



Pacific Power |
Rocky Mountain Power
825 NE Multnomah, Suite 1800
Portland, Oregon 97232

February 6, 2024

PUBLIC SERVICE COMMISS
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RECEIVED

Dear Pioneer Hydroelectric Project Interested Party:

PacifiCorp is the owner, operator, and licensee of the 5.0-megawatt Pioneer Hydroelectric Project (Pioneer Project or Project), Federal Energy Regulatory Commission (FERC) Project No. 2722. The current Project license was issued by FERC on May 26, 2000, with an effective date of September 1, 2000, and expires on August 31, 2030. As a result, PacifiCorp would be required to file a Notice of Intent to initiate relicensing of the Project no later than September 1, 2025.

Alternatively, PacifiCorp believes that the Pioneer Project is more appropriately classified as a FERC conduit exemption. If determined to be such, the Project would not need to complete future FERC relicensing. Therefore, PacifiCorp has proposed to apply to FERC for the conversion of the Project to the more appropriate conduit exemption classification, and correspondingly surrender the current FERC license once a conduit exemption has been granted. The proposed action would be largely administrative as there would be no construction of new facilities, nor changes to existing facilities, ownership, or operations and maintenance activities.

As an interested party for the Project, this email provides notification that, pursuant to Title 18 Code of Federal Regulations Section 4.38, on January 31, 2024, PacifiCorp initiated the formal, three-stage consultation process with the filing of an Initial Consultation Document (ICD) with FERC that describes both the current Project and the proposed action. We invite you to review and provide comments on the ICD and identify necessary studies, if any, no later than May 20, 2024. As is discussed in more detail within the ICD, since the proposal is largely an administrative action, PacifiCorp is proposing no studies at this time.

Per FERC regulations, the next step in the process will be for PacifiCorp to schedule and host a Joint Agency Public Meeting (JAPM) and site visit, tentatively scheduled for March 20, 2024 at the Pioneer Project complex, located at 1212 12th Street, Ogden, UT. Once that meeting schedule is finalized, PacifiCorp will provide notice of the time and place of the meeting, and a written agenda of the issues to be discussed at the meeting.

Attached, please find a copy of the cover letter that was filed with the ICD on January 31, 2024. A copy of the ICD is available for download on FERC's electronic library ([eLibrary](#)) under [Accession Number 20240131-5304](#). All current and future documents related to this proceeding may be accessed on eLibrary by searching for the Pioneer Project's docket number: P-2722. Instructions for how to file comments with FERC can be found at <https://www.ferc.gov/how-file-comment>. Additionally, PacifiCorp has posted all relevant documents related to this proceeding on the publicly accessible PacifiCorp Pioneer webpage at <https://www.pacifiCorp.com/energy/hydro/pioneer.html>.

We look forward to discussing this proposal with you. Should there be a more appropriate or additional contact for your organization, please reply with their contact information and we will

ensure they are included in the Project's distribution list and are forwarded this email. If you have received a hard copy of this letter, please let us know your preferred email to receive future Project updates and communications. If you do not want to receive future Project information, please also let us know so that we can remove your name from our communications list. Thank you in advance for your time in this matter. Please reach out to Eve Davies (Eve.Davies@PacifiCorp.com) or by phone at 801-232-1704 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Todd Olson", with a long horizontal flourish extending to the right.

Todd Olson
Director, Licensing & Compliance
PacifiCorp Renewable Resources



Pacific Power |
Rocky Mountain Power
825 NE Multnomah, Suite 1800
Portland, Oregon 97232

Electronically filed January 31, 2024

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**Subject: Pioneer Hydroelectric Project (FERC Project No. 2722)
Initial Consultation Document for Proposed Conduit Exemption and
Corresponding License Surrender**

Dear Secretary Bose:

PacifiCorp is the owner, operator, and licensee of the 5.0-megawatt Pioneer Hydroelectric Project (Pioneer Project or Project) Federal Energy Regulatory Commission (FERC) Project No. 2722 located on East 1200 South (12th Street) in Ogden, Utah. PacifiCorp was issued a 30-year license by FERC on May 26, 2000, with an effective date of September 1, 2000, and expiration date of August 31, 2030.

