

# LOW IMPACT HYDROPOWER INSTITUTE RECERTIFICATION APPLICATION

## CERTIFICATION QUESTIONNAIRE

APRIL, 2014 REVISION

### Prospect No. 3 Hydroelectric Project (FERC No. P-2337)

Background Information							
1) Name of the Facility as used in the FERC license/exemption.	Prospect No. 3 Hydroelectric Project (FERC No. P-2337)						
2) Applicant's name, contact information and relationship to the Facility. Please use the Project Contact Form in Appendix D.	Mark Sturtevant, Managing Director, Hydro Resources PacifiCorp Energy 825 NE Multnomah, Suite 1500 Portland, OR 97232 Tel: 503.813.6680 Fax: 503.813.6659 Email: mark.sturtevant@pacificorp.com						
3) Location of Facility including (a) the state in which Facility is located; (b) the river on which Facility is located; (c) the river-mile location of the Facility dam; (d) the river's drainage area in square miles at the Facility intake; (e) the location of other dams on the same river upstream and downstream of the Facility; and (f) the exact latitude and longitude of the Facility dam.	(a) State: Oregon (b) River: South Fork Rogue River (c) River Mile: RM 10.5 (d) Drainage: 83 sq. mi. of subbasin above the diversion dam. (e) Other dams on same river: none on the South Fork Rogue River. <table border="1"><thead><tr><th>Name</th><th>Latitude</th><th>Longitude</th></tr></thead><tbody><tr><td>William Jess Dam (downstream on the main stem Rogue River)</td><td>42.67089</td><td>-122.67400</td></tr></tbody></table>	Name	Latitude	Longitude	William Jess Dam (downstream on the main stem Rogue River)	42.67089	-122.67400
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	(f) Location of Facility dam: <table><tr><td></td><td>Latitude</td><td>Longitude</td></tr><tr><td>South Fork Diversion Dam</td><td>42.70623</td><td>-122.38855</td></tr></table>		Latitude	Longitude	South Fork Diversion Dam	42.70623	-122.38855
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South Fork Diversion Dam	42.70623	-122.38855					
4) Installed capacity.	7,200 kW						
5) Average annual generation.	Based on the five year period from 1984-2013, the average annual generation of the project is 36.3 GWh.						
6) Regulatory status.	The project was relicensed for a 30-year term by FERC Order dated January 30, 1989. PacifiCorp initiated FERC’s Integrated Licensing Process (ILP) by filing a Notice of Intent to File Application for New License (NOI) and a Pre-Application Document (PAD) on July 1, 2013. Revised study plans were filed with FERC on April 28, 2014, and initial study reports are to be filed with FERC by May 12, 2015. The Final License Application will be filed by December 31, 2016. The current license expires December 31, 2018.						
7) Reservoir volume and surface area measured at the normal maximum operating level.	Volume (total storage capacity)= 10 acre-feet Surface area= 1 acre						
8) Area occupied by non-reservoir facilities (e.g., dam, penstocks, powerhouse).	Approximately 8.9 acres are occupied by non-reservoir facilities consisting of: <ul style="list-style-type: none"><li>• 0.26 acres (powerhouse, substation, diversion dam, fish ladder &amp; screen) and</li><li>• 8.7 acres (canal, conduit, penstock)</li></ul>						
9) Number of acres inundated by the Facility.	0.8 acres (including original river channel)						

10) Number of acres contained in a 200-foot zone extending around entire reservoir.	Approximately 8.68 ac are contained within a 200-ft zone extending around the diversion impoundment.
11) Contacts for Resource Agencies and non-governmental organizations	<b>See Attachment 1.</b>
12) Description of the Facility, its mode of operation (i.e., peaking/run of river) and photographs, maps and diagrams.	<b>See Attachment 2.</b>
<b>Questions for “New” Facilities Only:</b> If the Facility you are applying for is “new” (i.e., an existing dam that added or increased power generation capacity after August of 1998) please answer the following questions to determine eligibility for the program.	<b>N/A.</b> A turbine unit was renovated in 2002 and its capacity was increased. However, the power generation capacity of the facility is limited by the output of the generator unit. FERC issued an Order dated December 12, 2002 confirming that the installed capacity of the facility was unchanged.
13) When was the dam associated with the Facility completed?	<b>N/A</b>
14) When did the added or increased generation first generate electricity? If the added or increased generation is not yet operational, please answer question 18 as well.	<b>N/A</b>
15) Did the added or increased power generation capacity require or include any new dam or other diversion structure?	<b>N/A</b>
16) Did the added or increased capacity include or require a change in water flow through the facility that worsened conditions for fish, wildlife, or water quality (for example, did operations change from run-of-river to peaking)?	<b>N/A</b>

