



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

June 21, 2024

In reply refer to: FOIA #BPA-2023-00619-F

**SENT VIA EMAIL ONLY TO:** [aschick@opb.org](mailto:aschick@opb.org)

Tony Schick  
Oregon Public Broadcasting

Dear Mr. Schick,

This communication is the Bonneville Power Administration's (BPA) first partial response to your request for agency records made under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"). Your FOIA request was received on February 27, 2023, and formally acknowledged on March 17, 2023. The agency provided a first partial release of records on March 12, 2024, and a supplemental release of records on April 24, 2024.

### **Original Request**

"... any documents since Jan 1, 2023, regarding the de-authorization of commercial power production at dams in the Willamette Basin (otherwise known as the Willamette Valley System)."

### **Second Partial Response**

As described to you in our April 29, 2024 extension letter, the agency evaluated the U.S. Army Corps of Engineers (Corps) objections to the release of their information found in the responsive records. This review is now complete, and the agency is releasing 167 pages of BPA and Corps records as a second partial response to your FOIA request. Those pages accompany this communication with:

- 11 redactions applied under 5 U.S.C. § 552(b)(5) (Exemption 5).
- 15 redactions applied under 5 U.S.C. § 552(b)(6) (Exemption 6).

### **Transfer**

The Corps provided objections to the release of all or portions of 48 pages of records containing their information. BPA will transfer these 48 pages to the Corps so they may process and respond to this portion of your FOIA request.

## **Explanation of Exemptions**

The FOIA generally requires the release of all agency records upon request. However, the FOIA permits or requires withholding certain limited information that falls under one or more of nine statutory exemptions (5 U.S.C. §§ 552(b)(1-9)). Further, section (b) of the FOIA, which contains the FOIA's nine statutory exemptions, also directs agencies to publicly release any reasonably segregable, non-exempt information that is contained in those records.

### Exemption 5

The FOIA's Exemption 5 deliberative process privilege protects records showing the deliberative or decision-making processes of government agencies. Records protectable under this privilege must be both pre-decisional and deliberative. A record is pre-decisional if it is generated before the adoption of an agency policy. A record is deliberative if it reflects the give-and-take of the consultative process, either by assessing the merits of a particular viewpoint, or by articulating the process used by the agency to formulate a decision.

Here, BPA relies on Exemption 5 here to protect the preliminary economic analyses, used to inform BPA's response to the Army Corps Water Resources Development Act (WRDA). Both the response and the economic analysis are still in draft form. The economic analysis is used to assess the merits of de-authorizing hydropower at the Willamette dams. The analysis numbers are changing and have not yet been finalized for use in a response to the WRDA. As such, the records are pre-decisional because no decision has yet been made to authorize or de-authorize; and they are deliberative because the records show the agency's economic analyses and processes being used to formulate a response to the WRDA. Because the numbers used in the draft analyses continue to change and evolve, releasing these data will mislead the public regarding BPA's overall strategy and response to the WRDA.

Records protected by Exemption 5 may be discretionarily released. BPA has considered and declined a discretionary release of some pre-decisional and deliberative information in the responsive records set because disclosure of that information would harm the interests and protections encouraged by Exemption 5.

### Exemption 6

Exemption 6 serves to protect Personally Identifiable Information (PII) contained in agency records when no overriding public interest in the information exists. BPA does not find an overriding public interest in a release of the information redacted under Exemption 6—specifically, personal cell phone numbers, conference call passcodes, and WebEx passcodes. This information sheds no light on the executive functions of the agency and BPA finds no overriding public interest in its release. BPA cannot waive these redactions, as the protections afforded by Exemption 6 belong to individuals and not to the agency.

Lastly, as required by 5 U.S.C. § 552(a)(8)(A), information has been withheld only in instances where, (1) disclosure is prohibited by statute, or (2) BPA foresees that disclosure would harm an interest protected by the exemption cited for the record. When full disclosure of a record is not

possible, the FOIA statute further requires that BPA take reasonable steps to segregate and release nonexempt information. The agency has determined that in certain instances partial disclosure is possible, and has accordingly segregated the records into exempt and non-exempt portions.

### **Fees**

There are no fees associated with processing your FOIA request.

### **Certification**

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the records search and information release described above. Your FOIA request BPA-2023-00619-F is now closed with responsive agency information provided. As described above, 48 pages of records will be transferred to the Corps and they will process and respond to this portion of your FOIA request.

### **Appeal**

Note that the records release certified above is final. Pursuant to 10 C.F.R. § 1004.8, you may appeal the adequacy of the records search, and the completeness of this final records release, within 90 calendar days from the date of this communication. Appeals should be addressed to:

Director, Office of Hearings and Appeals  
HG-1, L'Enfant Plaza  
U.S. Department of Energy  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585-1615

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal by e-mail to [OHA.filings@hq.doe.gov](mailto:OHA.filings@hq.doe.gov), including the phrase "Freedom of Information Appeal" in the subject line. (The Office of Hearings and Appeals prefers to receive appeals by email.) The appeal must contain all the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either (1) in the district where you reside, (2) where you have your principal place of business, (3) where DOE's records are situated, or (4) in the District of Columbia.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:


Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, Maryland 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)

Phone: 202-741-5770  
Toll-free: 1-877-684-6448  
Fax: 202-741-5769

Questions about this communication or the status of your FOIA request may be directed FOIA Program Lead Jason E. Taylor at [jetaylor@bpa.gov](mailto:jetaylor@bpa.gov) or 503-230-3537.

Sincerely,

CANDICE  
PALEN

 Digitally signed by CANDICE PALEN  
Date: 2024.06.21 12:21:19 -07'00'

Candice D. Palen  
Freedom of Information/Privacy Act Officer

[Responsive agency records accompany this communication.](#)

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**From:** Kintz,Jesse H (BPA) - PG-5  
**Sent:** Monday, April 17, 2023 5:33 PM  
**To:** Smith,Glen A (BPA) - PG-5; Welch,Julee A (BPA) - LP-7; Ashby,Gordon S (BPA) - PGA-6;  
Todd,Wayne A (BPA) - PGA-6  
**Subject:** 6 pager BPA comments draft  
**Attachments:** D - 6 pieces of paper - Willamette Disposition Study\_DRAFT\_April 11 2023 Charette  
(BPA Response).rtf

Glen and I have added some initial comments/thoughts/edits to this – a head start for tomorrow’s meeting (Julee is working on sending out an agenda) and for getting a version of this to the Corps ASAP this week.

See you all tomorrow,  
-Jesse

WILLAMETTE VALLEY HYDROPOWER PROJECT DISPOSITION STUDY 6 PIECES OF PAPER

CHARETTE READ AHEAD DATE: 4-11-23

DISCLAIMER: THIS READ-AHEAD WAS DEVELOPED USING EXISTING INFORMATION AND FEEDBACK RECEIVED FROM NWP & NWD TEAM MEMBERS DURING A RAPID ITERATION. ALL CONTENT IS DRAFT AND IS INTENDED TO SUPPORT CHARETTE DISCUSSIONS. CONTENT WILL BE FINALIZED BASED ON INPUT RECEIVED DURING AND AFTER THE CHARETTE.

## **SECTION 1 - PROBLEMS AND OPPORTUNITIES**

*Problems and opportunities statements will be framed in terms of the Federal objective and the specific study planning objectives. Problems and opportunities should be defined in a manner that does not preclude the consideration of all potential alternatives to solve the problems and achieve the opportunities. Problems and opportunities statements will encompass current as well as future conditions and are dynamic in nature. Thus, they can be, and usually are, re-evaluated and modified in subsequent steps and iterations of the planning process. Properly defined, statements of problems and opportunities will reflect the priorities and preferences of the Federal Government, the non-Federal sponsors and other groups participating in the study process; thus, active participation of all stakeholders in this process is strongly recommended. Proper identification of problems and opportunities is the foundation for scoping the planning process. This problem identification step, and/or “scoping”, should begin as soon as practicable after the decision to initiate a planning study.*

## 1 PROBLEMS:

- Uncertainty exists as to whether hydropower production is economically efficient (i.e., within the Federal Interest) at one or more of the hydro projects within the WVS under the existing and future without project condition, potentially resulting in net losses for the national [and/or regional](#) economy.
- [Per initial Power Marketing Administration analysis, commercial hydropower is not likely to be economically efficient \(benefits exceeding costs\) under current conditions](#)
- Meeting ESA requirements under existing operations of the projects is costly [and expected to increase in costs in the future](#).
- A dedicated pool for hydropower limits flexibility for operations in the system
  - Considerations: The injunction requirements complicate this as some required drawdowns result in use of the power pool for non-hydropower purposes.

