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888 First Street NE
Washington, DC 20426



Docket No.:P-2420-054

Great Salt Lake Advisory Council
c/o Jake Vander Laan
Utah Department of Environmental Quality, Division of Water Quality
195 N 1950 W
Salt Lake City, UT 84114

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

May 28, 2019

OFFICE OF ENERGY PROJECTS

Project No. 2420-054 – UT
Cutler Hydroelectric Project
PacifiCorp

Subject: Scoping Document 1 for the Cutler Hydroelectric Project, P-2420-054

To the Party Addressed:

The Federal Energy Regulatory Commission (Commission) is currently reviewing the Pre-Application Document submitted by the PacifiCorp for relicensing the 30-megawatt Cutler Project (FERC No. 2420). The project is located on the Bear River near the city of Logan in Box Elder and Cache Counties, Utah.

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, Commission staff intends to prepare an environmental assessment (EA), which will be used by the Commission to determine whether, and under what conditions, to issue a new license for the project. To support and assist our environmental review, we are beginning the public scoping process to ensure that all pertinent issues are identified and analyzed, and that the EA is thorough and balanced.

We invite your participation in the scoping process, and are circulating the attached Scoping Document 1 (SD1) to provide you with information on the Cutler Project. We are also soliciting your comments and suggestions on our preliminary list of issues and alternatives to be addressed in the EA. We are also requesting that you identify any studies that would help provide a framework for collecting pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA for the project.

We will hold two scoping meetings for the Cutler Project to receive input on the scope of the EA. A daytime meeting will be held at 9:00 a.m. on Thursday, June 27, 2019, at Riverwoods Conference Center located at 615 S Riverwoods Parkway, Logan, UT 84321. An evening meeting will be held at 7:00 p.m. on Thursday, June 27, 2019, at the same location. We will also visit the project facilities on Wednesday, June 26, 2019, starting at 9:00 a.m.

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We invite all interested agencies, Indian tribes, non-governmental organizations, and individuals to attend one or all of these meetings. Further information on our environmental site review and scoping meetings is available in the enclosed SD1.

SD1 is being distributed to both PacifiCorp's distribution list and the Commission's official mailing list (see section 10.0 of the attached SD1). If you wish to be added to or removed from the Commission's official mailing list, please send your request by email to FERCOnlineSupport@ferc.gov or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written or emailed requests must specify your wish to be removed from or added to the mailing list and must clearly identify the following on the first page: **Cutler Hydroelectric Project: P-2420-054.**

Please review the SD1 and, if you wish to provide comments, follow the instructions in section 6.0, *Request for Information and Studies*. If you have any questions about SD1, the scoping process, or how Commission staff will develop the EA for this project, please contact Khatoon Melick at (202) 502-8433 or khatoon.melick@ferc.gov. Additional information about the Commission's licensing process and the Cutler Project may be obtained from our website, www.ferc.gov. The deadline for filing comments is **July 29, 2019**. The Commission strongly encourages electronic filings.

Enclosure: Scoping Document 1

SCOPING DOCUMENT 1
CUTLER HYDROELECTRIC PROJECT

UTAH

PROJECT NO. 2420-054

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Hydropower Licensing
Washington, DC

May 2019

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SCOPING DOCUMENT 1

Cutler Hydroelectric Project, No. 2420-054

1.0 INTRODUCTION

The Federal Energy Regulatory Commission (Commission or FERC), under the authority of the Federal Power Act (FPA),¹ may issue licenses for terms ranging from 30 to 50 years for the construction, operation, and maintenance of non-federal hydroelectric projects. On March 29, 2019, PacifiCorp filed a Pre-Application Document (PAD) and Notice of Intent to seek a new license for the Cutler Hydroelectric Project (FERC Project No. 2420).²

The Cutler Hydroelectric Project (Cutler Project or Project) consists of a reservoir, a dam, an intake tower and two irrigation canal intakes, a steel penstock, a surge tank, a steel penstock that bifurcates into two penstocks at the surge tank, a powerhouse, two turbines, two generators, and appurtenant facilities; and is located on the Bear River near the city of Logan in Box Elder and Cache Counties, Utah. The average annual generation of the 30-megawatt (MW) Cutler Project from 2013 to 2017 was 64,009 megawatt-hours (MWh).

A detailed description of the project is provided in section 3.0. The location of the project is shown on figure 1. The Cutler Project does not occupy any federal lands.

The National Environmental Policy Act (NEPA) of 1969,³ the Commission's regulations, and other applicable laws require that we independently evaluate the environmental effects of relicensing the Cutler Project as proposed, and also consider reasonable alternatives to the licensee's proposed action. At this time, we intend to prepare an environmental assessment (EA) that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The EA preparation will be supported by a scoping process to ensure identification and analysis of all pertinent issues.

Although our current intent is to prepare an EA, there is a possibility that an environmental impact statement (EIS) will be required. The scoping process will satisfy

¹ 16 U.S.C. § 791(a)-825(r) (2012).

² The current license for the Cutler Hydroelectric Project was issued with an effective date of April 29, 1994, for a term of 30 years and expires on March 31, 2024.

³ National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4370(f) (2012).

the NEPA scoping requirements, irrespective of whether the Commission issues an EA or EIS.

