

Electronically filed February 16, 2024

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

**Subject:       Stairs Hydroelectric Project (FERC Project No. 597)  
                  Initial Consultation Document for Proposed Conduit Exemption and  
                  License Surrender**

Dear Secretary Bose:

PacifiCorp is the owner, operator, and licensee of the Stairs Hydroelectric Project (Project), Federal Energy Regulatory Commission (FERC) Project No. 597, located on Big Cottonwood Creek, east of the city of Cottonwood Heights, in Salt Lake County, Utah. The Project is located in Big Cottonwood Canyon, partially on lands administered by the Uinta-Wasatch-Cache National Forest, and partially on PacifiCorp-owned private land. The current Project FERC license was issued on September 30, 1999, with an effective date of July 1, 2000, and expires on June 30, 2030 (88 FERC ¶ 62,300).

The Project operates as a 1.2-megawatt run-of-river facility and utilizes the natural fall of Big Cottonwood Creek. Big Cottonwood Creek flows are diverted at the Project's Storm Mountain Dam and intake through a steel flowline and penstock to the Project powerhouse and then released directly to the Granite Hydroelectric Project (FERC Project No. 14293) (Granite Project) intake. Once water passes through Granite Project, the water is released directly to the Big Cottonwood Canyon Water Treatment Plant's (BCCWTP) intake. BCCWTP is located at the mouth of Big Cottonwood Canyon and is a critical component in the region's drinking water system. Section 30(a)(2) of the Federal Power Act requires a potential conduit exempt facility to be located on a conduit used primarily for agricultural, municipal, or industrial consumption. The Project's water, diverted at Storm Mountain Dam, eventually leads to the BCCWTP for the purposes of municipal water supply. Due to the water conveyance network's priority for drinking water, the Project now qualifies under Section 30(a)(2) of the Federal Power Act as a conduit exempt facility.

Given conditions noted above, PacifiCorp submits the attached Initial Consultation Document (ICD) in support of Joint Application for Conduit Exemption and License Surrender, Stairs Hydroelectric Project. The Proposed Action of the ICD meets FERC's requirements for a joint conduit exemption and subsequent license surrender application in accordance with 18 Code of Federal Regulations (CFR) 4.30 and 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 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 this proceeding and the purposes of informal consultation under Section 106 of the National Historic Preservation Act and its implementing 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.

Pursuant to 18 CFR 4.38(a), PacifiCorp will hold a Joint Agency and Public Meeting (JAPM) for interested parties to this process including state and federal agencies, local governments, Tribes, non-government organizations, adjacent landowners, and members of the public, tentatively scheduled for March 21, 2024. One morning and one evening meeting session will be held, with one site visit scheduled to occur between the two sessions. The purpose of the JAPM is to discuss the Project and Proposed Action, review existing information obtained by PacifiCorp, discuss the potential environmental effects, and discuss studies, if any, to address data gaps. Once the JAPM date is finalized, PacifiCorp will distribute the agenda to FERC and potential interested parties no later than 15 days in advance of the meeting.

A notice of the JAPM will also be published in the local newspaper, The Salt Lake Tribune, at least 14 days in advance of the scheduled meeting date, in accordance with the requirements of 18 CFR 4.38(g). PacifiCorp will distribute the meeting summary and recording promptly following the meeting. Comments on the ICD and recommendations for studies or additional information are due to FERC no later than 60 days following the JAPM.

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> by searching P-597 or on PacifiCorp's website at <https://www.pacificorp.com/energy/hydro/Stairs.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. The security classification of each component in this packet is shown in the enclosure table below. If you have any questions concerning these documents, please contact Eve Davies, Stairs Exemption Project Manager, at 801-220-2245 or [eve.davies@pacificorp.com](mailto:eve.davies@pacificorp.com).

Sincerely,

William C. Shallenberger  
Vice President, Renewable Resources

WCS:ED:NVH:AN:EW