## 1 OPPORTUNITIES:

- There is a potential to optimize the operations of WVS Dams and Reservoirs to more effectively and efficiently meet the high priority authorized purposes of the system.
- Re-evaluating authorized purposes could provide more optimized comprehensive benefits for 4 accounts.
- There is the potential to more reliably meet obligations associated with ESA compliance.
- There is an opportunity to garner support from other federal agencies and stakeholders who support the recovery of salmonid populations.
- There is the potential to provide additional benefits associated with other project purposes (e.g., FRM).
- There is a potential to reduce operating costs of the project associated with ESA compliance.
- [There is opportunity to rebalance funding to be more targeted and appropriate for current project priorities](#).
- There is the potential to reduce O&M costs of the project generally by removing the need to maintain Hydropower assets.
- 1.1 Current O&M in the District could be reassigned to improve/expand capabilities at other higher value hydropower projects.

- There may be an opportunity to reconfigure/improve projects' physical operating characteristics to adjust to changing operations post loss of power generation.
- There may be opportunities to optimize mothballing of power infrastructure, versus removal, to enable potential future uses or to reduce operations and maintenance cost.
- ~~Deauthorization and ceasing~~ Ceasing hydropower operations may decrease the chance of water pollution downstream caused by oil spill or any other ops related activities.
- The power pool could be used for other purposes such as to release water for Fish & Wildlife and ESA purposes.
- Preliminary assessments indicate that modifications to pool levels at Cougar Reservoir may be more effective and less costly than constructing fish passage facilities.
- There is the potential to revolutionize USACE dam operations nationwide by providing a unique example/testing ground.
- There is the potential to test different cost allocation scenarios

## • SECTION 2 - FUTURE WITHOUT PROJECT CONDITION

*A quantitative and qualitative description of these resources is made, for both current and future conditions, and is used to define existing and future without-project conditions. Existing conditions are those at the time the study is conducted. The without-project condition is the most likely condition expected to exist in the future in the absence of a proposed water resources project. Proper definition and forecast of the future without-project condition are critical to the success of the planning process. The future without-project condition constitutes the benchmark against which plans are evaluated. Forecasts of future without-project conditions shall consider all other actions, plans and programs that would be implemented in the future to address the problems and opportunities in the study area in the absence of a Corps project. Forecasts should extend from the base year (the year when the proposed project is expected to be operational) to the end of the period of analysis. Since impact assessment is the basis for plan evaluation, comparison and selection, clear definition and full documentation of the without-project condition are essential. Gathering information about historic and existing conditions requires an inventory. Gathering information about potential future conditions requires forecasts, which should be made for selected years over the period of analysis to indicate how changes in economic and other conditions are likely to have an impact on problems and opportunities.*



Questions related to existing and future without project condition assumptions:

- Is the EIS preferred alternative (i.e., drawdown to the Diversion Tunnel) a good assumption for existing conditions or is it Future Without Project Condition?
- At Cougar Dam, is the EIS preferred alternative (i.e. drawdown to the Diversion Tunnel) an assumed given; or should it be evaluated as one of the alternatives?
- Where will the guidance/decision on existing/baseline operating conditions come from?
- What are the driving factors under Climate Change that we will be modeling towards?
- What assumptions can we make about the status of the Water Control Manuals?
- What assumptions can we make about any Forecast Informed Reservoir Operation Pilots across the watershed?

### • SECTION 3 - OBJECTIVES AND CONSTRAINTS

*Planning objectives are statements that describe the desired results of the planning process by solving the problems and taking advantage of the opportunities identified. The planning objectives must be directly related to the problems and opportunities identified for the study and will be used for the formulation and evaluation of plans.*

*Objectives must be clearly defined and provide information on the effect desired (quantified, if possible), the subject of the objective (what will be changed by accomplishing the objective), the location where the expected result will occur, the timing of the effect (when would the effect occur) and the duration of the effect.*

*Constraints are restrictions that limit the planning process. Constraints, like objectives, are unique to each planning study. Some general types of constraints that need to be considered are resource constraints and legal and policy constraints. Resource constraints are those associated with limits on knowledge, expertise, experience, ability, data, information, money and time. Legal and policy constraints are those defined by law, Corps policy and guidance. These constraints are discussed in subsequent chapters of this regulation and its appendices.*

*Plans should be formulated to meet the study objectives and to avoid violating the constraints. Thus, a clear definition of objectives and constraints is essential to the success of the planning process.*

#### 3.1 OBJECTIVES:

- Determine if there is a Federal interest in deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System.
  - Consideration: Need to define what is meant by “Federal Interest”. Federal Interest for USACE hydropower typically framed by The National Economic Development analysis with input from analysis for the other 3 accounts (Regional Economic Development, Environmental Quality, and Other social Effects). Given the funding role of the regions ratepayers, it may make sense to consider unique aspects of this issue from a regional perspective and not just a national one. It may also make sense to consider federal interest from more than one perspective: i.e. from the perspective of ESA and running a multi-purpose project (Corps’ expertise) and from a perspective of commercial hydropower (BPA’s expertise).
  - Consideration: Need to define what is meant by “in whole or in part”. (For example, in part could mean individual projects but it could also mean deauthorizing commercial hydropower but keeping hydropower for station service, or some combo of the two).
- Identify the effects of deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System

### 3.2 CONSTRAINTS:

- Ensure environmental compliance and mitigation requirements by all applicable federal, state, and local environmental protection status and regulations.
- Maintain Dam Safety standards

### 1 PLANNING CONSIDERATIONS:

- Ensure ESA Compliance activities in the WVS over the next 50 years are Efficient and Effective.
- Maintain current level of Flood Risk Management
- Maintain current level of Life Safety
  - Disposition Study and Implementation Funding
- Balance the needs of federally listed species with other authorized purposes of WVS over the next 50

- years.
- Balance the authorized purposes across the system.
  - Must identify the effects to the other authorized purposes, cost apportionments, dam safety, compliance with the requirements of the Endangered Species, and to system operations. etc.
  - Residents and general public have diverse and vocal interests in how the WVS of dams are operated. This study will be highly visible in the public eye.
  - Deauthorization would result in complex changes throughout the system with a change at just one project having ripple effects throughout the system. Changing or eliminating one purpose could make carrying out another purpose infeasible. An effort should be made to avoid/minimize impacts to other authorized purposes of the Willamette Valley System including Flood Risk Management, Water Supply, and Recreation.
  - Disposition of federal hydropower facilities to another entity for continued operation could negate any potential opportunities associated with deauthorization of hydropower.
  - Ceasing hydropower operations would require [evaluation of impacts on the regional power supply, including consideration of whether additional purchasing purchases alternative sources of power for the needs existing project would be needed.](#)
  - Ceasing hydropower operations would result in impacts to grid stability. Hydropower contributes to electrical grid stability and resilience to interruptions caused by fire, earthquakes, storms, or human activity. Areas local to the WV projects will be most impacted by loss of hydropower and the decreased ability to re-establish power after one of these events. WV projects serve some communities in an electrical grid loop and provide very helpful and necessary voltage control to this transmission loop and the loads served by it. [BPA will need to further evaluate transmission considerations and impacts, including potential mitigation.](#) All WV projects are west of the Cascade mountains. Most replacement power will have to come from east of the Cascade mountains.
  - Ceasing hydropower production and use of penstock outlets could negatively impact water quality.
  - [If ceasing hydropower and resulted in a decision to plugging the penstocks, this](#) would affect flows at some projects. For example, Dexter and Big Cliff have to keep the penstock operational in some way because the spillway is the only alternative, and the reservoir is not always full enough to use the spillway so the river would go dry.
  - Ceasing hydropower operations could negatively impact upstream passage.
  - Ceasing hydropower could have dam safety implications/risks. Is it technically viable? Is it economically