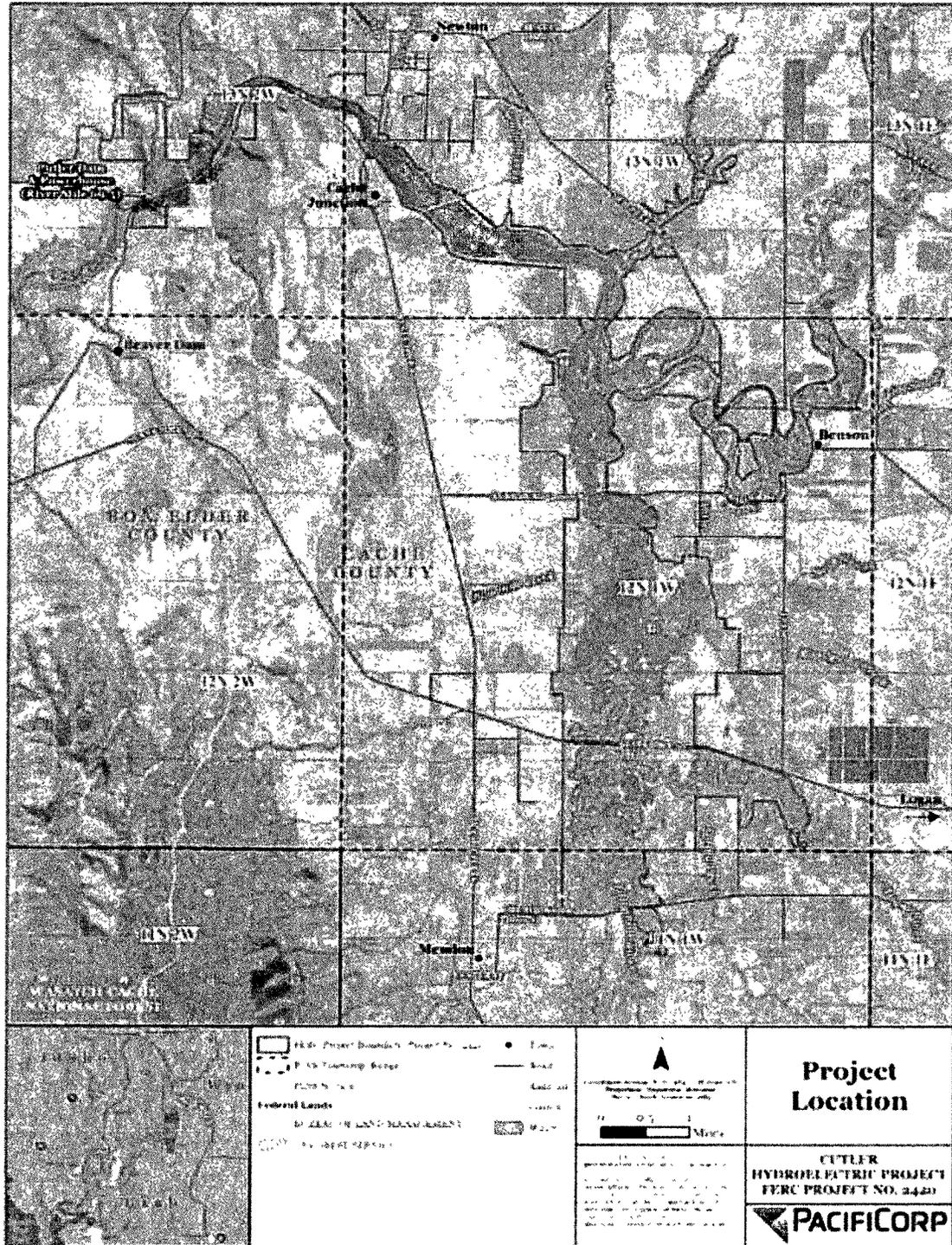


Figure 1. Location of the Cutler Project. (Source: PacifiCorp, as modified by staff)

2.0 SCOPING

This Scoping Document 1 (SD1) is intended to advise all participants as to the proposed scope of the EA and to seek additional information pertinent to this analysis. This document contains: (1) a description of the scoping process and schedule for the development of the EA; (2) a description of the proposed action and alternatives; (3) a preliminary identification of environmental issues and proposed studies; (4) a request for comments and information; (5) a proposed EA outline; and (6) a preliminary list of comprehensive plans that are applicable to the project.

2.1 PURPOSES OF SCOPING

Scoping is the process used to identify issues, concerns, and opportunities for enhancement or mitigation associated with a proposed action. In general, scoping should be conducted during the early planning stages of a project. The purposes of the scoping process are as follows:

- invite participation of federal, state and local resource agencies, Indian tribes, non-governmental organizations (NGOs), and the public to identify significant environmental and socioeconomic issues related to the proposed project;
- determine the resource issues, depth of analysis, and significance of issues to be addressed in the EA;
- identify how the project would or would not contribute to cumulative effects in the project area;
- identify reasonable alternatives to the proposed action that should be evaluated in the EA;
- solicit, from participants, available information on the resources at issue, including existing information and study needs; and
- determine the resource areas and potential issues that do not require detailed analysis during review of the project.

2.2 COMMENTS, SCOPING MEETINGS, AND ENVIRONMENTAL SITE REVIEW

During preparation of the EA, there will be several opportunities for the resource agencies, Indian tribes, NGOs, and the public to provide input. These opportunities occur:

- during the public scoping process and study plan meetings, when we solicit oral and written comments regarding the scope of issues and analysis for the EA;
- in response to the Commission's notice that the project is ready for environmental analysis; and
- after issuance of the EA when we solicit written comments on the EA.

In addition to written comments solicited by this SD1, we will hold two public scoping meetings and an environmental site review in the vicinity of the project. A daytime meeting will focus on concerns of the resource agencies, NGOs, and Indian tribes, and an evening meeting will focus on receiving input from the public. We invite all interested agencies, Indian tribes, NGOs, and individuals to attend one or both of the meetings to assist us in identifying the scope of environmental issues that should be analyzed in the EA. All interested parties are also invited to participate in the environmental site review. The times and locations of the meetings and environmental site review are as follows:

Daytime Scoping Meeting

Date and Time: Thursday, June 27, 2019 at 9:00 a.m.
Location: Riverwoods Conference Center
615 S Riverwoods Parkway
Logan, UT 84321
Phone Number: (435) 750-5151

Evening Scoping Meeting

Date and Time: Thursday, June 27, 2019 at 7:00 p.m.
Location: Riverwoods Conference Center
615 S Riverwoods Parkway
Logan, UT 84321
Phone Number: (435) 750-5151

Environmental Site Review

Date and Time: Wednesday, June 26, 2019 at 9:00 a.m.
Muster Location: Cutler Marsh Marina recreation site, also known as Valley View Marina, which is located on the west side of Cutler Reservoir on Highway 30, just west of the Highway 30 bridge over the reservoir
Driving directions: Starting at L.W.'s Truck Stop in Logan, Utah (southwest corner of 1000 W and 200 N), drive west on Highway 30 (also 200 N) approximately 5 miles. After crossing Cutler Reservoir, the Cutler Marsh Marina Recreation Site will be on the south side of the highway; turn left from the highway into the gravel parking lot.

All participants are responsible for their own transportation. Recommended gear: closed toe shoes, good for walking 1-2 miles in, hat, sunscreen, water bottle, binoculars (optional, for wildlife viewing). Anyone with questions about the site visit should contact Ms. Miriam Hugentobler with PacifiCorp at: (801) 652-8983. Lunch and extra water will be provided by PacifiCorp. For lunch RSVPs please contact Ms. Miriam Hugentobler at (801) 652-8983 or email her at: cutlerlicense@gmail.com.

