 tonight's meeting, so we want to make sure attribution  
9 goes to the right person for all the speaking. We'll  
10 have a microphone going around. Just state your name  
11 before you speak, please.

12 That being said, my name is Kelly Wolcott.  
13 I'm with FERC. I'm an environmental biologist and I  
14 will be handling the terrestrial issues on Cutler.

15 MR. OLCOTT: I'm Kyle Olcott, outdoor recreation  
16 planner. I'll be handling recreation, land use and  
17 aesthetics.

18 MS. CLELAND: My name is Robin Cleland. I'm an  
19 attorney advising in the Office of General Counsel.

20 MR. HOGAN: I'm Kevin Logan, fishery biologist.

21 MS. DAVIES: I'm Eve. And hi, Jason and Matt.  
22 Thanks for coming. I guess we'll do a round-robin and  
23 have everyone introduce themselves.

24 MR. WATTERSON: My name is Jason Watterson. My  
25 family -- I live along the Cutler Reservoir. My family

1 has had a farm there since 1860, so we've been there a  
2 long time. So we definitely have an interest in this  
3 project. We also do recreation in the form of canoeing  
4 and upland game hunting in the area.

5 MR. SHRIER: I'M Frank Shrier with SWCA.

6 MR. DUFFIN: I'm Eric Duffin with Sirrus Logical  
7 Solutions. I'm a scientist.

8 MR. WESTOVER: Matt Westover, also with Sirrus,  
9 wildlife biologist.

10 MR. COOMBS: Matt Coombs. I'm a coordinator with  
11 the Utah Division of Utah Forestry, Fire and State  
12 Lands.

13 MR. VINCENT: Charley Vincent, American Whitewater.

14 MR. WALLY: Cauley Walley, PacifiCorp,  
15 hydrologist.

16 MS. KESTER: Lindsey Kester, SWCA Environmental  
17 Consultants.

18 MS. HOLMES: I'm Nuria Holmes and I'm with Klein  
19 Schmidt Associates and I do licensing and regulatory.

20 MS. WOLCOTT: All right. This is Kelly Wolcott  
21 with FERC.

22 For the Cutler relicensing process, PacifiCorp  
23 is doing our Integrated Licensing Process, otherwise  
24 known as our IOP. That is our default licensing process  
25 effort. One of our handouts we had out there tonight is

1 ideas for implementing and participating in the  
2 integrated licensing process. If you will flip to Page  
3 9, there's an outline of a schematic of the IOP process.

4           We are in the sort of mint green section.  
5 That's the prefiling process. In May -- in March,  
6 rather. Excuse me. In March PacifiCorp filed their  
7 preliminary application document, otherwise known as the  
8 PAD. That is what we are \*\*\*\*\* and associated issues,  
9 Scoping Document 1, which is what we're here to discuss  
10 tonight. We'll be taking oral comments tonight, but  
11 you'll be also able to provide written comments to the  
12 record, and we'll discuss how to do that later. And  
13 those comments on scoping, the PAD and the study  
14 request, which we will also get to, those are all due  
15 July 29. You'll hear that date a lot tonight.

16           After we complete scoping and get all of the  
17 comments in PacifiCorp is going to be putting together  
18 their proposed study plan. Once that happens -- this is  
19 a three-year process, by the way. I'm going to breeze  
20 through this very quickly, but this is not an  
21 instantaneous thing and no decisions are happening  
22 tonight. This is strictly an information-gathering  
23 process that we're doing tonight.

24           All of the feedback that PacifiCorp gets will  
25 go into their proposed study plan. We will then -- and

1 that will go out for comment, and then we have an  
2 initial study plan meeting sometime thereafter. This is  
3 all -- I'm racing through this timeline. Then  
4 PacifiCorp will have a chance to go through those  
5 comments and revise their study plan, which will go out  
6 for comments again before FERC staff will issue a final  
7 study plan determination.

8           Then PacifiCorp will go out, do their studies.  
9 They will produce technical reports based on those  
10 studies, which will go into an initial study report.  
11 And there will be an initial study report meeting which  
12 will discuss how things went and if there are any  
13 modifications that we need to do to the studies to  
14 gather information or if we're good to go.

15           Then they will use all of that information to  
16 put together what's called their preliminary licensing  
17 proposal, or PLP, which is also a draft licensing  
18 application. That will go out for comment. Then  
19 they'll put together their final licensing application,  
20 and that's when pre-filing ends and post filing begins.  
21 That kicks off -- once we have an acceptable license  
22 application we will say it's ready for environmental  
23 analysis, and that will trigger another round of  
24 comments and start the process. Once we have gotten it  
25 out, that will go out for comment, and then move forward

1 with a licensing decision.

2 Like I said, this whole thing is three years.  
3 That's in a nutshell the IOP. But again, we have this  
4 guide to help walk you through it because it is a lot to  
5 process. So please pick up one of these if you haven't  
6 done so.

7 With that, did you want to talk about  
8 jurisdiction briefly?

9 MS. CLELAND: I'm Robin Cleland. I want to take a  
10 step back to talk a little bit about why FERC is here  
11 and has authority to issues licensing for dams.  
12 Basically, that's because Congress gave us that  
13 authority. They gave us that authority called the  
14 Federal Power Act, which is found in 15 United States  
15 Code 791 and the following sections after that. And  
16 it's available for free online.

17 The reason why it's important to regulate at  
18 all is because water is a public resource that has many  
19 potential uses, and some of them are depleting. It's  
20 important that somebody oversees, that those benefit the  
21 group that use the water. So the Federal Power Act  
22 tells us to consider and give equal weight to both the  
23 benefits, but also considerations as far as  
24 environmental protection, recreation and fish and  
25 wildlife resources.

1           We regulate all federal hydropower projects.  
2 We oversee over 2,500 dams currently. And we do  
3 oversight of protection, operating and safety of the  
4 dams. We have five commissioners who ultimately make  
5 decisions about this. Theoretically we have five,  
6 currently we have four. That's sort of why we're here.

7           MS. WOLCOTT: Thank you, Robin. Now we'll turn it  
8 over to Eve to give a brief overview of Cutler.

9           MS. DAVIES: Can you hear me okay? I'm Eve Davies.  
10 I know everybody in the room. And you probably have all  
11 seen portions or all of this presentation, except for  
12 maybe Charley. If there's anything you want me to back  
13 up or slow down on I will. I'll go a little quicker  
14 tonight, save everybody some time.

15           I'm the Cutler license manager. I've been  
16 working for Cutler for about 21 years implementing our  
17 last license. As Robin just told you, the reason we're  
18 here is that FERC is the regulatory authority over our  
19 licensing process. We need a new license every 30 to 50  
20 years. That's the time frame on a license. And FERC's  
21 license will expire in the next five years, but who's  
22 counting. We've spent the last 30 years implementing  
23 the current license, so we're looking forward to the  
24 next one.