- feasible? Will deauthorization of hydropower have long- term effects on the structure and O&M cost?
- Ceasing hydropower will result in lost capability for islanding at some projects so some of the small communities near our projects would need alternate sources of power in the event that they get disconnected from the grid. This has life/safety implications. [BPA will need to further assess.](#)
  - If you cease hydropower production by removing the turbines but continue to use the penstocks, you will need to find a new way to dissipate a whole lot of energy. You can't just pass the flow through a penstock.
    - At projects such as Hills Creek the non-turbine outlet is higher than the turbine, so we would be limited on drawing down the reservoir given an emergency. Most projects are reversed though.
  - Deauthorization of hydropower would likely increase the cost to the federal government to operate and maintain the respective dams and associated facilities, [given that power \(and power ratepayers\) would potentially no longer be a component of, or beneficiary from, the existing joint facilities.](#) Alternative funding sources will need to be found to support O&M, dam safety, etc. in support of other authorized purposes such as flood risk mitigation, recreation, etc.
  - The multi-purpose nature of the dams within the WVS make appropriate cost apportionment a challenge, especially under the current dynamic operational environment in response to evolving environmental, climatic, etc. requirements. [If deauthorization of all power or of commercial power occurred, a process would be needed to re-allocate costs among the remaining project purposes.](#)
  - Impacts to the Water Supply purpose could affect the recommended plan for the Willamette Basin Review Reallocation study which was authorized in WRDA 2020.
  - Measures/Alternative not considered under the current Draft WVS EIS could affect that process.
  - In order to carry out the EIS Preferred Alternative, deauthorization of hydropower at Cougar Dam will be required. The existing structures at Cougar Dam including the diversion outlet, are not designed to accommodate the potential modifications to pool levels that are under consideration. Furthermore, these changes are not consistent with the existing water control manual.

#### • SECTION 4 - DECISION CRITERIA

*Criteria to evaluate the alternative plans include all significant resources, outputs and plan effects. They also include contributions to the Federal objective, the study planning objectives, compliance with environmental protection requirements, the P&G's four evaluation criteria (completeness, effectiveness, efficiency and acceptability) and other criteria deemed significant by participating stakeholders. The criteria for selecting the recommended plan differ, depending on the type of plan and the outputs it is seeking to achieve.*

*To ensure that the PDT has the information it needs when it needs it, the PDT must identify these decision criteria as early in the process as possible; ideally, during scoping. Fortunately, some of these criteria are easy to identify. Knowing the benefits, costs, and environmental impacts of each plan will be important as well as their contribution to your objectives and constraints. Scoping is the time for the PDT to think about the specific metrics that will be used to capture those values.*

#### **4.1 DATA AND ANALYSIS NEEDS**

- Operations need to identify data and analysis needs from their perspective
- Hydropower economic analysis by HAC Economist [and BPA](#).
- Economic analysis for other authorized purposes (Flood Risk Management, Water Supply, and Recreation).
- Analysis to determine if Hydropower (on its own) is justified, [including commercial power component along with hydropower as a whole purpose \(including station service and ESA benefits, etc.\)](#).
- Analysis to determine impact of deauthorization [of commercial power](#) to other Authorized Purposes.
- Analysis to determine environmental tradeoffs of deauthorization including water quality, flow and ESA habitat impacts from hydropower cessation and use of the power pool for other authorized purposes.
- Analysis of benefits of deauthorizing hydropower.
- Analysis to determine dam safety implications.
- Analysis of structural, mechanical, and dam safety constraints associated with penstock reconfiguration.
- [BPA analysis related to BPA's mission areas including commercial power marketing and transmission impacts \(including grid reliability and islanding questions\)](#)
- Hydrologic, hydraulic, water quality, and ESA fish passage modeling of system operations under various alternatives.

#### **4.1 SECTION 5 - UNIQUE QUESTIONS AND KEY UNCERTAINTIES**

*Document any unique questions that arise or that decision makers are likely to need answered. Knowing these during the scoping phase can help ensure that data gathering and analyses to answer them are planned for and incorporated into the study scope. Key Uncertainties may be related to the Decision Criteria that will be employed and the critical information that will need to be gathered in order to evaluate, compare, and ultimately*

*select a plan. Alternately, these may reflect the most critical study, implementation and outcome risks that the team must manage throughout the planning phase. Teams should identify these key uncertainties and scope actions necessary to incrementally reduce them as needed.*

- How is federal Interest in the hydropower purpose determined?
- Is there a Fed Interest in maintaining hydropower and reallocating costs? Can Cost Apportionment be utilized as a measurer to help solve the identified problem of hydropower power being economically inefficient? Or can cost apportionment only be considered as a measure to address balancing the remaining authorizations once deauthorization at dam is indicated.
- Does deauthorization of hydropower mean that we can no longer use the penstocks or produce hydropower, or just that we no longer have to? Does the disposition mean we have to remove turbines, not generate station service, etc.?
- What is the fate of hydropower assets if hydropower is deauthorized (Will a private entity want to take them over to produce incidental power? Will they be moth balled or removed and sold?)
- For this early phase of the study, do we assume we operate as we do currently under deauthorization without rebalancing the other purposes? Or must we formulate alternative systemwide operations to address changes associated with hydropower cessation? Is the analysis of potential changed flow and elevation targets (min flow requirements, rule curves, etc) on the table?
- If we have to look at rebalancing the authorized purposes across the system, do we complete environmental compliance, including NEPA, or would that come later?
- In proposing deauthorization of hydropower, specifically power peaking, would we consider removal of re-regulation dams?
- Do we know whether this theoretical buyer of the hydropower facilities still have the joint-cost share responsibilities?
- What analysis and data are needed to determine federal interest in deauthorizing hydropower at one or more dams in a multipurpose system.

- What level of analysis can be performed, and questions answered, in 18-month timeline.
- • Characterization of the baseline/existing conditions and future without project conditions considering current injunction and future BiOp and needing to avoid being pre-decisional in regard to the ongoing Willamette Valley System Environmental Impact Statement.
- Required structural and operational changes if hydropower is deauthorized.
- What is structurally and mechanically possible in regard to penstock reconfiguration if hydropower is deauthorized at a dam.
- Cost associated with penstock reconfiguration.
- Cost associated with implementation of the pool adjustments.
- Risk to transmission stability and islanded communities if hydropower is deauthorized.
- Alternative power sources to run the dam facilities if hydropower is deauthorized.
- If adverse water quality and associated ESA habitat effects from cessation of hydropower under a deauthorization scenario can be mitigated.
- Dam safety constraints and considerations associated with cessation of hydropower.
- Unanticipated issues that arise when a pool is operated below the minimum power pool more often
- Other project constraints that may make operations like deep drawdowns infeasible even after hydropower is deauthorized (e.g. sediment)
- FRM effects from removing the release capacity of the penstocks (can water be released quickly enough after a flood event if the penstock is not operational?)