The scoping meetings will be recorded by a court reporter, and all statements (verbal and written) will become part of the Commission's public record for the project. Before each meeting, all individuals who attend, especially those who intend to make statements, will be asked to sign in and clearly identify themselves for the record. Interested parties who choose not to speak or who are unable to attend the scoping meetings may provide written comments and information to the Commission as described in section 6.0. These meetings are posted on the Commission's calendar located on the internet at www.ferc.gov/EventCalendar/EventsList.aspx, along with other related information.

Meeting participants should come prepared to discuss their issues and/or concerns as they pertain to the relicensing of the Cutler Project. It is advised that participants review the PAD in preparation for the scoping meetings. Copies of the PAD are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (www.ferc.gov), using the "eLibrary" link. Enter the

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docket number, P-2420, to access the documents. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy of the PAD is also available for download on PacifiCorp's Project relicensing website at: <http://www.pacificorp.com/es/hydro/hl/cutler/index.html>.

Following the scoping meetings and comment period, all issues raised will be reviewed and decisions made as to the level of analysis needed. If preliminary analysis indicates that any issues presented in this scoping document have little potential for causing significant effects, the issue(s) will be identified and the reasons for not providing a more detailed analysis will be given in the EA.

If we receive no substantive comments on SD1, then we will not prepare a Scoping Document 2 (SD2). Otherwise, we will issue SD2 to address any substantive comments received. The SD2 will be issued for informational purposes only; no response will be required. The EA will address recommendations and input received during the scoping process.

3.0 PROPOSED ACTION AND ALTERNATIVES

In accordance with NEPA, the environmental analysis will consider the following alternatives, at a minimum: (1) the no-action alternative, (2) the applicant's proposed action, and (3) alternatives to the proposed action.

3.1 NO-ACTION ALTERNATIVE

Under the no-action alternative, the Cutler Project would continue to operate as required by the current project license (i.e., there would be no change to the existing environment). No new environmental protection, mitigation, or enhancement measures would be implemented. We use this alternative to establish baseline environmental conditions for comparison with other alternatives.

3.1.1 Existing Project Facilities

The existing Cutler Hydroelectric Project generally consists of a reservoir, a dam, an intake tower and two irrigation canal intakes, a steel penstock, a surge tank, a steel penstock that bifurcates into two penstocks at the surge tank, a powerhouse, two turbines, two generators, and appurtenant facilities. The project has an authorized generation capacity of 30-megawatts (MW).

Project Impoundment: The project reservoir is formed at the confluence of the Bear, Logan, Spring Creek, and Little Bear rivers. The portion of the reservoir from the dam to where the Bear River enters the reservoir has been heavily impacted by silt deposits. Therefore, the usable storage capacity (the storage accessible to flowline intake structure) is equal to the gross storage capacity of approximately 13,200-acre-feet at elevation 4,407.5 feet mean sea level (msl) U.S. Geological Survey (USGS). The reservoir has a surface area of approximately 5,459 acres. The project boundary covers approximately 9,191 acres of open water and associated wetlands and uplands surrounding Cutler Reservoir, including the areas of confluence with its major tributaries. Some of the 13,200-acre-foot (af) storage capability of the reservoir can be utilized for minor load-following purposes when sufficient inflows are available.

Cutler Dam: Built in 1927, the Cutler Dam is located on the Bear River approximately 13 miles northwest of Logan, Utah and backwaters at the confluence of the Bear, Logan, Spring Creek, and Little Bear rivers. The concrete gravity arch dam is 109 feet high and has an overall length along the centerline of the crest of 545 feet, including two (2) irrigation canal intakes near the top at the abutments. A 7-foot diameter low-level passage is located near and through the base of the dam, on the right side of the spillway, which is controlled by a slide gate installed on the downstream face.

The invert of the sluice passage is at elevation 4,312.46 feet. Currently the sluice passage is non-operational due to silt blockage at the passage's entrance.

Spillway Gates and Apron: The gated overflow-spillway located in the center portion of the arch dam includes four spillway gates, each 30-feet-wide by 14-feet-high. The gates are operated with a traveling carriage-type electric chain hoist. Five concrete piers divide the spillway bays that support the spillway gates and bridge decking. The centerline of the spillway gate trunnion pins is at elevation 4401.5 feet. The top of the spillway gates in a closed position is elevation 4,408.5 feet. Normal maximum pool elevation is 4407.5 feet and the ogee spillway crest elevation of 4394.5 feet. The capacity of the spillway at reservoir elevation of 4,407.5 feet is 21,000 cubic feet per second (cfs).

Irrigation Canal Intakes: Two irrigation canal intakes are included in the original dam construction (one located on either abutment of the dam). Each intake is controlled by 8-foot by 8-foot gates, two on the west intake and two on the east intake. One of the east intake gates is not currently in operation and the capacity is not needed to supply water to the canal.

Intake, Flowline, Surge Tank, and Penstocks: The flowline intake is a concrete tower located in the reservoir approximately 60 feet upstream from the dam. The intake is equipped with trash racks and a cylindrical gate. The invert of the intake gate is at elevation 4379.0 feet with a maximum travel of the cylindrical gate to full open of 17.75 feet. The intake connects to an 18-foot-diameter steel penstock extending through the base of the dam, which parallels the right bank of the Bear River for approximately 1,157 feet to a point downstream of the 45-foot-diameter surge tank located near the powerhouse. Downstream of the surge tank, the penstock bifurcates into two 118-foot-long by 14-foot-diameter riveted-steel penstocks which extend into the powerhouse. A 140-kW emergency generator is located next to the surge tank. This generator provides backup power to the powerhouse, flowline intake gate, and spillway gates in the event of a loss of normal station service to the dam or powerhouse.

Powerhouse: The powerhouse is a brick structure 60-feet by 123-feet containing two vertical reaction type turbines attached to two 15-MW generators. The maximum discharge with both units operating is approximately 3,900 cfs; however, the project's transmission is limited to 30 MW total, which corresponds to a maximum discharge flow of approximately 3,600 cfs. The project discharges returning flows to the Bear River downstream of the powerhouse.

Cutler Substation: The substation is the point of interconnection from the powerhouse to the electrical grid system. The substation is located within the project

boundary, but is not a project facility, except for the No. 2 generator step-up transformer that is connected to the No. 2 generator.

Transmission Facilities: There are no primary transmission lines included in the project. Project power is connected to the electric grid via the Cutler Substation described above.