25           I think everybody here is probably quite



1 familiar with the layout, but just a couple things. You  
2 can see the rec sites here with the white print around  
3 it. I think everybody is familiar with those rec sites.  
4 Fairly familiar anyway. Here's the Bear River down here  
5 from the northeast, Logan River from the southeast,  
6 Spring Creek and Little Bear River drainage are all  
7 graded up together here. And a couple of -- Clay Slough  
8 and a few other sloughs that provide smaller tributary  
9 waters to the project.

10           We have a number of different construction  
11 points on the reservoir that I want to talk about  
12 tonight because it definitely has an effect in terms of  
13 the sediment. The old Wheelon Dam we're going to talk  
14 about is located about right in here. There's also the  
15 Highway 24 bridge, the Railroad Bridge here, the Benson  
16 Bridge here, the old now walking trail but the old  
17 Railroad Bridge about that point, then of course the  
18 highway here.

19           Let's see. You just got an overview of the  
20 license process. So we're basically here at the very  
21 beginning in scoping. As you know, like everybody  
22 that's here is aware of the fact, I think, that we are  
23 running kind of parallel, trying to be more a  
24 collaborative process than is absolutely required. We  
25 think that will get us closer to the mark in terms of

1 everything from studies to reports, and eventually to  
2 the license application. We get input from the people  
3 who care about the project. And that's you, and that's  
4 why you're here.

5           This morass is what's left of the FERC license  
6 process still to come. That's what Kelly was just  
7 describing, sort of a three-year. It's a big lift that  
8 we're undertaking here. We have to produce the  
9 documents and you have to review the documents in a  
10 timely fashion. So everyone of these steps has a  
11 specific and prescribed timeline. That's what that  
12 first deadline is about for July 29th. That's for you  
13 to give FERC feedback on our preliminary application  
14 document, FERC's scoping document that they've produced,  
15 and then also our ideas for the study plans are all due  
16 then. And any ideas that you have for study plans. If  
17 you think that we missed the mark on that, that's your  
18 time to do that.

19           Let's see. We talked about Wheelon a little.  
20 I'm going to spend just a few minutes on -- it's part of  
21 our proposal later on. But I think most of you know  
22 that Wheelon Dam actually preceded the Cutler Dam by  
23 quite a ways, by 30 or 40 years, something like that.  
24 It was built in -- the late 1880's is when it started.

25           The whole point of Wheelon Dam was to move

1 power -- excuse me -- move water into the east and west  
2 canals that irrigated about 65,000 -- still irrigate  
3 about 65,000 acres of land in Box Elder County. So it's  
4 the largest and oldest water right on the river. 900  
5 second feet, depending on when they built the water  
6 right into the contract. It's a small detail. And you  
7 can see there the head works for this. So the dam and  
8 then the canal head works that you see were all left in  
9 place and they've all been completely subsumed by the  
10 reservoir. After they built this dam -- which is the  
11 first dam, at least on the Utah -- the Idaho and Utah  
12 section of Bear River. I don't know about above that.

13           Then the development of the rest of the Bear  
14 River System. And as you all know, the Bear River has  
15 historically been actually joined with Bear Lake but it  
16 wasn't in this time period. So when the pioneers got  
17 here those two things were separate. Bear Lake is a  
18 natural lake but it now has a 22-foot storage reservoir  
19 sitting on top of a natural lake. That's because the  
20 pioneers literally built the Rainbow Canal that pushes  
21 water, all the natural flow from the Bear River.  
22 There's the channel of the Bear River. That's been  
23 abandoned for about six miles. All of water comes down  
24 to Bear Lake and is stored here in Mud Lake, is stored  
25 in Bear Lake.

1           When we need it, starting literally in the  
2 next day or two we'll start pumping water. Right now  
3 all the water rights we have so far are met with the  
4 natural flow. But starting within the next day or two  
5 we'll be pumping water at the Lifton Pumps right here,  
6 literally lifts water out and puts it in the Outlet  
7 Canal and brings it down Bear River, through Soda, Last  
8 Chance, Grace, Oneida, and eventually to Cutler. Cutler  
9 is the lowest on the system and was the last to be  
10 developed.

11           Here are some old historic photos -- just  
12 because I think they're cool -- of the development of  
13 Cutler. They were actually building the power house.  
14 Here it's finished. And the dam is about two-thirds  
15 there. The flow line is in place but I don't think the  
16 search tank is there. I don't know it well enough.

17           Here again is a picture of the dam being built  
18 and the flow line which is being placed. So the intakes  
19 are probably in place there on the other side. Sorry.  
20 Those are 1927 era.

21           This is a modern day view from the top.  
22 Here's the intake, water then goes into the flow line  
23 and down to the search tank. This is the search tank  
24 here. Then it splits down into these two stops. It  
25 splits to go into the power house where it turns two 15

1 megawatt turbines. And there's the transmission line.  
2 That's just a few feet long, 50, 75 feet, something like  
3 that. Sorry. It's not even a transmission line. The  
4 number two transformer goes directly to the substation  
5 yard. The rest of the substation is actually a  
6 different project. It's not the Cutler Project.

7           The Cutler Project ends at the number two  
8 transformer there in the yard and the water comes back  
9 here into the river. This stretch is what we call the  
10 Bypass Reach. There's literally only leakage in there  
11 as soon as the irrigation water comes on. So we've been  
12 spilling all spring because it's a very high water year.  
13 Right now, for example, the east and west canals are  
14 going, which means we're still -- are we still  
15 generating today?

16           UNKNOWN SPEAKER: Until tomorrow morning.

17           MS. DAVIES: Tomorrow morning. There's actually  
18 not enough water for us to both irrigate and generate.  
19 So generation goes off basically for the rest of the  
20 season, and that is typical of summer seasons. The only  
21 difference is some years it happens earlier than others.  
22 Last year there was no runoff and I think we were  
23 starting probably sometime in April of '18. So '19 has  
24 been a better year in terms of better water year and  
25 runoff.

1           The east and west canals. Again, the point of  
2 the whole Cutler System was to develop those irrigation  
3 water rights. So that's the first thing that happens on  
4 the system. Wheelon Dam again about a mile upstream  
5 from this point. When Cutler was built 30, 40 years  
6 after Wheelon was, the point again was to move these  
7 same canals, east and west, move that 900 second feet of  
8 water into the east and west canals that then move to  
9 irrigate a big chunk of Box Elder County.