- **SECTION 6 - DECISION MILESTONE QUESTIONS (PER 2016**

## **DISPOSITION STUDY INTERIM GUIDANCE)**

1. Does the project currently meet its authorized purposes? Why or why not?
2. Is there reason to believe that the future condition or needs will be different from those present under the current condition? How so?
3. Are there opportunities to modify the project to solve a water resources development purpose other than the one for which it was originally authorized?
4. Does the project pose a risk to public safety? What is the project's Dam Safety Action Classification (DSAC), if applicable? Describe the risk, including key risk drivers and uncertainties.
5. Are there environmental concerns or other controversies surrounding the project that will influence the scope and outcome of the study?
6. Are the real property and improvements associated with the project suitable for public uses other than water resources development? Do the real property and improvements have commercial value?
7. Are alterations to improvements likely to be necessary in order to safely dispose of the project?
8. What is the annual holding cost and anticipated transaction cost, including any rehabilitation required?
9. What other special considerations or potential liabilities exist due to retaining ownership of the project?
10. What is the level of Congressional Interest in the project and disposition study, if any?
11. What uncertainties need reduction in order to make a recommendation?
12. Are there issues of interest for the vertical team to monitor and review which would help to inform the deauthorization and disposal process?



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**From:** Smith, Glen A (BPA) - PG-5  
**Sent:** Monday, April 17, 2023 10:21 AM  
**To:** Kintz, Jesse H (BPA) - PG-5  
**Subject:** 6 pages - word  
**Attachments:** D - 6 pieces of paper - Willamette Disposition Study\_DRAFT\_April 11 2023 Charette (BPA Response).doc

**Glen A. Smith**

Senior Policy Advisor | PG-5

**BONNEVILLE POWER ADMINISTRATION**

[gasmith@bpa.gov](mailto:gasmith@bpa.gov) | P 503-230-3105 | C (b)(6)



WILLAMETTE VALLEY HYDROPOWER PROJECT DISPOSITION STUDY 6 PIECES OF PAPER

CHARETTE READ AHEAD DATE: 4-11-23

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- There is the potential to test different cost allocation scenarios

- **SECTION 2 - FUTURE WITHOUT PROJECT CONDITION**

*A quantitative and qualitative description of these resources is made, for both current and future conditions, and is used to define existing and future without-project conditions. Existing conditions are those at the time the study is conducted. The without-project condition is the most likely condition expected to exist in the future in the absence of a proposed water resources project. Proper definition and forecast of the future without-project condition are critical to the success of the planning process. The future without-project condition constitutes the benchmark against which plans are evaluated. Forecasts of future without-project conditions shall consider all other actions, plans and programs that would be implemented in the future to address the problems and opportunities in the study area in the absence of a Corps project. Forecasts should extend from the base year (the year when the proposed project is expected to be operational) to the end of the period of analysis. Since impact assessment is the basis for plan evaluation, comparison and selection, clear definition and full documentation of the without-project condition are essential. Gathering information about historic and existing conditions requires an inventory. Gathering information about potential future conditions requires forecasts, which should be made for selected years over the period of analysis to indicate how changes in economic and other conditions are likely to have an impact on problems and opportunities.*

Questions related to existing and future without project condition assumptions:

- Is the EIS preferred alternative (i.e., drawdown to the Diversion Tunnel) a good assumption for existing conditions or is it Future Without Project Condition?
- At Cougar Dam, is the EIS preferred alternative (i.e. drawdown to the Diversion Tunnel) an assumed

given; or should it be evaluated as one of the alternatives?

- Where will the guidance/decision on existing/baseline operating conditions come from?
- What are the driving factors under Climate Change that we will be modeling towards?
- What assumptions can we make about the status of the Water Control Manuals?
- What assumptions can we make about any Forecast Informed Reservoir Operation Pilots across the watershed?

### • SECTION 3 - OBJECTIVES AND CONSTRAINTS

*Planning objectives are statements that describe the desired results of the planning process by solving the problems and taking advantage of the opportunities identified. The planning objectives must be directly related to the problems and opportunities identified for the study and will be used for the formulation and evaluation of plans.*

*Objectives must be clearly defined and provide information on the effect desired (quantified, if possible), the subject of the objective (what will be changed by accomplishing the objective), the location where the expected result will occur, the timing of the effect (when would the effect occur) and the duration of the effect.*

*Constraints are restrictions that limit the planning process. Constraints, like objectives, are unique to each planning study. Some general types of constraints that need to be considered are resource constraints and legal and policy constraints. Resource constraints are those associated with limits on knowledge, expertise, experience, ability, data, information, money and time. Legal and policy constraints are those defined by law, Corps policy and guidance. These constraints are discussed in subsequent chapters of this regulation and its appendices.*

*Plans should be formulated to meet the study objectives and to avoid violating the constraints. Thus, a clear definition of objectives and constraints is essential to the success of the planning process.*

#### 3.1 OBJECTIVES:

- Determine if there is a Federal interest in deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System.
  - Consideration: Need to define what is meant by “Federal Interest”. Federal Interest for USACE

hydropower typically framed by The National Economic Development analysis with input from analysis for the other 3 accounts (Regional Economic Development, Environmental Quality, and Other social Effects).

- Identify the effects of deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System

### **3.2 CONSTRAINTS:**

- Ensure environmental compliance and mitigation requirements by all applicable federal, state, and local environmental protection status and regulations.
- Maintain Dam Safety standards

### **1 PLANNING CONSIDERATIONS:**

- Ensure ESA Compliance activities in the WVS over the next 50 years are Efficient and Effective.
- Maintain current level of Flood Risk Management
- Maintain current level of Life Safety
  - Disposition Study and Implementation Funding
- Balance the needs of federally listed species with other authorized purposes of WVS over the next 50 years.
- Balance the authorized purposes across the system.
- Must identify the effects to the other authorized purposes, cost apportionments, dam safety, compliance with the requirements of the Endangered Species, and to system operations. etc.
- Residents and general public have diverse and vocal interests in how the WVS of dams are operated. This study will be highly visible in the public eye.
- Deauthorization would result in complex changes throughout the system with a change at just one project having ripple effects throughout the system. Changing or eliminating one purpose could make carrying out another purpose infeasible. An effort should be made to avoid/minimize impacts to other authorized purposes of the Willamette Valley System including Flood Risk Management, Water Supply, and Recreation.

- Disposition of federal hydropower facilities to another entity for continued operation could negate any potential opportunities associated with deauthorization of hydropower.
- Ceasing hydropower operations would require purchasing alternative sources of power for the needs existing project.
- Ceasing hydropower operations would result in impacts to grid stability. Hydropower contributes to electrical grid stability and resilience to interruptions caused by fire, earthquakes, storms, or human activity. Areas local to the WV projects will be most impacted by loss of hydropower and the decreased ability to re-establish power after one of these events. WV projects serve some communities in an electrical grid loop and provide very helpful and necessary voltage control to this transmission loop and the loads served by it. All WV projects are west of the Cascade mountains. Most replacement power will have to come from east of the Cascade mountains.
- Ceasing hydropower production and use of penstock outlets could negatively impact water quality.
- Ceasing hydropower and plugging the penstocks would affect flows at some projects. For example, Dexter and Big Cliff have to keep the penstock operational in some way because the spillway is the only alternative, and the reservoir is not always full enough to use the spillway so the river would go dry.
- Ceasing hydropower operations could negatively impact upstream passage.
- Ceasing hydropower could have dam safety implications/risks. Is it technically viable? Is it economically feasible? Will deauthorization of hydropower have long- term effects on the structure and O&M cost?
- Ceasing hydropower will result in lost capability for islanding at some projects so some of the small communities near our projects would need alternate sources of power in the event that the get disconnected from the grid. This has life/safety implications.
- If you cease hydropower production by removing the turbines but continue to use the penstocks, you will need to find a new way to dissipate a whole lot of energy. You can't just pass the flow through a penstock.
  - • At projects such as Hills Creek the non-turbine outlet is higher than the turbine, so we would be limited on drawing down the reservoir given an emergency. Most projects are reversed though.
- Deauthorization of hydropower would likely increase the cost to the federal government to operate and maintain the respective dams and associated facilities. Alternative funding sources will need to be found to support O&M, dam safety, etc. in support of other authorized purposes such as flood risk mitigation, recreation, etc.
- The multi-purpose nature of the dams within the WVS make appropriate cost apportionment a

challenge, especially under the current dynamic operational environment in response to evolving environmental, climatic, etc. requirements.