<p>17 (a) Was the existing dam recommended for removal or decommissioning by resource agencies, or recommended for removal or decommissioning by a broad representation of interested persons and organizations in the local and/or regional community prior to the added or increased capacity?</p> <p>(b) If you answered “yes” to question 17(a), the Facility is not eligible for certification, unless you can show that the added or increased capacity resulted in specific measures to improve fish, wildlife, or water quality protection at the existing dam. If such measures were a result, please explain.</p>	<p><b>N/A</b></p>	
<p>18 (a) If the added or increased generation is not yet operational, has the increased or added generation received regulatory authorization (e.g., approval by the Federal Energy Regulatory Commission)? If not, the facility is not eligible for consideration; and</p> <p>(b) Are there any pending appeals or litigation regarding that authorization? If so, the facility is not eligible for consideration.</p>	<p><b>N/A</b></p>	
<p><b>A. Flows</b></p>	<p><b>PASS</b></p>	<p><b>FAIL</b></p>
<p>1) Is the Facility in Compliance with Resource Agency Recommendations issued after December 31, 1986 regarding flow conditions for fish and wildlife protection, mitigation and enhancement (including in-stream flows, ramping and peaking rate conditions, and seasonal and episodic instream flow variations) for both the reach below the tailrace and all bypassed reaches?</p>	<p>YES = Pass, Go to B N/A = Go to A2</p> <p><b>Yes. See Attachment 3</b></p>	<p>NO = Fail</p>

2) If there is no flow condition recommended by any Resource Agency for the Facility, or if the recommendation was issued prior to January 1, 1987, is the Facility in Compliance with a flow release schedule, both below the tailrace and in all bypassed reaches, that at a minimum meets Aquatic Base Flow standards or “good” habitat flow standards calculated using the Montana-Tennant method?	YES = Pass, go to B NO = Go to A3	
3) If the Facility is unable to meet the flow standards in A.2., has the Applicant demonstrated, and obtained a letter from the relevant Resource Agency confirming that demonstration, that the flow conditions at the Facility are appropriately protective of fish, wildlife, and water quality?	YES = Pass, go to B	NO = Fail
<b>B. Water Quality</b>	<b>PASS</b>	<b>FAIL</b>
1) Is the Facility either:  a) In Compliance with all conditions issued pursuant to a Clean Water Act Section 401 water quality certification issued for the Facility after December 31, 1986? Or  b) In Compliance with the quantitative water quality standards established by the state that support designated uses pursuant to the federal Clean Water Act in the Facility area and in the downstream reach?	YES = Go to B2     <b>Yes (1b). See Attachment 4</b>	NO = Fail
2) Is the Facility area or the downstream reach currently identified by the state as not meeting water quality standards (including narrative and numeric criteria and designated uses) pursuant to Section 303(d) of the Clean Water Act?	YES = Go to B3 NO = Pass  <b>No.</b> The South Fork Rogue River, and the Rogue River within the Upper Rogue watershed are not on the 303(d) list. <b>See Attachment 4a.</b>	

3) If the answer to question B.2 is yes, has there been a determination that the Facility does not cause, or contribute to, the violation?	YES = Pass	NO = Fail
<b>C. Fish Passage and Protection</b>	<b>PASS</b>	<b>FAIL</b>
1) Are anadromous and/or catadromous fish present in the Facility area or are they know to have been present historically?	<p>YES = Go to C2 NO = Go to C6</p> <p><b>Yes.</b> There are not any anadromous or catadromous fish present in the Facility area but the 2006 Environmental Assessment conducted for the neighboring project, Prospect Nos. 1, 2, and 4, reported that Spring Chinook salmon (<i>Oncorhynchus tshawytscha</i>) and winter steelhead (<i>Oncorhynchus mykiss</i>) may have historically migrated to the area. In all but the wettest years, however, a series of waterfalls on the South Fork Rogue River downstream of the diversion blocked passage.</p>	