10           I put this slide in here specifically because  
11 I want to talk about this elevation right here. You'll  
12 note that the -- excuse me. You can see we've got four  
13 radial gates on the dam. So when we're spilling, which  
14 we have been doing all spring, we've been spilling water  
15 and draining and providing irrigation water. Up until  
16 maybe a month ago we quit spilling. And then we were  
17 just generating and providing irrigation, and as of  
18 tomorrow we will only be providing irrigation water. No  
19 generation will take place.

20           This picture is taken from the upstream side  
21 of the dam. These are the four spill gates. You can  
22 see two and a little bit of the third one. This is  
23 taken from the upstream side of the dam. Same thing  
24 here except downstream. This was taken during one of  
25 our most recent draw-downs. I'm pointing this out

1 because this 4,394 and a half -- that's this elevation  
2 right here. That's important because that's what we're  
3 talking about in terms of the mechanical range of how we  
4 can move water. 4,394 and a half, that's what we can do  
5 is down to that elevation, 4,394 and a half. We'll  
6 spend a little more time talking about that.

7           Just a little bit more information here. You  
8 can see the spill way looks like it's sitting right on  
9 top of the power house. It's actually not. Here is the  
10 inside of the power house. I really like this photo  
11 just because it shows how beautiful these structures  
12 are. I really love these. They're really interesting.

13           Again, we've got two units here that generate  
14 a total of 30 megawatts and an annual power generation  
15 of 71,000 megawatt hours, basically.

16           This is very similar to the schematic you saw  
17 before. This sort of drawing shows a little bit more of  
18 how the Bear River gets close to but doesn't go into  
19 Bear Lake except for the canal, again into Bear Lake  
20 here, back out through the Outlet Canal, once the pumps  
21 start operating, and then down the river and all the way  
22 down here to Cutler.

23           This photo, this kind of looks like a  
24 (inaudible). That's basically the shape of a water shed  
25 you can see here. The entire Bear River is one of the

1 largest rivers that actually terminates into the Great  
2 Salt Lake. This outline here is of the water shed, but  
3 it shows -- the reason I like this photo is it shows  
4 where all the water goes in or out of Box Elder County.

5 Let's talk a little about project operation.  
6 Again, we already know that 900 second feet of water  
7 comes off right at Cutler Dam, above Cutler Dam. All of  
8 those water rights that govern irrigation -- and again,  
9 not just for Box Elder County but also there are other  
10 water rights that directly pump out of the reservoir.  
11 So all of these different water rights are governed by  
12 the Bear River Compact, various water rights, and also  
13 contracts. So we are required to operate the river to  
14 meet those needs for water rights. We hold our own  
15 water rights.

16 And then also, you can see here that there's a  
17 definite order of operation in terms of operation.  
18 We're required to operate the Bear River, number one,  
19 for flood control; number two, for irrigation; and  
20 number three, for generation. It's basically a distant  
21 third there in terms of the order of operations on the  
22 river.

23 Our current schedule. The current operation  
24 that we have allows for a total of one foot of elevation  
25 variation on the reservoir. And it's about 18 inches in



1 the wintertime, but most of the year, nine months of the  
2 year there's just one foot. We call that a dead pan.  
3 We refer to that as running the reservoir relatively  
4 flat. You run it in a river mode, relatively flat mode,  
5 what comes in goes out. We do not (inaudible) with the  
6 current operations. And that is something important  
7 because I want to talk about what we're interested in  
8 doing in the future.

9           Also, it's important to know that the  
10 reservoir is quite shallow. The average depth of the  
11 reservoir is less than four feet, over half of the  
12 reservoir the elevation is less than two feet, and the  
13 deepest point is right in front of the dam at 13 feet.  
14 You saw that there.

15           Let's see. Again, typically no generation  
16 after the irrigation season starts typically.  
17 Here's basically just some requirements we have of the  
18 existing license. Again, it was issued in 1994, expires  
19 in 2004. One of the biggest pieces, of course, is how  
20 we operate. We already talked about that. We also have  
21 the Water Quality Monitoring Program. We still monitor  
22 water quality and have been throughout the length of the  
23 license, we've had some fishery enhancements, and then  
24 the requirement to put together the Cutler Resource  
25 Management Plan. That plan covers everything from

1 vegetation enhancement, our agricultural program, and  
2 then the recreation program. There's other components  
3 also but those are basically the things that --  
4 everything from bank stabilization and improved water  
5 quality through the use of buffers and improving  
6 wildlife habitat, et cetera.

7 All right. One of the things that's really  
8 important to understand is that right now generation is  
9 really changing fairly dramatically and quickly. Our  
10 customers want different forms of generation than in the  
11 past. They want less carbon, they want more of what we  
12 call variable sources of energy, intermittent sources,  
13 renewable, solar and wind. Everybody wants more of  
14 those, except it always doesn't run the grid as  
15 efficiently as our historic baseload of -- basically of  
16 steam generation.

17 Hydropower is really uniquely situated to help  
18 us bridge the problems we have on the grid with having  
19 these more variable sources. It's a need that we're  
20 facing in the business. And to meet those new  
21 generation scenarios, we really think that we need  
22 greater operational flexibility than we currently have.  
23 So again, you know, we run pre-flap one to one and a  
24 half feet at the most elevation variation on the  
25 reservoir.

1           So we are not proposing a change to the upper  
2 elevation limits but we would like to look at an  
3 additional range of elevation variation on the  
4 reservoir. We don't know what to call the floor there,  
5 essentially.

6           The thing that makes the most sense to us is  
7 right now, because relicensing only happens every 30 to  
8 50 years, we want to take the time to study that full  
9 entire range. You'll note that in the PAD and in the  
10 scoping document it talks about the proposed range of  
11 evaluation. What we're talking about there is that we  
12 want to look to see what the effects would be throughout  
13 that full 11 feet. There's 13 feet, if you do the math,  
14 between the top and bottom of the numbers I just told  
15 you but we can't operate in the bottom two feet. We're  
16 saying the top 11 feet -- we want to look at what would  
17 happen within that range.

18           It's important to note that the vast majority  
19 of the reservoir, 90 percent of the volume of the  
20 reservoir is in the top three feet. So it seems  
21 unlikely to me given the water volumes that we're going  
22 to find a real need to operate continuously at bigger  
23 depths or widths. Would it be sometimes advantageous to  
24 draw down further? We don't know. That's what we're  
25 looking at, are there some advantages in terms of the

1 sediment loads or other things. It makes sense for  
2 that.

3           One of the other things that we want to look  
4 at is -- we noted multiple constrictions in the  
5 reservoir but we noticed this big constriction. Would  
6 it help matters if we didn't have Wheelon there anymore?  
7 We don't know, so we're going to study that. So we have  
8 a bunch of modeling that we have proposed that we'd like  
9 to look at. Again, I want to acknowledge that there is  
10 another conversation going on right now about Bear River  
11 water and relicensing -- Cutler relicensing isn't that  
12 conversation.