- Impacts to the Water Supply purpose could affect the recommended plan for the Willamette Basin Review Reallocation study which was authorized in WRDA 2020.
- Measures/Alternative not considered under the current Draft WVS EIS could affect that process.
- In order to carry out the EIS Preferred Alternative, deauthorization of hydropower at Cougar Dam will be required. The existing structures at Cougar Dam including the diversion outlet, are not designed to accommodate the potential modifications to pool levels that are under consideration. Furthermore, these changes are not consistent with the existing water control manual.

#### • **SECTION 4 - DECISION CRITERIA**

*Criteria to evaluate the alternative plans include all significant resources, outputs and plan effects. They also include contributions to the Federal objective, the study planning objectives, compliance with environmental protection requirements, the P&G's four evaluation criteria (completeness, effectiveness, efficiency and acceptability) and other criteria deemed significant by participating stakeholders. The criteria for selecting the recommended plan differ, depending on the type of plan and the outputs it is seeking to achieve.*

*To ensure that the PDT has the information it needs when it needs it, the PDT must identify these decision criteria as early in the process as possible; ideally, during scoping. Fortunately, some of these criteria are easy to identify. Knowing the benefits, costs, and environmental impacts of each plan will be important as well as their contribution to your objectives and constraints. Scoping is the time for the PDT to think about the specific metrics that will be used to capture those values.*

#### **4.1 DATA AND ANALYSIS NEEDS**

- Operations need to identify data and analysis needs from their perspective
- Hydropower economic analysis by HAC Economist.
- Economic analysis for other authorized purposes (Flood Risk Management, Water Supply, and Recreation).
- Analysis to determine if Hydropower (on its own) is justified.
- Analysis to determine impact of deauthorization to other Authorized Purposes.
- Analysis to determine environmental tradeoffs of deauthorization including water quality, flow and ESA



- habitat impacts from hydropower cessation and use of the power pool for other authorized purposes.
- Analysis of benefits of deauthorizing hydropower.
- Analysis to determine dam safety implications.
- Analysis of structural, mechanical, and dam safety constraints associated with penstock reconfiguration.
- Hydrologic, hydraulic, water quality, and ESA fish passage modeling of system operations under various alternatives.

- **SECTION 5 - UNIQUE QUESTIONS AND KEY UNCERTAINTIES**

*Document any unique questions that arise or that decision makers are likely to need answered. Knowing these during the scoping phase can help ensure that data gathering and analyses to answer them are planned for and incorporated into the study scope. Key Uncertainties may be related to the Decision Criteria that will be employed and the critical information that will need to be gathered in order to evaluate, compare, and ultimately select a plan. Alternately, these may reflect the most critical study, implementation and outcome risks that the team must manage throughout the planning phase. Teams should identify these key uncertainties and scope actions necessary to incrementally reduce them as needed.*

- How is federal Interest in the hydropower purpose determined?
- Is there a Fed Interest in maintaining hydropower and reallocating costs? Can Cost Apportionment be utilized as a measurer to help solve the identified problem of hydropower power being economically inefficient? Or can cost apportionment only be considered as a measure to address balancing the remaining authorizations once deauthorization at dam is indicated.
- Does deauthorization of hydropower mean that we can no longer use the penstocks or produce hydropower, or just that we no longer have to? Does the disposition mean we have to remove turbines, not generate station service, etc.?
- What is the fate of hydropower assets if hydropower is deauthorized (Will a private entity want to take them over to produce incidental power? Will they be moth balled or removed and sold?)
- For this early phase of the study, do we assume we operate as we do currently under deauthorization without rebalancing the other purposes? Or must we formulate alternative systemwide operations to

address changes associated with hydropower cessation? Is the analysis of potential changed flow and elevation targets (min flow requirements, rule curves, etc) on the table?

- If we have to look at rebalancing the authorized purposes across the system, do we complete environmental compliance, including NEPA, or would that come later?
- In proposing deauthorization of hydropower, specifically power peaking, would we consider removal of re-regulation dams?
- Do we know whether this theoretical buyer of the hydropower facilities still have the joint-cost share responsibilities?
- What analysis and data are needed to determine federal interest in deauthorizing hydropower at one or more dams in a multipurpose system.
- What level of analysis can be performed, and questions answered, in 18-month timeline.
  - • Characterization of the baseline/existing conditions and future without project conditions considering current injunction and future BiOp and needing to avoid being pre-decisional in regard to the ongoing Willamette Valley System Environmental Impact Statement.
- Required structural and operational changes if hydropower is deauthorized.
- What is structurally and mechanically possible in regard to penstock reconfiguration if hydropower is deauthorized at a dam.
- Cost associated with penstock reconfiguration.
- Cost associated with implementation of the pool adjustments.
- Risk to transmission stability and islanded communities if hydropower is deauthorized.
- Alternative power sources to run the dam facilities if hydropower is deauthorized.

- If adverse water quality and associated ESA habitat effects from cessation of hydropower under a deauthorization scenario can be mitigated.
- Dam safety constraints and considerations associated with cessation of hydropower.
- Unanticipated issues that arise when a pool is operated below the minimum power pool more often
- Other project constraints that may make operations like deep drawdowns infeasible even after hydropower is deauthorized (e.g. sediment)
- FRM effects from removing the release capacity of the penstocks (can water be released quickly enough after a flood event if the penstock is not operational?)

- **SECTION 6 - DECISION MILESTONE QUESTIONS (PER 2016 DISPOSITION STUDY INTERIM GUIDANCE)**

1. Does the project currently meet its authorized purposes? Why or why not?
2. Is there reason to believe that the future condition or needs will be different from those present under the current condition? How so?
3. Are there opportunities to modify the project to solve a water resources development purpose other than the one for which it was originally authorized?
4. Does the project pose a risk to public safety? What is the project's Dam Safety Action Classification (DSAC), if applicable? Describe the risk, including key risk drivers and uncertainties.
5. Are there environmental concerns or other controversies surrounding the project that will influence the scope and outcome of the study?
6. Are the real property and improvements associated with the project suitable for public uses other than water resources development? Do the real property and improvements have commercial value?

7. Are alterations to improvements likely to be necessary in order to safely dispose of the project?
8. What is the annual holding cost and anticipated transaction cost, including any rehabilitation required?
9. What other special considerations or potential liabilities exist due to retaining ownership of the project?
10. What is the level of Congressional Interest in the project and disposition study, if any?
11. What uncertainties need reduction in order to make a recommendation?
12. Are there issues of interest for the vertical team to monitor and review which would help to inform the deauthorization and disposal process?

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**From:** Marker,Douglas R (BPA) - AIR-7  
**Sent:** Wednesday, January 4, 2023 11:06 AM  
**To:** Maslow,Jeffrey J (BPA) - EC-4; Mai,Amy E (BPA) - EC-4  
**Cc:** Kintz,Jesse H (BPA) - PG-5; Spear,Daniel J (BPA) - PGB-5; Smith,Glen A (BPA) - PG-5  
**Subject:** Copy of WVS DRAFT PEIS BPA Comments and Responses\_2022Dec01 - Marker responses to return to Corps.xlsx  
**Attachments:** Copy of WVS DRAFT PEIS BPA Comments and Responses\_2022Dec01 - Marker responses to return to Corps.xlsx

Jeff and Amy –

I went through the table of comments for the Corps notes I assigned to myself. I suggested responses in a new column labeled “Doug’s responses” and highlighted them in green.