<p>2) Is the Facility in Compliance with Mandatory Fish Passage Prescriptions for upstream and downstream passage of anadromous and catadromous fish issued by Resource Agencies after December 31, 1986?</p>	<p>YES = Go to C6 N/A = Go to <del>C2</del> C3</p> <p><b>N/A.</b> There were no mandatory fish passage prescriptions issued by resource agencies for anadromous or catadromous fish passage at the Prospect No. 3 project. The Project is upstream of the U.S. Army Corps of Engineers' William L. Jess Dam, which prevents anadromous or catadromous species from accessing the South Fork Rogue.</p>	<p>NO = Fail</p>
<p>3) Are there historic records of anadromous and/or catadromous fish movement through the Facility area, but anadromous and/or catadromous fish do not presently move through the Facility area (e.g., because passage is blocked at a downstream dam or the fish no longer have a migratory run)?</p>	<p>YES = Go to <del>C2a</del> C3a NO = Go to <del>C3</del>-C4</p> <p><b>Yes. See Attachment 5</b></p>	<p>NO = Fail</p>
<p>a) If the fish are extinct or extirpated from the Facility area or downstream reach, has the Applicant demonstrated that the extinction or extirpation was not due in whole or part to the Facility?</p>	<p>YES = Go to <del>C2b</del> C3b N/A = Go to <del>C2b</del>-C3b</p> <p><b>Yes (C3a). See Attachment 5</b></p>	<p>NO = Fail</p>
<p>b) If a Resource Agency Recommended adoption of upstream and/or downstream fish passage measures at a specific future date, or when a triggering event occurs (such as completion of passage through a downstream obstruction or the completion of a specified process), has the Facility owner/operator made a legally enforceable commitment to provide such passage?</p>	<p>YES = Go to <del>C5</del>-C6 N/A = Go to <del>C3</del>-C4</p> <p><b>Yes (C3b). See Attachment 5</b></p>	<p>NO = Fail</p>

<p>4) If, since December 31, 1986:</p> <p>a) Resource Agencies have had the opportunity to issue, and considered issuing, a Mandatory Fish Passage Prescription for upstream and/or downstream passage of anadromous or catadromous fish (including delayed installation as described in C.3.a above), and</p> <p>b) The Resource Agencies declined to issue a Mandatory Fish Passage Prescription,</p> <p>c) Was a reason for the Resource Agencies' declining to issue a Mandatory Fish Passage Prescription one of the following: (1) the technological infeasibility of passage, (2) the absence of habitat upstream of the Facility due at least in part to inundation by the Facility impoundment, or (3) the anadromous or catadromous fish are no longer present in the Facility area and/or downstream reach due in whole or part to the presence of the Facility?</p>	<p>NO = Go to C6 N/A = Go to <del>C4</del>C5</p>	<p>YES = Fail</p>
<p>5) If C4 was not applicable:</p> <p>a) Are upstream and downstream fish passage survival rates for anadromous and catadromous fish at the dam each documented at greater than 95% over 80% of the run using a generally accepted monitoring methodology? Or</p> <p>b) If the Facility is unable to meet the fish passage standards in 5.a, has the Applicant either i) demonstrated, and obtained a letter from the U.S. Fish and Wildlife Service or National Marine Fisheries Service confirming that demonstration, that the upstream and downstream fish passage measures (if any) at the Facility are appropriately protective of the fishery resource, or ii) committed to the provision of fish passage measures in the future and obtained a letter from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service indicating that passage measures are not currently warranted?</p>	<p>YES = Go to C6</p>	<p>NO = Fail</p>



<p>6) Is the Facility in Compliance with Mandatory Fish Passage Prescriptions for upstream and/or downstream passage of Riverine fish?</p>	<p>YES = Go to C7 N/A = Go to C7</p> <p><b>N/A.</b> There were no mandatory fish passage prescriptions issued by resource agencies for the Prospect No. 3 facility. However, as described above in response to C3b (<b>see Attachment 5</b>), resource agency recommendations regarding both upstream and downstream fish passage have been implemented. These facilities primarily benefit resident brook (<i>Salvelinus fontinalis</i>) and rainbow trout (<i>Oncorhynchus mykiss</i>).</p>	<p>NO = Fail</p>
<p>7) Is the Facility in Compliance with Resource Agency Recommendations for Riverine, anadromous and catadromous fish entrainment protection, such as tailrace barriers?</p>	<p>YES = Pass, go to D N/A = Pass, go to D</p> <p><b>Yes. See Attachment 5</b></p>	<p>NO = Fail</p>