Recreation Facilities

PacifiCorp operates and maintains 15 recreation facilities in the project boundary, which are described below:

Boat Launches: The Upper Bear River Access Site Boat Ramp, Benson Marina, Cutler Canyon Marina, and Cutler Marsh Marina each provide a concrete boat ramp and adjacent dock for launching trailered boats on Cutler Reservoir as well as parking, restrooms, picnic tables, and other amenities for day use activities. Clay Slough, Little Bear River Access, and the Logan River Recreation Site are designed for carry-in boat access and do not have a concrete boat ramp.

Canoe Trails: The project includes three marked canoe trails: Little Bear River Canoe Trail, Logan River Canoe Trail, and the Wetlands Maze Canoe Trail.

Hiking Trails: The project includes two hiking trails, the Benson Railroad Nature Trail and the Bear River Riparian Trail, which include parking at the respective trailheads.

Boat-in Islands: The project includes two boat-in day use sites, the North Boat-in Island and South Boat-in Island, which each include a dock.

Overlook: The project includes the Lower Bear River Overlook, which includes parking and picnic table facilities.

3.1.2 Existing Project Operations

The project is the furthest downstream of the five PacifiCorp hydro developments on the Bear River system. The Bear River system is collectively operated by PacifiCorp and is a coordinated operation of storage reservoirs, diversion dams, canals, and hydro plants located within a 3,500-square-mile area of the lower Bear River Basin in Idaho and Utah. Water is diverted from the Bear River into Bear Lake which is a natural lake via the Rainbow Canal. Outside of the irrigation season, Bear Lake flood control releases, along with winter and spring Bear River drainage natural water flows, create the base for generation at the Cutler Project. In southern Cache Valley, there are local drainage basins

that also contribute significant inflows to the project. From mid-June to mid-October, nearly all the natural flow from the Bear River is diverted for irrigation. Supplemental flow comes from water stored in Bear Lake. Currently the project reservoir fluctuates within a 1 foot to 1.5 foot operating range, with a 0.25-foot to 0.5-foot tolerance, depending on the time of year as shown in Table 1 below (Table 1). The current license contains reservoir elevation range restrictions that constrain the operational potential of the reservoir.

Table 1. Reservoir Elevation Fluctuation Protocol by Time Period.

period	reservoir elevation (feet)	tolerance (feet)	percent of time goal met
March 1 – June 15	4,407.5 – 4,407.0	± 0.25	95%
June 15 – Sept. 30	4,407.5 – 4,406.5	± 0.25	95%
Oct. 1 – Dec. 1	4,407.5 – 4,407.0	± 0.25	95%
Dec. 2 – Feb. 28	4,407.5 – 4,406.0	± 0.25 to 0.5	90%

Source: PacifiCorp 1994

There is currently no minimum flow required or provided in the bypassed reach or downstream of the powerhouse. Flow downstream of the dam is the accumulation of leakage from the dam that flows through the uplift drain pipes.

Given that during the irrigation season most of the inflow into the project is sent to the irrigation canals and the reservoir must maintain certain elevations, generation at the powerhouse is virtually nonexistent from approximately mid-May to the end of September, unless water is available in higher flow years as shown below in Figure 2. FERC’s 2002 order modifying and approving project operation plan per article 401 (99 FERC ¶62,085) described the evaluation of operational limitations as shown below in Figure 2. Although spawning has been removed from the constraints for proposed future operations the remainder of the constraints remain in place.

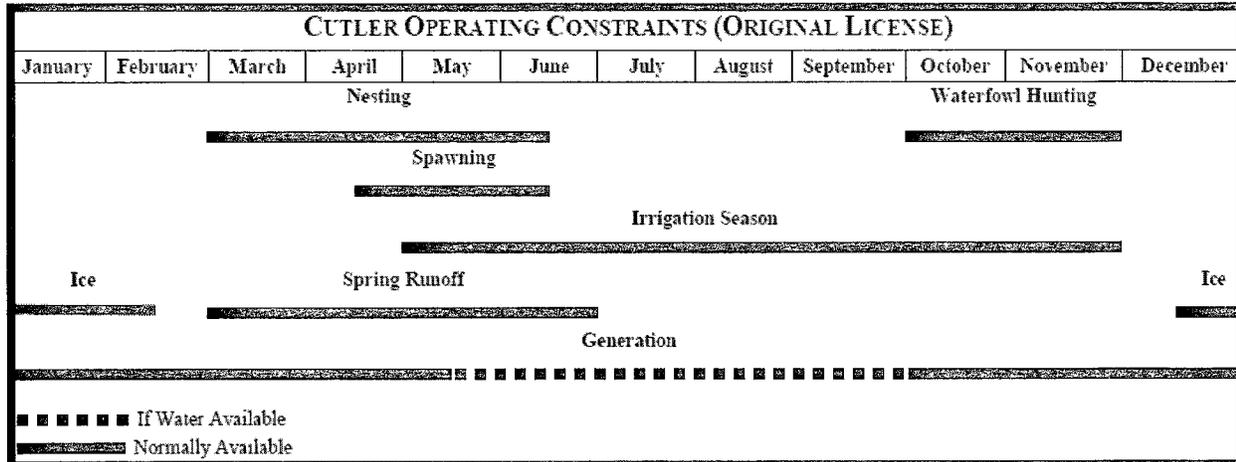


Figure 2. Cutler operating constraints in 1994 license.

From May 1 to October 31 each year, the reservoir is held to within 1.5 feet of elevation 4,407.5-foot normal maximum pool elevation 95 percent of the time (the target range or percent of time the goal is met) to protect wildlife (primarily avian) use. Any extra inflow greater than what is required for irrigation is stored to maintain water elevations in the reservoir.

From late-December to mid-February, ice can form on the reservoir and in the river downstream of the project. During this period, the reservoir is held as constant as possible to prevent ice breakup plugging the intakes and to prevent the sudden increases in flow that could cause ice breakups and jams downstream that may also exacerbate riverbank erosion below the project.

Spring runoff can occur at the project from mid-February through the end of June. High flows also occur when there are heavy releases from Bear Lake concurrent with natural runoff upstream or in the other tributaries from south of the project. When inflows exceed irrigation demands and plant capacity (3,600 cfs), the spillway gates at the dam are used to pass water. High flows most commonly result in the reservoir elevation being below the lower reservoir tolerance limit as measured at the dam, as the project is operated at or under the lower target range to minimize water levels in the upper portion of the reservoir due to the ‘slope’ of the water surface elevations resulting from the shape and friction of the reservoir.