13           So because we operate the Bear River System --  
14 and we are talking with right now -- I want to make sure  
15 everyone is clear. We're talking with the states about  
16 the states' need for water. That's a whole separate  
17 issue from generation that's related to our licensing.  
18 The big quote in here is just from a conference,  
19 workshop, get-together, working group between the states  
20 at the end of the year. That basically said we all need  
21 to meet and talk about this, so no decisions. And  
22 again, separate from the relicensing process, but that  
23 discussion is happening.

24           Let's talk about our featured license  
25 proposal. I said we'd like more flexibility and I said

1 we're not going to go beyond the top and I said we don't  
2 really know the floor so we need to look at the full  
3 range. Our studies are going to look at that whole  
4 range. I mentioned we have some extraordinary wildlife  
5 habitat out there. Some of the habitat may be due to  
6 the fact we've run it as flat as we have for as long as  
7 we have. We need to look and see if we change that what  
8 that would do to that habitat. We have known  
9 federally-listed species of plant. So we'll spend some  
10 time looking to see what the effect of changing those  
11 water levels would have on that plant. We need to look  
12 and see.

13 I put this slide in here. Not only does it  
14 remind me to say we've got a lot of cultural resources  
15 out there (inaudible), and has been for the last 150  
16 years, but who's counting, but also you can see --  
17 again, this picture was taken during one of the more  
18 recent draw-downs, so you can see the sediment that's  
19 there in the lower canyon.

20 A lot of the studies that we're talking about  
21 at least start with what happens to both the hydraulics  
22 and the sediment in the reservoir. So we have some  
23 studies that are proposed to look at that. Before I  
24 forget I want to say. I think everybody here already  
25 knows, but we do need to get started on those Lidar

1 studies. There's no chance we'll make the various study  
2 deadlines that we have if we don't start this year. So  
3 we're going to do a fairly major Lidar so we can address  
4 the rest of the studies that we have. That's coming  
5 this fall.

6           That's an imposition to the various recreation  
7 groups that like to use the reservoir. So we'll do it  
8 as fast as we can, get the water back as quick as we can  
9 starting on October 15th, and probably plan for about a  
10 month by the time we get the work done and get the water  
11 refilled.

12           Here's a few of the relicensing issues we came  
13 up with through the process, the workshop, the series  
14 that we started in February. Note that I have here at  
15 the bottom that PM&E's is actually a featured  
16 discussion. We have lots of people with great  
17 suggestions for PM&E's, the protection, mitigation and  
18 enhancement measures, they need to be based on what do  
19 the impacts tell us. That's something for a future  
20 discussion, but people have lots of great ideas and they  
21 are certainly things that we're talking about.

22           Here's a list of studies that we currently are  
23 proposing. You'll see the annotated draft piece.  
24 Again, if you came to the workshop on Tuesday -- and I  
25 think everyone did. Maybe not Matt. I don't remember.

1 The studies that we have proposed on the annotated draft  
2 outlines are posted on the website if anybody is  
3 interested.

4           And again, I want to be clear that this isn't  
5 the total list of studies. This is the total list of  
6 what we think we need new information on to address. So  
7 for example, we would be remiss to not include water  
8 quality in the list of studies because that's one of the  
9 most important things, but we think that we have all of  
10 the information that we need to talk about water  
11 quality. This list doesn't say water quality because we  
12 don't plan on doing any additional sampling at the  
13 moment. That could pop up. But at the moment we're  
14 planning on using the data that we have because there's  
15 a lot of us between us and the state to construct the  
16 analysis that we need for water flow.

17           So this list of studies is not exhaustive.  
18 This is a list of things that we know we need to get  
19 cracking on to gain additional information to get  
20 through this process.

21           Then I think probably everyone is aware we  
22 have a website. We're basically posting everything from  
23 those annotated outlines, meeting minutes, all the stuff  
24 from the workshops that we've done, everything like that  
25 is on the website. There's an email where you can send

1 anything from relicensing questions to how about the  
2 schedule. We have a calendar that's going up on the  
3 website that will tell you what the next upcoming  
4 important dates are. And you don't have to write down  
5 this whole long thing. You can just tell Google to tell  
6 you something about Cutler dam, Cutler relicense, Cutler  
7 license. Any of those things come up to our website  
8 page on the first hit

9 UNKNOWN SPEAKER: Is there a powerpoint on that?

10 MS. DAVIES: Yes, there is. Then there's my  
11 information on that as well. Any questions? Anything  
12 you guys want to talk about specifically, questions on  
13 our proposal?

14 MR. HOGAN: As Eve indicated, obviously our process  
15 starts off with scoping. That's why we're here tonight.  
16 We want to hear from folks what are the issues and  
17 concerns that affect you, the folks from Logan and the  
18 surrounding areas regarding the project.

19 We've looked at the Applicant's preapplication  
20 document. This is a list of things that we thought were  
21 preliminary issues. It's in Section 4 of the scoping  
22 document. And we've broken it up by resource: Geology,  
23 aquatic resources, cultural resources and so forth.  
24 What we're interested in knowing is did we get this  
25 right or did we get it wrong, are there things that



1 should be added or shouldn't be added -- should be  
2 removed I should say. That's the information we'd like  
3 to hear. You tell us tonight or you can do so in  
4 writing. We'll cover how to file written comments in a  
5 little bit.

6 We have the option here of -- we can go  
7 through each of these resources now or we can kind of  
8 turn over the floor and let you folks tell us what's  
9 important to you.

10 MS. WOLCOTT: Section 4. The one thing we will  
11 discuss before turning it over to you all are cumulative  
12 effects. Cumulative effects are holistic in nature. So  
13 it's not just the hydropower project. It's anything  
14 that could be going on, a federal action or whatever,  
15 past, present or relatively foreseeable future. It's  
16 the cumulative effect of all of those actions on a  
17 particular resource.

18 Resources that we decided -- that we think  
19 would be cumulatively affected by the Cutler relicensing  
20 are water quantity and water quality and geology and  
21 soils. For geology and soils, that would be continued  
22 operation on turbidity and suspended sediment loads.

23 In determining cumulative effect we look at  
24 the geographic scope, which is just the footprint that  
25 we think would be involved in creating these effects.

1 So we've identified the Bear River Basin as the  
2 geographic scope for cumulative effects. And as far as  
3 a temporal scope, the time frame for when we think these  
4 effects may occur would be 30 to 50 years to the future,  
5 concentrating on effects of the resources from  
6 relatively foreseeable future events.