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**From:** Hawe, Kate M CIV (USA) <Kate.M.Hawe@usace.army.mil>  
**Sent:** Monday, April 3, 2023 4:46 PM  
**To:** Maslow,Jeffrey J (BPA) - EC-4  
**Cc:** Kintz,Jesse H (BPA) - PG-5; Marker,Doug R (BPA) - AIR-7; Spear,Daniel J (BPA) - PGB-5; Mai,Amy E (BPA) - EC-4; Biegel,Sarah T (BPA) - EC-4  
**Subject:** RE: [EXTERNAL] RE: WVS EIS - Postpone April Meeting + Comment Stats MINOR CORRECTIONS

Hello Jeff:

I thought your name looked familiar. Nice to know another person in this large group (in addition to my good friend, Ms. Sarah, of course).

1. Yes, we did receive the BPA's comments. The table on Page 2 of the attachment indicates those agencies that submitted comments, which have been catalogued and our in our project files for the eventual administrative record.
2. I will inquire about routing the NMFS and USFWS comments on the DEIS. Stay tuned. I'm taking leave for part of this week, so it may be a few days before I have an answer, but I will get back to you.

My Best,  
Kate

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**From:** Maslow,Jeffrey J (BPA) - EC-4 <jjmaslow@bpa.gov>  
**Sent:** Monday, April 3, 2023 1:56 PM  
**To:** Hawe, Kate M CIV (USA) <Kate.M.Hawe@usace.army.mil>  
**Cc:** Kintz,Jesse H (BPA) - PG-5 <jhkintz@bpa.gov>; Marker,Doug R (BPA) - AIR-7 <drmarker@bpa.gov>; Spear,Daniel J (BPA) - PGB-5 <djspear@bpa.gov>; Mai,Amy E (BPA) - EC-4 <aemai@bpa.gov>; Biegel,Sarah T (BPA) - EC-4 <stbiegel@bpa.gov>  
**Subject:** [URL Verdict: Neutral][Non-DoD Source] RE: [EXTERNAL] RE: WVS EIS - Postpone April Meeting + Comment Stats MINOR CORRECTIONS

Hello Kate. Welcome! I think we crossed paths once before during BPA's co-lead role in preparing the CRSO EIS. It's great to have you onboard at the Portland District!

Just a couple quick questions from BPA:

1. Seeing that the comment-summary document indicates BPA as a "commenting agency," we just want to double- and triple-check that the Corps indeed received BPA's DEIS comment letter (signed by Bill Leady and addressed to Liza Wells, dated February 3, 2023)?
2. Could the Corps make available to BPA the cooperating-agency comments submitted by the NMFS and USFWS? Please forward those in a reply to us if possible, thanks!

All the best,  
Jeff

**Jeff Maslow**

Senior Environmental Protection Specialist  
Environmental Planning and Analysis  
**BONNEVILLE POWER ADMINISTRATION**  
503-230-3928

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**From:** Hawe, Kate M CIV (USA) <[Kate.M.Hawe@usace.army.mil](mailto:Kate.M.Hawe@usace.army.mil)>

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**Cc:** Wingard, Kelly L CIV USARMY CENWP (USA) <[Kelly.L.Wingard@usace.army.mil](mailto:Kelly.L.Wingard@usace.army.mil)>; Barajas, Emily K CIV USARMY CENWP (USA) <[Emily.K.Barajas@usace.army.mil](mailto:Emily.K.Barajas@usace.army.mil)>; Lyon, Amanda A CIV USARMY CENWP (USA) <[Amanda.A.Lyon@usace.army.mil](mailto:Amanda.A.Lyon@usace.army.mil)>; Ortiz, Omar M CIV USARMY CENWP (USA) <[Omar.M.Ortiz@usace.army.mil](mailto:Omar.M.Ortiz@usace.army.mil)>; Warner, Kathryn L CIV USARMY CENWP (USA) <[Kathryn.L.Warner@usace.army.mil](mailto:Kathryn.L.Warner@usace.army.mil)>; Dorsey, Garrett L CIV USARMY CENWP (USA) <[Garrett.L.Dorsey@usace.army.mil](mailto:Garrett.L.Dorsey@usace.army.mil)>

**Subject:** [EXTERNAL] RE: WVS EIS - Postpone April Meeting + Comment Stats MINOR CORRECTIONS

Hell Again:

It appears we neglected to identify all four State of Oregon Cooperating Agencies in our list of those who commented. For clarity, we received a joint comment letter from Oregon Department of Fish and Wildlife (as noted in the table), Oregon Department of Environmental Quality, Oregon Water Resources Department, and Oregon Department of Agriculture.

As they say in the newspaper (remember those?), we apologize for the error.

Have a good week,  
Kate

---

**From:** Hawe, Kate M CIV (USA)

**Sent:** Monday, April 3, 2023 12:34 PM

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**Subject:** WVS EIS - Postpone April Meeting + Comment Stats

Hello Cooperating Agency Representatives:

I wanted to introduce myself as the new Corps NEPA Lead on the Willamette Valley Systems EIS, and to update you with some facts about the DEIS comments. In reviewing our very tight schedule for FEIS completion, we feel it would be best to wait to re-initiate our monthly calls with you in May. In lieu of an April meeting, I am providing DEIS comment details in the attachment.

First, I am looking forward to working with you as we move forward through the FEIS process. Some of you are colleagues, but for those who do not know me, I am not new to the Federal system, and worked with NMFS for 15 years as the Northwest Regional NEPA Coordinator. After leaving NMFS, I opened a law and consulting practice to gain perspective from environmental nonprofits and assisted private companies and other Federal agencies on NEPA and ESA legal and consulting matters. I found I missed public service, and took this position to help the Corps maneuver this important and complex action over the finish line. I work remotely from Bend.

Second, on behalf of our Corps team, I want to formally extend an appreciation for your input into the DEIS development. As you know, it was a long, difficult process, and now there is much to accomplish to create an FEIS that will appropriately inform a final decision.

We received a number of comments (although not nearly as many as the 59,000 received on the Columbia River Systems Operating EIS, thankfully). We are working through our responses to each of them as required by CEQ regulations, which will take us several weeks to finalize and then to have reviewed internally. As many of you know, the Corps also has its own internal review process, so we are addressing those comments concurrently with public comments.

Basic comment statistics are provided in the attachment. We look forward to more discussion in May, and invite any agenda ideas as they arise.

Best Regards,  
Kate Hawe





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**From:** Hawe, Kate M CIV (USA) <Kate.M.Hawe@usace.army.mil>  
**Sent:** Wednesday, April 5, 2023 3:10 PM  
**To:** Maslow,Jeffrey J (BPA) - EC-4  
**Cc:** Kintz,Jesse H (BPA) - PG-5; Marker,Doug R (BPA) - AIR-7; Spear,Daniel J (BPA) - PGB-5; Mai,Amy E (BPA) - EC-4; Biegel,Sarah T (BPA) - EC-4  
**Subject:** RE: [EXTERNAL] RE: WVS EIS - Postpone April Meeting + Comment Stats MINOR CORRECTIONS

Hi Again, Jeff et al.:

Just looping back that I have not forgotten your request for the Services' comments. I need to elevate this request up and around, but unfortunately, most of the team are out this week on spring break (and some next week also). I sent out the request, but am waiting.

Thanks for your patience,  
Kate

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**From:** Maslow,Jeffrey J (BPA) - EC-4 <jjmaslow@bpa.gov>  
**Sent:** Monday, April 3, 2023 1:56 PM  
**To:** Hawe, Kate M CIV (USA) <Kate.M.Hawe@usace.army.mil>  
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**Subject:** [URL Verdict: Neutral][Non-DoD Source] RE: [EXTERNAL] RE: WVS EIS - Postpone April Meeting + Comment Stats MINOR CORRECTIONS

Hello Kate. Welcome! I think we crossed paths once before during BPA's co-lead role in preparing the CRSO EIS. It's great to have you onboard at the Portland District!

Just a couple quick questions from BPA:

1. Seeing that the comment-summary document indicates BPA as a "commenting agency," we just want to double- and triple-check that the Corps indeed received BPA's DEIS comment letter (signed by Bill Leady and addressed to Liza Wells, dated February 3, 2023)?
2. Could the Corps make available to BPA the cooperating-agency comments submitted by the NMFS and USFWS? Please forward those in a reply to us if possible, thanks!