3.2 APPLICANT’S PROPOSAL

3.2.1 Proposed Project Facilities and Operations

PacifiCorp is proposing an operational plan for the new license that is not intended to result in changes to project capacity, but rather to provide additional operational

flexibility. PacifiCorp proposes to modify the allowable reservoir elevation range, increase the tolerance range, and reduce the target percentage by 5 percent year-round as shown in Table 2 below (Table 2). The current license for the project expires on March 31, 2024.

Table 2. Proposed reservoir Elevation Fluctuation Evaluation range.

Period	Operation range (elevation in feet)	Tolerance (feet)	Target percentage
January 1 – December 31	4,407.5 – 4,395.0	± 0.5 (+0.5 @ 4,408.0) (-0.5 @ 4,394.5)	90%

3.2.2 Proposed Environmental Measures

The environmental measures that are currently proposed by PacifiCorp are described below.

Terrestrial Resources

- Continue to implement the Vegetation Enhancement Plan required by the current license.

Threatened and Endangered Species

- Continue to implement the Vegetation Enhancement Plan required by the current license.

Cultural Resources

- Conduct archaeological, architectural, and ethnographic inventories within the project’s area of potential effects.

3.3 DAM SAFETY

It is important to note that dam safety constraints may exist and should be taken into consideration in the development of proposals and alternatives considered in the pending proceeding. For example, proposed modifications to the dam structure, such as the addition of flashboards or fish passage facilities, could impact the integrity of the dam structure. As the proposal and alternatives are developed, the applicant must evaluate the effects and ensure that the project would meet the Commission’s dam safety criteria

found in Part 12 of the Commission's regulations and the Engineering Guidelines (<http://www.ferc.gov/industries/hydropower/safety/guidelines/eng-guide.asp>).

3.4 ALTERNATIVES TO THE PROPOSED ACTION

Commission staff will consider and assess all alternative recommendations for operational or facility modifications, as well as protection, mitigation, and enhancement (PM&E) measures identified by the Commission, the agencies, Indian tribes, NGOs, and the public.

3.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

At present, we propose to eliminate the following alternatives from detailed study in the EA.

3.5.1 Federal Government Takeover

In accordance with § 16.14 of the Commission's regulations, a federal department or agency may file a recommendation that the United States exercise its right to take over a hydroelectric power project with a license that is subject to sections 14 and 15 of the FPA.⁴ We do not consider federal takeover to be a reasonable alternative. Federal takeover of the project would require congressional approval. While that fact alone would not preclude further consideration of this alternative, there is currently no evidence showing that federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate, and no federal agency has expressed interest in operating the project.

3.5.2 Non-power License

A non-power license is a temporary license the Commission would terminate whenever it determines that another governmental agency is authorized and willing to assume regulatory authority and supervision over the lands and facilities covered by the non-power license. At this time, no governmental agency has suggested a willingness or ability to take over the project. No party has sought a non-power license, and we have no basis for concluding that the Cutler Project should no longer be used to produce power. Thus, we do not consider a non-power license a reasonable alternative to relicensing the project.

⁴ 16 U.S.C. §§ 791(a)-825(r) (2012).

3.5.3 Project Decommissioning

Decommissioning of the project could be accomplished with or without dam removal. Either alternative would require denying the relicense application and surrender or termination of the existing license with appropriate conditions. There would be significant costs involved with decommissioning the project and/or removing any project facilities. The project provides a viable, safe, and clean renewable source of power to the region. With decommissioning, the project would no longer be authorized to generate power.

No party has suggested project decommissioning would be appropriate in this case, and we have no basis for recommending it. Thus, we do not consider project decommissioning a reasonable alternative to relicensing the project with appropriate environmental measures.

4.0 SCOPE OF CUMULATIVE EFFECTS AND SITE-SPECIFIC RESOURCE ISSUES

4.1 CUMULATIVE EFFECTS

According to the Council on Environmental Quality's regulations for implementing NEPA (40 C.F.R. 1508.7), a cumulative effect is the effect on the environment that results from the incremental effect of the action when added to other past, present and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

4.1.1 Resources that could be Cumulatively Affected

Based on information in the PAD for the Cutler Project, and preliminary staff analysis, we have identified water resource, particularly water quantity and quality that could be cumulatively affected by the proposed continued operation and maintenance of the Cutler Project in combination with other hydroelectric and water storage / diversion projects in the Bear River Basin.

4.1.2 Geographic Scope

Our geographic scope of analysis for cumulatively affected resources is defined by the physical limits or boundaries of: (1) the proposed action's effect on the resources, and (2) contributing effects from other hydropower and non-hydropower activities within the Bear River Basin. We have identified the geographic scope for water quantity and water quality to include the Bear River Basin. We chose this geographic scope because the operation and maintenance of the Cutler Project, in combination with other hydroelectric and water storage projects in the Bear River Basin may affect flow and water quantity, and water quality, in the Bear River.

4.1.3 Temporal Scope

The temporal scope of our cumulative effects analysis in the EA will include a discussion of past, present, and reasonably foreseeable future actions and their effects on each resource that could be cumulatively affected. Based on the potential term of a new license, the temporal scope will look 30 to 50 years into the future, concentrating on the effect on the resources from reasonably foreseeable future actions. The historical discussion will, by necessity, be limited to the amount of available information for each resource. The quality and quantity of information, however, diminishes as we analyze resources further away in time from the present.

4.2 RESOURCE ISSUES

In this section, we present a preliminary list of environmental issues to be addressed in the EA. We identified these issues, which are listed by resource area, by reviewing the PAD and the Commission's record for the Cutler Hydroelectric Project. This list is not intended to be exhaustive or final, but contains the issues raised to date. After the scoping process is complete, we will review the list and determine the appropriate level of analysis needed to address each issue in the EA. Those issues identified by an asterisk (*) will be analyzed for both cumulative and site-specific effects.

4.2.1 Geologic and Soils Resources

- Effects of continued project operation on turbidity and suspended sediment loads.*
- Effects of continued project operation on reservoir bank erosion that could lead to loss of shoreline lands and a reduction in buffers, agricultural lease lands, and wildlife habitat.

4.2.2 Water and Aquatic Resources

- Effects of continued project operation on water rights in the Bear River.*
- Effects of continued project operation on water quantity Cutler Reservoir and the Bear River downstream of Cutler Dam.*
- Effects of continued project operation on water quality in Cutler Reservoir and the Bear River.*
- Effects of project operation on fish and macroinvertebrates (including mussels) in Cutler Reservoir and downstream in the Bear River (e.g., stranding).
- Effects of proposed project operation on aquatic habitat for resident fish and macroinvertebrates in Cutler Reservoir and downstream in the Bear River.