7 That in a nutshell is a cumulative effect and  
8 the resource or resources that we think would be  
9 cumulatively affected by this project. Like Ken said,  
10 if you want us to go through resource by resource and  
11 basically tell you what we think we've identified as a  
12 potential effect, we're more than happy to do that, but  
13 we're here to get feedback from you guys. So we're more  
14 than happy to turn over the floor and let anyone speak  
15 who would like to.

16 Just a reminder. If you haven't signed in  
17 please do so, so we can give our court reporter an  
18 accurate spelling of names and proper attribution to the  
19 speaker. And if you'd like to make a comment or ask a  
20 question, just give us your name so it goes down in the  
21 record. That's it.

22 MR. OLCOTT: Is there anyone besides Mr. Watterson  
23 that would like to make a comment today? Okay.  
24 Excellent.

25 I guess we can get started. Is there anyone

1 who has a burning desire to go through the list in this  
2 scoping document of the resource issues that we  
3 identified or are we okay to open up the floor at this  
4 time? If there are any objections to that, speak now.

5 All right. We can get started with Mr.  
6 Watterson. I'll bring the mic to you. That's probably  
7 just as easy, unless you'd like to come up.

8 MR. WATTERSON: Want me to stand?

9 MR. OLCOTT: You've got some pictures?

10 MR. WATTERSON: I do.

11 MS. WOLCOTT: It might be easier to put it in the  
12 mic stand.

13 MR. OLCOTT: Sure. We can put it in the mic stand  
14 for you.

15 MR. WATTERSON: Thank you.

16 My name is Jason Watterson, W-a-t-t-e-r-s-o-n.  
17 We live in Benson, which is a bordering community of  
18 Cutler Reservoir. My family lives there. All members  
19 of our family live on our ancestral ranch. We've been  
20 there since 1860 along the shores of the Bear River when  
21 Cutler Reservoir was initially put in place.

22 Our first official -- I'm losing my mind here.  
23 The original land that we got was inundated by the  
24 reservoir. Since that time we've worked with the  
25 company various times through the years. They've come

1 back repeatedly and wanted to purchase more property,  
2 more flooding and erosion along our property. We have  
3 had erosion issues throughout the year.

4           During the last relicense process we had we  
5 commented on some of the challenges with the erosion.  
6 The company in the early 60's, I believe, installed  
7 Detroit rip-rap, old cars, car bodies along the edge of  
8 the reservoir to try to --

9           MS. DAVIES: I thought it was the farmers.

10           MR. WATTERSON: No, it was the company. Some of  
11 the farmers may have done that as well. It actually  
12 provided a great fishery habitat. During the last  
13 license process the company came in and removed those  
14 car bodies and placed real rip-rap along those edges,  
15 and that's been beneficial.

16           I want to start out my comments by saying this  
17 resource is significantly better than it was. I've  
18 lived -- I'm 48 years old and I've lived there on the  
19 reservoir my entire life. And this reservoir is  
20 significantly better. The Bear River is significantly  
21 better than it has been, than it was previously.

22           Just some interesting things along that.  
23 Cutthroat. A lot of cutthroat trout have been caught in  
24 the river right next to where my house is, which is part  
25 of the project boundaries. That's a potential, I

1 believe, a threatened species federally. And that's  
2 something that I take as a good sign, along with some of  
3 the invertebrate species that we see. We have a  
4 stonefly hatch, we have a major mayfly hatch that comes  
5 off in our area. So the health of the system is better.  
6 I want to preface my comments with that, that the  
7 company has done a good job there.

8           That being said, we do have concerns about  
9 this process, about the project and the proposal that  
10 the company PacifiCorp is proposing. I'll hit just a  
11 few of those.

12           One main concern is the sedimentation of the  
13 reservoir. I have a couple of pictures, and I have  
14 these in a smaller format that I'll send with you today,  
15 and do an electronic submission as well. I'd like to  
16 point out -- this first picture is of the Cutler Dam  
17 downstream showing the physical heights of about 114  
18 feet. These are as good numbers as I can find. And 97  
19 foot hydraulic height. Basically, it can hold 97 feet  
20 of water.

21           The second picture I have -- I have some  
22 others from further away as well. You can see the  
23 sediment in the reservoir. This is from upstream,  
24 showing really how much free board (phonetic) is left in  
25 the reservoir. My best guess is about ten feet. It may

1 be plus or minus on that. But it's a significant amount  
2 of sediment that has filled in the reservoir. That's a  
3 concern.

4           Probably a bigger concern on sediment is that  
5 upstream from that, and it's a narrowing in the  
6 reservoir that Eve didn't point out, and that's where  
7 the Bear River and Little Bear River come together.  
8 That's a major concern. Because what we find is,  
9 particularly during high flow periods, that area will  
10 not allow significant water -- sufficient water to pass  
11 through to prevent flooding upstream from that area.

12           Two years ago we had significant flooding  
13 during a quick warmup during winter season and we had  
14 significant flooding. What we found was at the  
15 reservoir the company was finding, hey, our levels are  
16 pretty good. Up above we were flooded. My parents'  
17 house was basically on an isthmus. They had water on  
18 both sides of their home because it had been forced up  
19 into our property.

20           The local municipality here, Logan City, had  
21 difficulties discharging from their waste water  
22 treatment facilities and had difficulty -- they  
23 contacted the company and said you've got to dump water.  
24 And they said we are. We can't get the water through  
25 the system. So they were having challenges with being

1 able to discharge from their facility. I think it's a  
2 significant issue that we have.

3           One other concern while I'm talking about  
4 siltation is that of -- and I will preface this. This  
5 is hearsay but it's hearsay from somebody who worked for  
6 the company, for PacifiCorp for a number of years. What  
7 I was told by this person is that in roughly 1937 a  
8 large log impacted the sluice gates of the reservoir and  
9 jammed those sluice gates and they have not been opened  
10 since that time.

11           I'm not a hydrologist. I'm not an expert on  
12 dams or anything like that but I have to ask the  
13 question. Is the dam safe to operate? How safe? If  
14 you can't drain it, if you can't open the sluice gates  
15 at the bottom. And that goes to the problem of  
16 siltation. If we're not periodically exercising those,  
17 in my estimation, I don't know that we can effectively  
18 operate that reservoir. Once again, that was hearsay.  
19 I'm sure the company can confirm that one way or  
20 another.

21           Additional concerns that we have are really  
22 related to the proposal for changing the operational  
23 window of the reservoir, both from a recreational,  
24 irrigation, and really from a wildlife standpoint. I'm  
25 sure there are plenty of people that have spoken to the

1 wildlife side of that.