Although the Pioneer Project was originally constructed as a single hydroelectric development, since 1937, it has operated based on flow releases from the Pineview Reservoir through the Pineview Dam, which is owned and operated by the U.S. Bureau of Reclamation (Reclamation). Construction of Reclamation's Pineview Dam submerged the original Pioneer diversion dam and intake, and also resulted in sharing the Project's flows and features with the Reclamation's Ogden River Project, including a 5.5-mile flowline (Ogden River Conduit), surge tank, and intake structure. The Ogden River Project operates irrespective of the Pioneer Project and PacifiCorp has no control over the distribution of water from Pineview Dam to PacifiCorp or other water users upstream of the Pioneer Project. Further, downstream of the Pioneer Project, water is released into the Pioneer tailrace before being diverted into a system of canals which supply additional irrigation flows throughout the surrounding area. Section 30(a)(2) of the Federal Power Act (FPA) requires a potential conduit exempt facility to be located on a conduit used primarily for agricultural, municipal, or industrial consumption. As described above, the Pioneer Project's water, after entering the shared flowline (Ogden River Conduit), is used by agricultural interests directly upstream and downstream of the Project powerhouse. Due to this network of irrigating interests, the Pioneer Project now qualifies under Section 30(a)(2) of the FPA as a conduit exempt facility.

As discussed above and in the attached Initial Consultation Document (ICD), the Proposed Action meets FERC's requirements for a joint conduit exemption and subsequent license surrender application in accordance with 18 Code of Federal Regulations (CFR) 4.90. Pursuant to the consultation process at 18 CFR 4.38(a)(6)(ii) PacifiCorp is formally initiating the first stage of consultation with the filing of this ICD. The ICD provides supporting background information, describes existing Pioneer Project conditions and environmental setting, and describes that no physical, operational, or maintenance changes are proposed. The ICD also describes the information needed to make informed decisions about the Proposed Action; the future joint conduit exemption and license surrender application will provide FERC with the necessary information to conduct its independent environmental analysis.

Additionally, PacifiCorp respectfully requests that FERC designate it as the non-federal representative for purposes of informal consultation under Section 106 of the National Historic Preservation Act and to implement regulations at 36 CFR Section 800.2(c)(4). PacifiCorp also requests that FERC designate it as the non-federal representative for purposes of informal consultation under Section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR Part 402, as well as section 305(b) of the Magnuson-Stevens Fishery and Conservation and Management Act and the implementing regulations at 50 CFR 600.920.

In accordance with the consultation requirements at 18 CFR § 4.38(b)(3), PacifiCorp will hold a Joint Agency and Public Meeting (JAPM) for interested parties to this process including local, state, and federal agencies, Tribes, non-government organizations, and members of the public. The JAPM will be held on March 20, 2024, and will include one morning and one evening meeting session, and one site visit scheduled to occur between the two sessions. The purpose of the JAPM is to discuss the Pioneer Project and Proposed Action, review existing information obtained by PacifiCorp, discuss the potential environmental effects, and discuss any needed studies. PacifiCorp will distribute the agenda for FERC and interested party review no later than 15 days in advance of the meeting. A notice of the joint meeting will also be published in the Ogden Standard Examiner, at least 14 days in advance of the scheduled meeting date, in accordance with the requirements of 18 CFR § 4.38(g). In accordance with 18 CFR § 4.32, all interested parties may obtain a copy of the ICD electronically through FERC's eLibrary website at <https://elibrary.ferc.gov/eLibrary/search> under docket No. 2722, or on PacifiCorp's website at <https://www.pacificorp.com/energy/hydro/Pioneer.html>. Parties on the attached distribution list have been provided with either an electronic or hard copy of this cover letter. This letter and its enclosures have been filed electronically.

Thank you for your time and attention. If you have any questions concerning these documents, please contact Eve Davies, Pioneer Conduit Exemption Project Manager, at 801-232-1704.

Sincerely,

William C. Shallenberger
Vice President, Renewable Resources

WCS:ED:EW:TH

Encl:	Letter – Public
	Attachment A: Interested Party Distribution List – Public
	Attachment B: Initial Consultation Document – Public

eFile:	Kimberly D. Bose, Secretary Via eFile at www.ferc.gov
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