All the best,  
Jeff

**Jeff Maslow**  
Senior Environmental Protection Specialist  
Environmental Planning and Analysis  
**BONNEVILLE POWER ADMINISTRATION**  
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**Subject:** [EXTERNAL] RE: WVS EIS - Postpone April Meeting + Comment Stats MINOR CORRECTIONS

Hell Again:

It appears we neglected to identify all four State of Oregon Cooperating Agencies in our list of those who commented. For clarity, we received a joint comment letter from Oregon Department of Fish and Wildlife (as noted in the table), Oregon Department of Environmental Quality, Oregon Water Resources Department, and Oregon Department of Agriculture.

As they say in the newspaper (remember those?), we apologize for the error.

Have a good week,  
Kate

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**Cc:** Wingard, Kelly L CIV USARMY CENWP (USA) <[Kelly.L.Wingard@usace.army.mil](mailto:Kelly.L.Wingard@usace.army.mil)>; Barajas, Emily K CIV USARMY CENWP (USA) <[Emily.K.Barajas@usace.army.mil](mailto:Emily.K.Barajas@usace.army.mil)>; Lyon, Amanda A CIV USARMY CENWP (USA) <[Amanda.A.Lyon@usace.army.mil](mailto:Amanda.A.Lyon@usace.army.mil)>; Ortiz, Omar M CIV USARMY CENWP (USA) <[Omar.M.Ortiz@usace.army.mil](mailto:Omar.M.Ortiz@usace.army.mil)>; Warner, Kathryn L CIV USARMY CENWP (USA) <[Kathryn.L.Warner@usace.army.mil](mailto:Kathryn.L.Warner@usace.army.mil)>; Dorsey, Garrett L CIV USARMY CENWP (USA) <[Garrett.L.Dorsey@usace.army.mil](mailto:Garrett.L.Dorsey@usace.army.mil)>; Hawe, Kate M CIV (USA) <[Kate.M.Hawe@usace.army.mil](mailto:Kate.M.Hawe@usace.army.mil)>  
**Subject:** WVS EIS - Postpone April Meeting + Comment Stats

Hello Cooperating Agency Representatives:

I wanted to introduce myself as the new Corps NEPA Lead on the Willamette Valley Systems EIS, and to update you with some facts about the DEIS comments. In reviewing our very tight schedule for FEIS completion, we feel it would be best to wait to re-initiate our monthly calls with you in May. In lieu of an April meeting, I am providing DEIS comment details in the attachment.

First, I am looking forward to working with you as we move forward through the FEIS process. Some of you are colleagues, but for those who do not know me, I am not new to the Federal system, and worked with NMFS for 15 years as the Northwest Regional NEPA Coordinator. After leaving NMFS, I opened a law and consulting practice to gain perspective from environmental nonprofits and assisted private companies and other Federal agencies on NEPA and ESA legal and consulting matters. I found I missed public service, and took this position to help the Corps maneuver this important and complex action over the finish line. I work remotely from Bend.

Second, on behalf of our Corps team, I want to formally extend an appreciation for your input into the DEIS development. As you know, it was a long, difficult process, and now there is much to accomplish to create an FEIS that will appropriately inform a final decision.

We received a number of comments (although not nearly as many as the 59,000 received on the Columbia River Systems Operating EIS, thankfully). We are working through our responses to each of them as required by CEQ regulations, which will take us several weeks to finalize and then to have reviewed internally. As many of you know, the Corps also has its own internal review process, so we are addressing those comments concurrently with public comments.

Basic comment statistics are provided in the attachment. We look forward to more discussion in May, and invite any agenda ideas as they arise.

Best Regards,  
Kate Hawe



**US Army Corps  
of Engineers®**  
Portland District

**Kate Hawe**  
Natural Resource Specialist  
**Phone | Pending**  
[Kate.M.Hawe@usace.army.mil](mailto:Kate.M.Hawe@usace.army.mil)

U.S. Army Corps of Engineers  
Portland District  
333 SW 1st Ave

Portland, OR 97204  
<https://www.nwp.usace.army.mil>

**From:** Kintz, Jesse H (BPA) - PG-5  
**Sent:** Wed Mar 22 12:02:47 2023  
**Required:** Baskerville, Sonya L (BPA) - AIN-WASH  
**Subject:** FW: Willamette NPV scenario analysis  
**Location:** Skype/conf call (x4000, (b)(6))  
**Start time:** Wed Mar 22 13:00:00 2023  
**End time:** Wed Mar 22 14:00:00 2023  
**Importance:** Normal  
**Attachments:** RE: Seeking your input on estimating when the Corps EIS structures will be completed; Preliminary Sensitivity Results.pptx; 03022023\_WV BA Proposed Action\_FedFamily Technical.pdf

-----Original Appointment-----

**From:** Kintz, Jesse H (BPA) - PG-5 <jhkintz@bpa.gov>  
**Sent:** Tuesday, March 21, 2023 11:26 AM  
**To:** Kintz, Jesse H (BPA) - PG-5; Kintz, Jesse H (BPA) - PG-5; Ashby, Gordon S (BPA) - PGA-6; Smith, Glen A (BPA) - PG-5; Spear, Daniel J (BPA) - PGB-5  
**Cc:** Marker, Doug R (BPA) - AIR-7  
**Subject:** Willamette NPV scenario analysis  
**When:** Wednesday, March 22, 2023 1:00 PM-2:00 PM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** Skype/conf call (x4000, (b)(6))

AGENDA:

- Brief overview/recap of draft analysis
- Identify/clarify changes to base case
- Discuss/decide on construction timing estimates + incorporating NTOM (injunction ops) impacts
- Discuss/decide on specific cost increase and allocation scenarios
- Schedule, next steps

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[Join Skype Meeting](#)

Trouble Joining? [Try Skype Web App](#)

[Help](#)

[!OC([1033])!]

---

From: Spear, Daniel J (BPA) - PGB-5

Sent: Tue Mar 14 11:51:23 2023

To: Kintz, Jesse H (BPA) - PG-5; Maslow, Jeffrey J (BPA) - EC-4

Cc: Ashby, Gordon S (BPA) - PGA-6; Marker, Doug R (BPA) - AIR-7; Mai, Amy E (BPA) - EC-4; Smith, Glen A (BPA) - PG-5; Sullivan, Leah S (BPA) - PGB-5

Subject: RE: Seeking your input on estimating when the Corps EIS structures will be completed

Importance: Normal

Hello:

So the Gantt chart that the Corps has provided is the best estimate as to when the items will be completed. I think it is fair to assume that the operations will be ongoing until the structures are completed. The exception being the Cougar DT operation, because at some point the reservoir will likely have to be drawn down to invert to complete the alteration of the DT.

NMFS and FWS have said that they want to see items “move to the left” (meaning get done faster) on the Gantt chart. I think there will be a “final” Gantt chart stemming from the BiOp; but until then these are reasonable estimates.

In terms of scenario modeling, I suggest starting with what we have in the Gantt chart, and then adding a scenario in which the NTOMs take place for longer because there is not funding for the structures.

Dan Spear

**From:** Kintz, Jesse H (BPA) - PG-5 <jhkintz@bpa.gov>

**Sent:** Thursday, March 9, 2023 10:27 AM

**To:** Maslow, Jeffrey J (BPA) - EC-4 <jjmaslow@bpa.gov>; Spear, Daniel J (BPA) - PGB-5 <djspear@bpa.gov>

**Cc:** Ashby, Gordon S (BPA) - PGA-6 <gsashby@bpa.gov>; Marker, Doug R (BPA) - AIR-7 <drmarker@bpa.gov>;

Mai, Amy E (BPA) - EC-4 <aemai@bpa.gov>; Smith, Glen A (BPA) - PG-5 <gasmith@bpa.gov>

**Subject:** Seeking your input on estimating when the Corps EIS structures will be completed

Jeff, Dan,

Getting us on a group string here.