2 I'll speak to the irrigation. Pumps line the  
3 reservoir. They are in various locations. As Steve  
4 said, the reservoir is quite shallow. And if that  
5 window is opened up and operations draws down, as she  
6 said, about three feet -- that's kind of where they can  
7 have control -- that could leave the pumps high and dry  
8 and affect their ability to irrigate crops.

9 In addition to that, my family operates a  
10 recreation business, where we provide access to the  
11 reservoir through our property for canoeists and other  
12 recreationists that go into those areas. Over the years  
13 we found -- we have had increasing difficulty in getting  
14 our people to move freely throughout the reservoir.

15 I have another picture that I'll give you that  
16 shows aerial imagery starting in 1937 and up to  
17 relatively current. And you can see how the sediment  
18 has built up along with vegetation in these areas. Some  
19 areas where we used to be able to easily operate boats  
20 through the area are -- our clients coming out to canoe  
21 have to literally get out and drag the canoes over mud  
22 in these areas. So it affects our business, it affects  
23 the ability of people, not just our clients but others  
24 who recreate in the area to be able to enjoy the area.

25 Invasive species. Some of the success of the



1 reservoir is that we've stabilized shorelines and we've  
2 provided some better habitat, but along with that came  
3 invasive species. And those include phragmite, which  
4 are significantly affecting the reservoir. They impact  
5 water use, they impact various different species, as  
6 well as the flow of water through these areas.

7           Goat (inaudible) is another invasive species  
8 that has traveled down the various water courses in the  
9 area, and Bear River and Cutler Reservoir is no  
10 exception there. And this species has been moved up  
11 from those water courses into agricultural land and  
12 pasture land. The problem with this species is it's  
13 toxic to cattle and can have a big impact on them.

14           The last thing I want to talk about is just  
15 erosion along the edge. Like I said, we've made some  
16 significant headway in erosion. But some areas still  
17 exist, where we're losing property, where it's impacting  
18 our ability. We have one area that has a rather steep  
19 bank and if we have a catastrophic failure of that area  
20 I won't be able to access my house. I'll have to drive  
21 miles to be able to access my house and the rest of our  
22 property. So that is a big concern for us.

23           Safety goes along with the erosion control.  
24 Gaming baskets were installed along portions of our  
25 property, and they work really quite well to stabilize

1 those shorelines. But as time has gone on, whether it's  
2 from water washing underneath or just failure of the  
3 baskets, some of those are starting to tip. There have  
4 been some injuries that have happened to animals and  
5 people along these because they're wire baskets. And  
6 we've had dogs get hung up with people that were out  
7 with their animals in the area. They got hung up. And  
8 some were lacerated off of these gaming baskets. So  
9 that's definitely a concern that we have in those areas.

10 I talked a long time. That's what my dad said  
11 today. He said I talked too long. I probably have too.  
12 Thank you for giving me the time to voice some concerns.  
13 I have a packet today, and I'll follow that up with an  
14 electronic submission as well. I appreciate this  
15 opportunity. Thank you.

16 MS. WOLCOTT: This is Kelly. We're going to --  
17 everyone is going to get a chance, but Toni needs to  
18 stretch her fingers so we have a good, accurate record.  
19 So we're going to take a quick five-minute break.

20

21 (Off the record.)

22

23 MS. WOLCOTT: We're going to go ahead and get  
24 started again. Again, we've opened the floor for anyone  
25 who wants to speak, if anyone wants to make a mad rush

1 to the microphone. Just a reminder to state your name  
2 for the record, please.

3 MR. SNYDER: Hi. Thank you. My name is Casey  
4 Snyder. I am a representative for the south end of this  
5 valley in House District 5, which basically represents  
6 everything south of Logan, valley wall to valley wall.

7 It's a comment, and it's a question maybe  
8 directed to FERC. I have been speaking with my  
9 colleagues in southeast Idaho who have gone through this  
10 similar process several years ago. They're working  
11 through mitigation on dam sites in the upper Bear on the  
12 main stem. Everyone who I have spoken with in that  
13 capacity is very happy with how it's worked out. They  
14 like the ability -- as these sites have come in place  
15 and as the company has been required to provide  
16 mitigation funds or mitigation projects, they've  
17 appreciated very much the flexibility that has come with  
18 that, that all mitigation is not directly tied to the  
19 site, that they've been able to do things off of the  
20 main stem of the Bear or within the tributaries of the  
21 Bear, or even on the outside of Bear River itself to  
22 improve water quality, to improve all of the  
23 environmental impacts of those projects on this system.

24 Also, in speaking with my colleagues up there,  
25 we have heard that FERC has indicated, for lack of a

1 better phrase, never again. And in my capacity here as  
2 a representative, we have some concern with that.  
3 Because we're on the same system, we'd like to be  
4 treated the same as Idaho. We feel it's our prerogative  
5 as a state. But also, some of the impacts that could be  
6 addressed could be addressed better if those projects or  
7 mitigation dollars could be spent offsite.

8           So I guess sort of that's a statement: One,  
9 that you did it right the first time. We really  
10 appreciate the effort that went into that and we  
11 appreciate the work of PacifiCorp and others in making  
12 that happen. We hope that you will replicate a model  
13 that is working for us as you have done for our  
14 neighbors just across the border. I kind of kick that  
15 out to you as a question/comment, if I may.

16           MR. HOGAN: I'll try to answer the question. And I  
17 appreciate the comment. Ken with FERC.

18           You indicated two things. One was projects,  
19 another one was funding. The Commission prefers  
20 projects over funding. We don't like to put dollar  
21 amounts. If we indicate that "X" project should be done  
22 and that project should cost \$100,000, if it costs  
23 \$500,000 it doesn't matter. It's the project that was  
24 prescribed. From that perspective, we do have a  
25 propensity for projects over funding.

1           We do also have preference for projects within  
2 the direct environment that the project is affecting.  
3 If you have a project effect that can be mitigated by  
4 doing a project, we'll call it offsite, that's  
5 acceptable, okay? Hypothetically, you wanted to build a  
6 new project. And we're going to inundate 10,000 acres  
7 of prime nature habitat and the next prime nature  
8 habitat is 30 miles away. We could create an island  
9 boundary and make that a reserve for habitat and keep it  
10 in perpetuity as long as the license is in existence.

11           So not every project is, "This is the way that  
12 it is." Everything is looked at from a case-by-case  
13 basis. And in some cases offsite mitigation makes  
14 senses. But in other cases, if we can mitigate the  
15 effect at the project, that's what we want to do. If  
16 mitigating that effect (inaudible) by doing something  
17 just up river and it does a better job mitigating it,  
18 that can be on the table.