4.2.3 Terrestrial Resources

- Effects of proposed changes to project operation, including reservoir fluctuations, on riparian and wetland habitat and associated wildlife, including waterfowl and wetland-dependent birds.
- Effects of proposed changes to project operation and maintenance on upland wildlife habitat and associated wildlife.
- Effects of proposed changes to project operation and the potential for introduction and spread of invasive plant species in the project.

4.2.4 Threatened and Endangered Species

- Effects of proposed changes to project operation and maintenance on the federally threatened Ute ladies'-tresses.

4.2.5 Recreation Resources

- Effects of proposed changes to project operation and maintenance on recreational use in the project area, including the adequacy of existing recreational facilities to provide access to the reservoir if reservoir level fluctuations increase.

4.2.6 Land Use and Aesthetic Resources

- Effects of proposed changes to project operation and maintenance on aesthetic resources.
- Effects of proposed changes to project operation and maintenance on agricultural land uses and water withdrawals.

4.2.7 Cultural Resources

- Effects of continued project operation on historic, archaeological resources, or traditional cultural properties that may be eligible for inclusion in the National Register of Historic Places.

4.2.8 Developmental Resources

- Economics of the project and the effects of any recommended environmental measures on the project's economics.

5.0 PROPOSED STUDIES

Depending upon the findings of studies completed by PacifiCorp and the recommendations of the consulted entities, PacifiCorp will consider, and may propose certain other measures to enhance environmental resources affected by the project as part of the proposed action. PacifiCorp's initial study proposals are identified by resource area in Table 3. Detailed information on PacifiCorp's initial study proposals can be found in the PAD. Further studies may need to be added to this list based on comments provided to the Commission and PacifiCorp from interested participants, including Indian tribes.

Table 3. PacifiCorp's initial study proposals for the Cutler Project. (Source: Cutler Project PAD)

Resource Area	Proposed Study
Water Resources	
	Analyze the existing water quality data at the project collated between 1997 and 2018. ^a
	Evaluate the potential for project operation to disturb reservoir substrate and cause the re-suspension of phosphorus and other nutrients currently bound within sediments and potential impacts to water quality.
	Conduct sediment sampling for depth and composition, as needed. ^a
Fish and Aquatic Resources	
	Assess the fish and mussel population in Cutler Reservoir, including areas where they frequent, food habits, and how they may respond to proposed reservoir operation.
	Determine presence / absence of bluehead sucker and Northern leatherside chub in Cutler Reservoir and in the Bear River downstream of the Cutler Dam.
Wildlife and Botanical Resources	
	Conduct a shoreline habitat characterization study using LiDAR including; quantifying amount of available habitat; characterization of existing vegetation; mapping of invasive species; identify habitats that may be affected by proposed operational changes. To be used in conjunction with

Resource Area	Proposed Study
	hydraulic modeling data to determine effects of reservoir elevation changes on other resources (bird nesting success, predation)
Rare, Threatened, and Endangered Species	
	Ute Ladies'-tresses Orchid Survey would enhance knowledge of populations already known to occur within the Project Area and Project Boundary, and may include additional information regarding factors such as underlying soil types and influence of cattle grazing. The proposed LiDAR survey may also provide beneficial information for identifying potential habitat and the extent of the habitat, if any, that may potentially be affected by the proposed operations
Recreation, Land Use, and Aesthetic Resources	
	PacifiCorp proposes changes to project operations that would increase reservoir level fluctuations. In order to determine the extent to which these proposed changes to project operations would impact recreation, PacifiCorp proposes to use data from a LiDAR to assess the impacts of increased reservoir level fluctuations on project boat ramps and canoe trails. Additionally, since irrigation water delivery infrastructure could similarly be impacted by the proposed changes to project operation, PacifiCorp would utilize the LiDAR data to conduct an analysis of the effects of increased reservoir level fluctuations on water infrastructure.
Cultural Resources	
	PacifiCorp proposes that archaeological, architectural, and ethnographic inventories would be conducted, as appropriate, in areas potentially subject to effects from the project (see page 7-14 in PAD). Commission staff would expect that PacifiCorp would file detailed cultural resources studies, including a defined APE in their proposed study plans after issuance of this SD1 document.

^a PacifiCorp does not propose to conduct these studies, rather it proposes to consider the need for these studies.

6.0 REQUEST FOR INFORMATION AND STUDIES

We are asking federal, state, and local resource agencies, Indian tribes, NGOs, and the public to forward to the Commission any information that will assist us in conducting an accurate and thorough analysis of the project-specific and cumulative effects associated with relicensing the Cutler Project. The types of information requested include, but are not limited to:

- information, quantitative data, or professional opinions that may help define the geographic and temporal scope of the analysis (both site-specific and cumulative effects), and that helps identify significant environmental issues;
- identification of, and information from, any other EA, EIS, or similar environmental study (previous, on-going, or planned) relevant to the proposed relicensing of the Cutler Project;
- existing information and any data that would help to describe the past and present actions and effects of the project and other developmental activities on environmental and socioeconomic resources;
- information that would help characterize the existing environmental conditions and habitats;
- the identification of any federal, state, or local resource plans, and any future project proposals in the affected resource area (e.g., proposals to construct or operate water treatment facilities, recreation areas, water diversions, timber harvest activities, or fish management programs), along with any implementation schedules);
- documentation that the proposed project would or would not contribute to cumulative adverse or beneficial effects on any resources. Documentation can include, but need not be limited to, how the project would interact with other projects in the area and other developmental activities; study results; resource management policies; and reports from federal and state agencies, local agencies, Indian tribes, NGOs, and the public;
- documentation showing why any resources should be excluded from further study or consideration; and
- study requests by federal and state agencies, local agencies, Indian tribes, NGOs, and the public that would help provide a framework for collecting

pertinent information on the resource areas under consideration necessary for the Commission to prepare the EA/EIS for the project.

All requests for studies filed with the Commission must meet the criteria found in Appendix A, *Study Plan Criteria*.

The requested information, comments, and study requests should be submitted to the Commission no later than **July 29, 2019**. All filings must clearly identify the following on the first page: **Cutler Hydroelectric Project (P-2420-054)**. Scoping comments may be filed electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, please send a paper copy to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426.

Register online at <http://www.ferc.gov/csubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support. <mailto:ferconlinesupport@ferc.gov>.