<b>D. Watershed Protection</b>	<b>PASS</b>	<b>FAIL</b>
1) Is there a buffer zone dedicated for conservation purposes (to protect fish and wildlife habitat, water quality, aesthetics and/or low-impact recreation) extending 200 feet from the average annual high water line for at least 50% of the shoreline, including all of the undeveloped shoreline?	YES = Eligible for 3 extra years of certification; Go to D4	NO = Go to D2  <b>No</b> – There is no designated buffer. However, it should be noted that the small impoundment is entirely located on undeveloped National Forest land and it is managed in accordance with USFS regulations.
2) Has the Facility owner/operator established an approved watershed enhancement fund that: 1) could achieve within the project’s watershed the ecological and recreational equivalent of land protection in D.1, and 2) has the agreement of appropriate stakeholders and state and federal resource agencies?	YES = Eligible for 3 extra years of certification; Go to D4	NO = Go to D3  <b>No.</b>
3) Has the Facility owner/operator established through a settlement agreement with appropriate stakeholders, with state and federal resource agencies agreement, an appropriate shoreland buffer or equivalent watershed land protection plan for conservation purposes (to protect fish and wildlife habitat, water quality, aesthetics and/or low impact recreation)?	YES = Go to D4	NO = Go to D4  <b>No.</b> There is not a settlement agreement.

4) Is the facility in compliance with both state and federal resource agencies recommendations in a license approved shoreland management plan regarding protection, mitigation or enhancement of shorelands surrounding the project?	YES = Pass, go to E N/A = Pass, go to E  N/A. There were no recommendations to develop a shoreline management plan during relicensing of the project.	No = Fail
<b>E. Threatened and Endangered Species Protection</b>	<b>PASS</b>	<b>FAIL</b>
1) Are threatened or endangered species listed under state or federal Endangered Species Acts present in the Facility area and/or downstream reach?	YES = Go to E2 NO = Pass, go to F  <b>Yes. See Attachment 6</b>	
2) If a recovery plan has been adopted for the threatened or endangered species pursuant to Section 4(f) of the Endangered Species Act or similar state provision, is the Facility in Compliance with all recommendations in the plan relevant to the Facility?	YES = Go to E3 N/A = Go to E3  <b>Yes. See Attachment 6</b>	NO = Fail
3) If the Facility has received authorization to incidentally Take a listed species through: (i) Having a relevant agency complete consultation pursuant to ESA Section 7 resulting in a biological opinion, a habitat recovery plan, and/or (if needed) an incidental Take statement; (ii) Obtaining an incidental Take permit pursuant to ESA Section 10; or (iii) For species listed by a state and not by the federal government, obtaining authorization pursuant to similar state procedures; is the Facility in Compliance with conditions pursuant to that authorization?	YES = Go to E4 N/A = Go to E5  N/A. At the time of license issuance, no federally-listed species were known to occur in the Prospect No. 3 Project area requiring issuance of an incidental take statement.	NO = Fail

4) If a biological opinion applicable to the Facility for the threatened or endangered species has been issued, can the Applicant demonstrate that:  a) The biological opinion was accompanied by a FERC license or exemption or a habitat conservation plan? Or  b) The biological opinion was issued pursuant to or consistent with a recovery plan for the endangered or threatened species? Or  c) There is no recovery plan for the threatened or endangered species under active development by the relevant Resource Agency? Or  d) The recovery plan under active development will have no material effect on the Facility's operations?	YES = Pass, go to F	NO = Fail
5) If E.2 and E.3 are not applicable, has the Applicant demonstrated that the Facility and Facility operations do not negatively affect listed species?	YES = Pass, go to F  <b>Yes. See Attachment 6</b>	NO = Fail
<b>F. Cultural Resource Protection</b>	<b>PASS</b>	<b>FAIL</b>
1) If FERC-regulated, is the Facility in Compliance with all requirements regarding Cultural Resource protection, mitigation or enhancement included in the FERC license or exemption?	YES = Pass, go to G N/A = Go to F2  <b>Yes. See Attachment 7</b>	NO = Fail
2) If not FERC-regulated, does the Facility owner/operator have in place (and is in Compliance with) a plan for the protection, mitigation or enhancement of impacts to Cultural Resources approved by the relevant state or federal agency or Native American Tribe, or a letter from a senior officer of the relevant agency or Tribe that no plan is needed because Cultural Resources are not negatively affected by the Facility?	YES = Pass, go to G	NO = Fail