19           We like to hear the idea, when you get to PM&E  
20 issues, have an application, that you actually solicit  
21 recommendations. That's when you can start bringing up  
22 you've got an issue here, if you do this up here we can  
23 fix that, we don't have a solution for fixing it in the  
24 reservoir. Well, we want to know that. It's a little  
25 early for that.

1           MR. SNYDER: I understand that. But I want to  
2     reiterate that from the inception the ideal for many of  
3     us in this water shed, and many of us who operate in it  
4     or represent people that do, we would like to see the  
5     latitude and flexibility that was given to our neighbors  
6     across the border also given to us here in this system.

7           MR. HOGAN: I think you're talking about the Bear  
8     River.

9           MR. SNYDER: That project has worked exceptionally  
10    well. Every partner I've spoken with is happy with how  
11    that process has played out because it's given great  
12    latitude to address some of the impacts of this project  
13    across the water shed. So being able to look at water  
14    quality issues and impacts, having the latitude to  
15    implement projects without a heavy regulatory hand has  
16    been beneficial for that neighbor.

17          MR. HOGAN: I do know in that agreement there was  
18    also a settlement agreement. It is supported. And I  
19    don't know the specifics of that. I'm going to turn the  
20    microphone over to Eve in just a second. But a lot of  
21    settlement that we do seeing coming into the Commission  
22    is two sides: One, which is a licensed part, and what  
23    we call an off-license part. I don't know if that's the  
24    situation here.

25          MS. DAVIES: It's not.

1           MR. HOGAN: That's okay. But it's all required  
2 by -- all right. That was issued in 2003, and in 2006  
3 they came out with a settlement policy, which now throws  
4 it off. If we were looking at some of these funding  
5 projects that were offsite, that would probably have to  
6 be in a settlement and off-license.

7           MR. SNYDER: Again, that would be the preference.  
8 When we're talking about the same operator, same system  
9 on the same river with the same type of project,  
10 consistency matters. And that's going to be again  
11 something I'm going to be hounding. And you will  
12 probably hear from some of my colleagues. They're going  
13 to reflect the same thing. I've been talking with our  
14 federal delegation on this issue as well. So this is  
15 something that, again, everyone is very happy that we've  
16 spoken to. I really want to make sure -- I know I'm  
17 early but this is a chance to talk about this.

18           MR. HOGAN: Absolutely.

19           MR. SNYDER: So I'm going to beat this drum  
20 consistently through this process in public, in letter,  
21 again, just because we want to mitigate the impacts. We  
22 have a great partner in the company. We hope that the  
23 regulatory side of this does not become an impediment to  
24 a process that has clearly worked on this river prior.

25           MR. HOGAN: What I would say is the best method to

1 accomplish the goals that you want would be to look  
2 specifically at projects that mitigate effects at the  
3 project. They can be offsite projects, but look at  
4 projects versus funds and try to come up with a list of  
5 things you would identify that would address issues that  
6 would be at the project.

7 MR. SNYDER: We will continue to have this  
8 conversation, I suspect. Again, for consistency sake,  
9 I'm repeating myself for the third time, but that's  
10 where we want to go at that stage in this process,  
11 however we can help advocate that. Clearly, none of us  
12 want to get into a legal dispute to come to a settlement  
13 agreement. So if we can do this as part of licensing,  
14 as has been done before, regardless of policy, that  
15 would be where the preference would be. Anyway, thank  
16 you.

17 MR. HOGAN: Thank you.

18 MS. WOLCOTT: Do we have anyone else that has a  
19 burning desire to make a comment or have a question to  
20 go on the record?

21 MR. HENSON: This is Charley Henson, American  
22 Whitewater. So the recreational issue. I understand  
23 what you want to do about raising and lowering and  
24 looking at the perimeter, et cetera. And all of that is  
25 great, but we'll be keenly interested in the results of



1 that study. I just want to be on the record with that.

2 MR. HOGAN: Any other comments? With that, I'd  
3 like to go through some of the administrative aspects.

4 As we indicated earlier, the deadline is July  
5 29th. There's a little bit of difference between  
6 comments and study requests. The comments we're seeking  
7 are kind of threefold. One is on the Applicant's PAD,  
8 is there any information in that pre-application  
9 document that's just erroneous that we didn't notice is  
10 incorrect and for the record this is what the  
11 information should be.

12 The other aspect is our Scoping Document 1, is  
13 there any erroneous information or issues that are  
14 relevant or issues that aren't identified that we should  
15 be aware of that should be incorporated.

16 The third thing we're looking for is study  
17 requests. I'll spend a little time on the study  
18 requests. The Commission has specific criteria for  
19 study requests. If you address all of the criteria, the  
20 assumption is that study has merit, the requested study  
21 has merit.

22 We have a guide here, which is Understanding  
23 The Study Criteria. There are seven criteria. They're  
24 very simple to address, or should be. The first one is  
25 what is the study, what's the goal of the study, what's

1 the objective, what are you trying to accomplish by  
2 asking for this information.

3           Criteria two and three are mutually exclusive.  
4 The second criteria is for resource agencies, which it  
5 asks how is this information going to form your agency's  
6 mandates, the responsibility of your agency, the role  
7 that you have, how is this information relevant.

8           The third criteria is for members of the  
9 public and NGO's. NGO is Non-Governmental Organization.  
10 If you're asking for this study, what is the public  
11 interest. It can't just be that John Smith wants a  
12 study because he'd like to know how he'd to read  
13 (inaudible). It's how is this going to serve the public  
14 as a whole.

15           The fourth criteria is my understanding of  
16 what the existing information is, what information is  
17 out there currently that either demonstrates a need for  
18 more information or could demonstrate a need for no  
19 additional information, no new information is needed.  
20 And you may not know of it, and that's fine. Just say I  
21 don't know. The Applicant can then counter and say  
22 here's the whole list of existing information and  
23 address your requests. It's a balancing act.

24           The fifth criteria is project nexus. This  
25 should be the easiest one. It's also one of the most

1 important. It's the one where it says, hey, what I want  
2 you to look at is directly tied to the project or its  
3 operations or its effects. If you can't make that  
4 connection you probably don't have a valid study  
5 request. But it should be one of the easiest  
6 connections you can make. And it doesn't have to be a  
7 bullet proof argument.

8           The sixth criteria is study methodology. Let  
9 me back up.

10           The fifth criteria has two components, nexus  
11 and how would this information inform the development of  
12 licensing requirements. There may be a nexus, but if  
13 the result is something that's not within the  
14 Commission's jurisdiction to require, then that may be a  
15 reason not to do a study. I can't think of one at the  
16 moment. Again, it should be fairly easy. If you have  
17 this erosion, well, study it, evaluate it, does it have  
18 a direct effect. The mitigation can maybe be stop it or  
19 don't stop it, is this a good thing or a bad thing.