Any questions concerning the scoping meetings, site visits, or how to file written comments with the Commission should be directed to Khatoon Melick at (202) 502-8433 or khatoon.melick@ferc.gov. Additional information about the Commission's licensing process and the Cutler Project may be obtained from the Commission's website, www.ferc.gov.

7.0 EA PREPARATION

At this time, we anticipate the need to prepare a single EA. The EA will be sent to all persons and entities on the Commission's service and mailing lists for the Cutler Project. The EA will include our recommendations for operating procedures, as well as environmental protection and enhancement measures that should be part of any license issued by the Commission. All recipients will then have 30 days to review the EA and file written comments with the Commission.

The major milestones, with pre-filing target dates are as follows:

<u>Major Milestone</u>	<u>Target Date</u>
Scoping Meetings	June 2019
License Application Filed	March 2022
Ready for Environmental Analysis Notice Issued	
Deadline for Filing Comments, Recommendations, and Agency Terms and Conditions/Prescriptions	
Draft EA Issued	
Comments on draft EA Due	
Deadline for Filing Modified Agency Recommendations	
Final EA Issued	
Ready for Commission Decision	

A copy of PacifiCorp's process plan, which has a list of ILP pre-filing milestones for developing the Cutler Project's license application through the Director's Study Dispute Determination is attached as Appendix B.

8.0 PROPOSED EA OUTLINE

The preliminary outline for the Cutler Project EA is as follows:

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9.0 COMPREHENSIVE PLANS

Section 10(a)(2) of the FPA, 16 U.S.C. section 803(a)(2)(A), requires the Commission to consider the extent to which a project is consistent with federal and state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by a project. The staff has preliminarily identified and reviewed the plans listed below that may be relevant to the Cutler Project. Agencies are requested to review this list and inform the Commission staff of any changes. If there are other comprehensive plans that should be considered for this list that are not on file with the Commission, or if there are more recent versions of the plans already listed, they can be filed for consideration with the Commission according to 18 CFR 2.19 of the Commission's regulations. Please follow the instructions for filing a plan at <http://www.ferc.gov/industries/hydropower/gen-info/licensing/complan.pdf>.

The following is a list of comprehensive plans currently on file with the Commission that may be relevant to the Cutler Hydroelectric Project:

Bureau of Land Management. 2015. Record of Decision and Approved Resource Management Plan for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, and Utah. Washington, D.C. September 2015.

Forest Service. 2003. Wasatch-Cache National Forest land and resource management plan. Department of Agriculture, Salt Lake City, Utah. March 2003.

Forest Service. 2003. Uinta National Forest land and resource management plan. Department of Agriculture, Provo, Utah. May 2003.

U.S. Fish and Wildlife Service. Canadian Wildlife Service. 1986. North American waterfowl management plan. Department of the Interior. Environment Canada. May 1986.

U.S. Fish and Wildlife Service. n.d. Fisheries USA: the recreational fisheries policy of the U.S. Fish and Wildlife Service. Washington, D.C.

U.S. Fish and Wildlife Service. 1986. Whooping Crane Recovery Plan. Department of the Interior, Albuquerque, New Mexico. December 23, 1986.

National Park Service. The Nationwide Rivers Inventory. Department of the Interior, Washington, D.C. 1993.

P-2420-054

Utah Department of Natural Resources. Utah Statewide Comprehensive Outdoor Recreation Plan (SCORP): 2009. Salt Lake City, Utah.

10.0 MAILING LIST

The list below is the Commission’s official mailing list for the Cutler Hydroelectric Project (FERC No. 2420). If you want to receive future mailings for the Cutler Project and are not included in the list below, please send your request by email to FERCOnlineSupport@ferc.gov or by mail to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Room 1A, Washington, DC 20426. All written and emailed requests to be added to the mailing list must clearly identify the following on the first page: Cutler Hydroelectric Project No. 2420-054. You may use the same method if requesting removal from the mailing list below.

Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659.

Official Mailing List for the Cutler Hydroelectric Project

American Whitewater Kevin Colburn National Stewardship Director American Whitewater 1035 Van Buren Street Missoula, Montana 59802	Bear River Canal Company 275 N 1600 E Tremonton, UT 84337-8826 Box Elder
Bear River Canal Company D. Brent Rose Clyde Snow Sessions & Swenson, P. C. One Utah Center, Suite 1300 201 S Main St Salt Lake City, UTAH 84111-2215	Box Elder Conservancy District Frank Nishiguchi Box Elder Conservancy District Box Elder County Courthouse Brigham City, UT 84302
Box Elder, County of 1 S Main St Brigham City, UT 84302-2548 Box Elder	Bureau of Reclamation Regional Director Attn: LC 705 Bureau of Reclamation PO Box 61470 Boulder City, NV 89006-1470 Clark

<p>Cache, County of Cache County Executive 120 N 100 W Logan, UT 84321-4502 Cache</p>	<p>Central Oregon Irrigation District 2598 N Highway 97 Redmond, OR 97756-1219 Deschutes</p>
<p>Columbia River Inter-Tribal Fish Commission Suite 200 729 NE Oregon St Portland, OR 97232-2174 Multnomah</p>	<p>Hyrum, City of 83 W Main St Hyrum, UT 84319-1205 Cache</p>
<p>Larsen, Jay L. 134 W 400 N Smithfield, UT 84335-1824 Cache</p>	<p>Mid-West Electric Consumers Association Thomas Graves 4350 Wadsworth Blvd, Suite 330 Wheat Ridge, CO 80033</p>
<p>North Unit Irrigation Dist. 2024 NW Beech St Madras, OR 97741-9484 Jefferson</p>	<p>PacifiCorp Michael Swiger Partner Van Ness Feldman, LLP 1050 Thomas Jefferson Street, NW Washington, DC 20007</p>
<p>PacifiCorp Jeffrey Lovinger Attorney at Law Lovinger Norling Kaufmann, LLP 825 NE Multnomah, Suite 925 Portland, OR 97232</p>	<p>PacifiCorp Todd Olson Director, Compliance PacifiCorp 825 NE Multnomah Suite 1500 Portland, OR 97232</p>
<p>Smithfield, Town of PO Box 96 Smithfield, UT 84335-0096 Cache</p>	<p>Smithfield, City of 69 N Main St Smithfield, UT 84335-1957 Cache</p>
<p>Southwestern Power Resources Association Ted Coombes Executive Director 3840 South 103rd East Avenue, Suite 117 Tulsa, OK 74146</p>	<p>Townsend, City of City Clerk Townsend, City of 110 Broadway St Townsend, MT 59644-2218 Broadwater</p>