<b>G. Recreation</b>	<b>PASS</b>	<b>FAIL</b>
<p>1) If FERC-regulated, is the Facility in Compliance with the recreational access, accommodation (including recreational flow releases) and facilities conditions in its FERC license or exemption?</p>	<p>YES = Go to G3 N/A = Go to G2</p> <p><b>Yes.</b> The project is in compliance with recreational measures in the Prospect No. 3 FERC license. Article 408 of the project license required PacifiCorp to submit a recreation monitoring report summarizing recreational use and demand at the project every six years. PacifiCorp submitted monitoring reports that were approved by FERC in Orders dated March 6, 1995 and April 3, 2001, respectively. In the latter Order, FERC also stated that further recreational monitoring was unnecessary. This is due to the consistently low amount of recreational use in the project area.</p>	<p>NO = Fail</p>
<p>2) If not FERC-regulated, does the Facility provide recreational access, accommodation (including recreational flow releases) and facilities, as Recommended by Resource Agencies or other agencies responsible for recreation?</p>	<p>YES = Go to G3</p>	<p>NO = Fail</p>

3) Does the Facility allow access to the reservoir and downstream reaches without fees or charges?	<p>YES = Pass, go to H</p> <p><b>Yes-</b> PacifiCorp provides free access to all Project lands that are not specifically excluded for operational security. The upstream portion of the Project which includes the diversion impoundment, is on USFS land and therefore access is also available without charge. Although accessible to the public, the 1-acre impoundment is not considered to be a recreational facility.</p>	NO = Fail
<b>H. Facilities Recommended for Removal</b>	PASS	FAIL
1) Is there a Resource Agency Recommendation for removal of the dam associated with the Facility?	<p>NO = Pass, Facility is Low Impact</p> <p><b>No-</b> Resource agencies have not recommended removal of the Prospect No. 3 South Fork diversion dam.</p>	YES = Fail

**APPENDIX D – PROJECT CONTACT FORM**

Project Name: Prospect No. 3 Hydroelectric Project

FERC No. P-2337

**Project Owner/Operator:**

Name and Title: Mark Sturtevant, Managing Director, Hydro Resources

Company: PacifiCorp Energy

Phone: 503-813-6680

Email address: mark.sturtevant@pacificorp.com

*Please include this email address in LIHI e-newsletter distribution: no*

Mailing Address: 825 NE Multnomah, Suite 1500, Portland, OR 97232

**Consulting firm that manages LIHI program participation (if applicable):**

Name \_\_\_\_\_

Company \_\_\_\_\_

Phone \_\_\_\_\_

Email address \_\_\_\_\_

*Please include this email address in LIHI e-newsletter distribution \_\_\_\_\_*

Mailing Address \_\_\_\_\_

**Party responsible for compliance with LIHI certification requirements:**

Name and Title: Todd Olson, Director, Compliance, Hydro Resources

Phone: 503-813-6657

Email address: todd.olson@pacificorp.com

*Please include this email address in LIHI e-newsletter distribution: yes*

Mailing Address: 825 NE Multnomah, Suite 1500, Portland, OR 97232

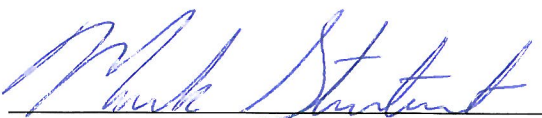
**Party responsible for accounts payable:**

Name and Title: Pooja Kishore, Renewable Resource Specialist

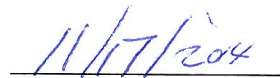
Phone: 503-813-7314

Email address: pooja.kishore@pacificorp.com

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Project Owner/Operator Signature



Date