20           The sixth criteria is the methodology, how do  
21 you want them to collect that data. You look for  
22 scientifically defensible study methods. If you don't  
23 know what specific methodology you'd like to see, then  
24 often times we'll refer to it staff. Because we'll  
25 often request things. We'll say pick a scientifically

1 defensible method that you'd like. Because I'm not  
2 going to dictate to you, yet, what method you're going  
3 to implement. I'll let you kind of craft that. That's  
4 an acceptable answer to criteria six.

5           Then criteria seven is give you an opportunity  
6 to describe considerations of level of effort and cost.  
7 That's the intent, that you give it some understanding  
8 or some consideration, what you are asking the Applicant  
9 to do. The way I've seen this work is multi-faceted.  
10 In some cases I've been in study plan meetings where an  
11 Applicant and has said "no" to a study request because  
12 they've looked at the study request and they said that's  
13 a \$7 million study or a \$700,000 study. And the agency  
14 who requested it said it should be like \$26,000. But  
15 the agency didn't fill in the dollar amount, so when the  
16 Applicant looked at what the methods were and what was  
17 being asked for, they just -- it was unbelievable. I  
18 think you overestimated what we were asking for. But  
19 when we got talking about it, we then came to an  
20 agreement on what the study was.

21           Anyway, when you write these study requests  
22 you want to give them as much information, what it is  
23 that you are thinking about or considering so they can  
24 make an informed decision as to whether or not they want  
25 to propose this thing or not. That being said, they're

1 going to take those same criteria and evaluate the study  
2 requests and develop a proposed study plan.

3           Then it's a public process. We can all  
4 discuss the Applicant's proposal, study requests that  
5 were adopted may be modified by the Applicant and  
6 hopefully get that to a resolution. This is a 90-day  
7 period, resolution period for these things. After that  
8 90-day period the Applicant will file a revised study  
9 plan, and hopefully that revised study plan will reflect  
10 the discussions that we've had by the stakeholders and  
11 the Applicant. That study then is available for a  
12 two-week period.

13           Once that period closes staff will look at it  
14 and see if there's any outstanding issues, that the  
15 stakeholder still thinks the study needs to be done or  
16 Applicant is choosing not to do that study. Staff will  
17 basically call all the strikes on it and decide you need  
18 to do it, you need to do it as requested or is the way  
19 you're proposing acceptable.

20           All of this decision-making process and these  
21 drafts are all formed by study and study criteria.  
22 That's why I'm emphasizing the criteria. And I highly  
23 recommend, if you're thinking about filing a study  
24 request or multiple study requests, take a look at this  
25 guide. It gives examples. It gives guidance as to what

1 the criteria is. It's a great tool. It gives you the  
2 format to follow. I highly encourage you to follow  
3 that.

4 With that, Kelly, do want to talk about  
5 (inaudible)?

6 MS. WOLCOTT: What Ken just discussed was basically  
7 provided. It's the document under Section 6. It's a  
8 bulleted generalized form of what Ken just went over.  
9 Again, all of that is due July 29th. We told you we  
10 were going to hammer that date in your head. July 29th,  
11 5:00 eastern time.

12 Page 22 of the scoping document has a how-to  
13 for filing your study plan -- your study request with  
14 FERC. So how to do it electronically, which we strongly  
15 encourage, or there's also instructions there for how to  
16 submit paper copies. But all of that submission  
17 information is on Page 22. And we're going to go over  
18 that to keep up to date with all things Cutler through  
19 our FERC process.

20 Section 7 is just a brief tentative schedule.  
21 So we're having the scoping meeting now, then we'll have  
22 all the prefiling activities that we've discussed and  
23 that are in the IOP guide that we have in front. So  
24 that's all the study plan process and the prefiling.  
25 That will culminate in the license application being

1 filed. The target date is March 22nd. Then that will  
2 trigger post filing and we'll release an updated  
3 schedule then.

4 Proposing the document outline is Section 8.

5 Section 9 is comprehensive plans. Basically,  
6 FERC has a list of comprehensive plans that have been  
7 filed and approved with us. We weigh the document  
8 against the resource plans for management of resources  
9 that have been filed with us. If you have a  
10 comprehensive plan that you wish to file for us to  
11 consider -- we have a list that we've identified.  
12 Again, if we're off on that list or if you have a plan  
13 that we don't have and you want us to consider as a  
14 comprehensive plan, there's submission guidelines for  
15 that under Section 9. Or if you have a plan with us  
16 that needs to be updated, if there's a plan on here that  
17 you're like, well, an updated version of that is  
18 available, please submit that to us and we'll consider  
19 that for approving for update as well.

20 Section 10 is our official mailing list.  
21 That's on Page 28. If you're not on the list and want  
22 to be, there's a way -- there's information on how to  
23 sign up for the mailing list. We also have this  
24 colorful pamphlet that will walk you through how to  
25 E-subscribe to the docket or add yourself to the mailing

1 list. Or if you're on the mailing list and don't want  
2 to be, you can take yourself off using the how to guide  
3 that we have in Section 10.

4           Again, we have this pamphlet that walks you  
5 through how to stay up to date electronically with FERC.  
6 You can E-subscribe to this docket using our  
7 E-subscription service. You just log on and create an  
8 account and you enter the docket number. And this case  
9 is P-2420. Every time something is filed or issued  
10 relative to Cutler you will get an E-notification of  
11 that in your email. And that will be available on our  
12 E-library service. That will take you to the E-library  
13 where, again, everything filed or issued relative to  
14 this proceeding will be made publicly available.

15           There are some things that are public filings  
16 and there are some things that are CEII, which is  
17 privileged, but the public documents are there as well.  
18 So that guide is also available for you up front.

19           Comments on the study plans, study requests?  
20 All right. Anyone have any last minute things that they  
21 would like to add?

22           MR. HOGAN: Any questions or comments?

23           MS. WOLCOTT: Thank you all very much for coming  
24 out. We appreciate you for taking the time to come and  
25 talk to us this evening. Safe travels going home.



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(End of proceedings.)

## 1 REPORTER'S CERTIFICATION

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3 STATE OF UTAH )

4 COUNTY OF SALT LAKE )

5

6 I, TONI BERTINI, Certified Court Reporter and

7 Registered Professional Reporter for the State of Utah,

8 do hereby certify that the foregoing proceedings were

9 written stenographically by me and thereafter

10 transcribed;

11 That the foregoing pages contain a true and

12 accurate transcription of the proceedings and were

13 transcribed by me to the best of my ability.

14 IN WITNESS THEREOF, I have transcribed my name

15 on this 1st day of July, 2019.

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TONI BERTINI, CCR, RPR

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21 My Commission Expires:

22 September 30, 2020

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