<p>Tremonton, City of Clerks office Tremonton, City of PO Box 98 Tremonton, UT 84337-0098 Box Elder</p>	<p>Tumalo Irrigation District 64697 Cook Ave Bend, OR 97701-9033 Deschutes</p>
<p>U.S. Department of Energy Director Denver Regional Support Office 1617 Cole Blvd Fl 2 Golden, CO 80401-3305 Jefferson</p>	<p>U.S. Department of Interior Michael C. Connor Esq Comm. U.S. Bueau Reclamation U.S. Department of Interior 1849 C Street NW Washington, DC 20240-0001</p>
<p>U.S. House of Representatives James V. Hansen Honorable U.S. House of Representatives Washington, DC 20515</p>	<p>Utah Department of Natural Resources Director, State Parks 1594 West North Temple, Ste 116 Salt Lake City, UT 84116 Salt Lake</p>
<p>Utah Department of Natural Resources State Engineer PO Box 146300 Salt Lake City, UT 84114-6300 Salt Lake</p>	<p>Utah Division of Oil, Gas & Mining Director PO Box 145801 Salt Lake City, UT 84114-5801 Salt Lake</p>
<p>Utah Division of Water Quality William Moellmer Utah Division of Water Quality PO Box 144870 Salt Lake City, UT 84114-4870 Salt Lake</p>	<p>Utah Division of Wildlife Resouces Director PO Box 146301 Salt Lake City, UT 84114-6301 Salt Lake</p>
<p>Utah Geological Survey Director 1594 W North Temple Ste 3410 Salt Lake City, UT 84116 Salt Lake</p>	<p>Utah Office of Attorney General Attorney General 236 State Capitol Building Salt Lake City, UT 84114 Salt Lake</p>

Utah State Division of Public Utilities
DPU/PSC Library
PO Box 146751
Salt Lake City, UT 84114-6751
Salt Lake

Weber Basin Water Conservancy
District
Mark D. Anderson
Asst. General Manager
2837 E Highway 193
Layton, UT 84040
Davis

APPENDIX A
STUDY PLAN CRITERIA
18 CFR Section 5.9(b)

Any information or study request must contain the following:

1. Describe the goals and objectives of each study proposal and the information to be obtained;
2. If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied;
3. If the requester is not a resource agency, explain any relevant public interest considerations in regard to the proposed study;
4. Describe existing information concerning the subject of the study proposal, and the need for additional information;
5. Explain any nexus between project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements;
6. Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge; and
7. Describe considerations of level of effort and cost, as applicable, and why proposed alternative studies would not be sufficient to meet the stated information needs.

APPENDIX B
CUTLER HYDROELECTRIC PROJECT PROCESS PLAN AND SCHEDULE

Shaded milestones are unnecessary if there are no study disputes. If a regulatory due date falls on a weekend or holiday, the due date has been adjusted to the following business day; these pre-filing milestones are demarcated with an “*”. Early filings or issuances will not result in changes to these deadlines.

CUTLER PROJECT’S INTEGRATED LICENSING PROCESS PLAN (PRE-FILING)

Responsible Entity	Pre-Filing Milestone	Deadline	FERC Regulation
	License Expiration	3/31/24	
	License Application Filing Date	3/31/22	
	NOI due date (5 years)	3/31/19	
	Target Order	11/10/23	
PacifiCorp	Issue Public Notice for NOI/PAD	3/29/19	5.3(d)(2)
PacifiCorp	File NOI/PAD with FERC	3/29/19	5.5, 5.6
FERC	Tribal Meeting*	4/29/19	5.7
FERC	Notice of Commencement of Proceeding & SD1	5/28/19	5.8
FERC	Scoping Document 1 issued	5/28/19	5.8(c)
FERC	Scoping and Site Visit	6/27/19	5.8(b)(viii)
All stakeholders	NOI/PAD/SD1 comments due*	7/29/19	5.9
FERC	Issue SD2 if needed	9/12/19	5.1
PacifiCorp	File Proposed Study Plan	9/12/19	5.11(a)
All stakeholders	Study Plan Meeting*	10/14/19	5.11(e)
All stakeholders	Study Plan Comments due	12/11/19	5.12
PacifiCorp	File Revised Proposed Study Plan	1/10/20	5.13(a)
All stakeholders	Revised Proposed Study Plan Comments due*	1/27/20	5.13(b)
FERC	Director's Study Plan Determination*	2/10/20	5.13(c)
FWS & NHDES	Any Study Disputes due ^{1*}	3/2/20	5.14(a)
Study D. Panel	Third Panel Member selected	3/17/20	5.14(d)(3)
Study D. Panel	Panel Convenes*	3/23/20	5.14(d)
PacifiCorp	Applicant Comments on Study Dispute due	3/27/20	5.14(j)
Study D. Panel	Technical Conference held	4/1/20	5.14(j)
Study D. Panel	Panel Finding Issued	4/21/20	5.14(k)
FERC	Director's Study Dispute Determination	5/11/20	5.14(l)
PacifiCorp	First Study Season	Spr/Sum XX	5.15(a)
PacifiCorp	Initial Study Report	2/9/21	5.15(c)(1)
All stakeholders	Initial Study Report Meeting	2/24/21	5.15(c)(2)
PacifiCorp	Initial Study Report Meeting Summary	3/11/21	5.15(c)(3)
All stakeholders	Study Disputes/Request to Modify Study Plan due*	4/12/21	5.15(c)(4)
All stakeholders	Responses to Disputes/Study Requests	5/12/21	5.15(c)(5)
FERC	Director's Study Plan Determination	6/11/21	5.15(c)(6)
PacifiCorp	Second Study Season (if needed)	Spr/Sum XX	5.15(a)
PacifiCorp	Updated Study Report due	2/9/22	5.15(f)
All stakeholders	Updated Study Report Meeting	2/24/22	5.15(f)
PacifiCorp	Updated Study Report Meeting Summary	3/11/22	5.15(f)

All stakeholders	Study Disputes/Request to Modify Study Plan due*	4/11/22	5.15(f)
All stakeholders	Responses to Disputes/Study Requests	5/11/22	5.15(f)
FERC	Directors Study Plan Determination	6/10/22	5.15(f)
PacifiCorp	Preliminary Licensing Proposal due	11/1/21	5.16(a)
All stakeholders	Comments on Preliminary Licensing Proposal*	1/31/22	5.16(e)
PacifiCorp	License Application filed	3/31/22	5.17
PacifiCorp	Public Notice of License Application filing	4/14/22	5.17(d)(2)