Gordon Ashby has been working on updating the financial analysis from the EIS for the latest and greatest information and adding some scenario sensitivity analysis. As part of improving the accuracy of this analysis, he is in need of best estimates of when the EIS structural items will be completed. This will help him add the injunction/NTOM impacts for the period before the structures are completed.

The Corps has provided the attached schedule (slide 7) but I don't recall seeing any more detailed dates from the Corps – have either of you?



Once we have an estimated schedule, we will also want to factor in the chance that the Corps gets funding for all of these items when requested (they won't). So we may want to add a lapse factor or some other consideration for that.

Your thoughts and insights are appreciated!

Thanks,

-Jesse

**Jesse Kintz**

Power Generation – Senior Policy and Project Lead | [PG-2]

**Bonneville Power Administration**

[bpa.gov](http://bpa.gov) | P 503-230-3340 | C (b)(6)

# Willamette Valley Preliminary Sensitivity Results

3/8/22

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## Summary

### What's New?

- Energy Prices (Long-term forecast from Jan 2023)

### What's the same?

- 30-year study period, starting in 2024
- Firm generation valued at Tier 1 until 2028, surplus generation at Mid C
- All generation after 2028 is valued at Mid C
- Inflation forecasts (FY22, new forecast not yet posted)
- Discount Rate (FY22, new discount rates not yet posted)
- Generation by Water Year (using EIS results for Preferred Alternative)
- Direct Funded Capital and Expense forecasts
- Structural Measure Cost Forecasts

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## Sensitivity Descriptions

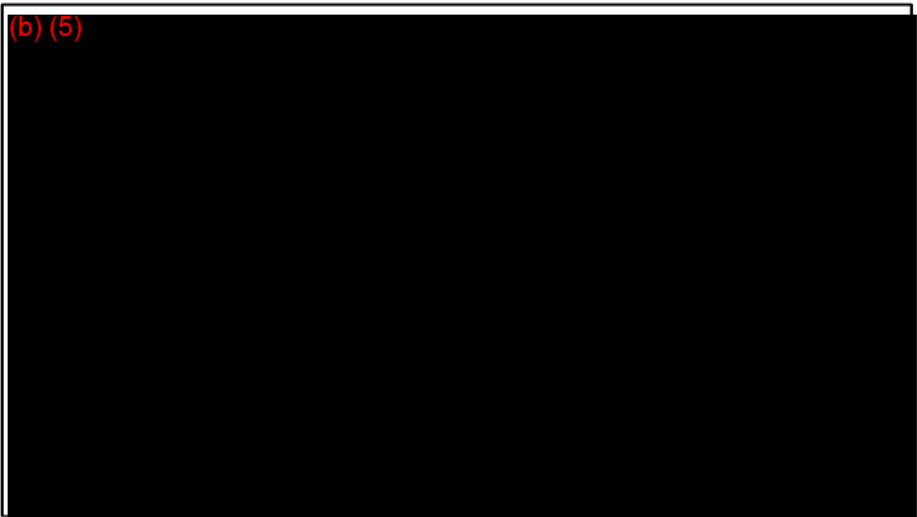
Name	Description
Old Baseline	Results from EIS Analysis
New Baseline	Updated results with new price forecast (\$41.63/MWh average in 2024)
Prices 0.5x	New price forecast falls by 50%
Prices 1.5x	New price forecast increases by 50%
Prices 2x	New price forecast increases by 100%
Structural Measures 1.5x	Structural Measure Costs increase by 50%
Structural Measures 2.0x	Structural Measure Costs increase by 100%
Cost Allocation 0.5x	Cost Allocations at all facilities drop by 50% compared to current cost allocation
Structural Measures 1.5x, Cost Allocation 0.5x	Combines a 50% increase in Structural Measure costs with a 50% decrease in cost allocation

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(b) (5)



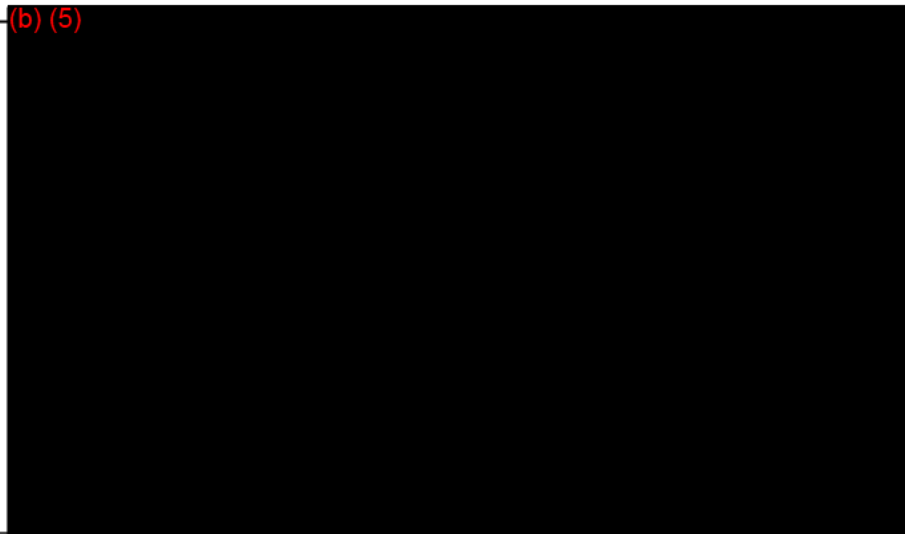






(b) (5)





(b) (5)



(b) (5)



(b) (5)





(b) (5)



## Final Thoughts

- Hills Creek and Lookout Point units have been largely rebuilt within the last 10 years so near-term costs are relatively low
- Green Peter and Foster both have major turbine work on the horizon making their near-term costs relatively high
- Rethinking investment strategies at plants like Green Peter and Foster could slightly improve outlook
- Despite having relatively new equipment, Cougar is still costly relative to value of generation so changing investment strategies may not be that useful

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(b) (5)





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**From:** Marker,Doug R (BPA) - AIR-7  
**Sent:** Wednesday, March 1, 2023 10:36 AM  
**To:** Spear,Daniel J (BPA) - PGB-5  
**Subject:** RE: CRFM Cougar Downstream Fish Passage Project Reclassification -- Attorney/Client Communication -- Do Not Release Under FOIA

Wow.

---

**From:** Spear,Daniel J (BPA) - PGB-5 <djspear@bpa.gov>  
**Sent:** Wednesday, March 1, 2023 10:28 AM  
**To:** Eggimann,Scott A (BPA) - FRF-2 <saeggimann@bpa.gov>; Welch,Julee A (BPA) - LP-7 <jawelch@bpa.gov>; Senter,Anne E (BPA) - LN-7 <aesenters@bpa.gov>; Nagra,Angad S (BPA) - LN-7 <ASNagra@bpa.gov>  
**Cc:** Lindgren,Brenda M (BPA) - FRF-2 <bmlindgren@bpa.gov>; Rice,Cara N (BPA) - FRF-2 <cnrice@bpa.gov>; Sullivan,Leah S (BPA) - PGB-5 <lssullivan@bpa.gov>; Kintz,Jesse H (BPA) - PG-5 <jhkintz@bpa.gov>; Chase,Luke B (BPA) - PGAF-6 <lchase@bpa.gov>; Marker,Doug R (BPA) - AIR-7 <drmarker@bpa.gov>; Baskerville,Sonya L (BPA) - AIN-WASH <slbaskerville@bpa.gov>; Brown II,George L (BPA) - PGA-6 <glbrown@bpa.gov>; Todd,Wayne A (BPA) - PGA-6 <watodd@bpa.gov>; Norris,Tony (BPA) - PGPO-5 <ranorris@bpa.gov>; Seifert,Roger E (BPA) - AIN-WASH <reseifert@bpa.gov>  
**Subject:** RE: CRFM Cougar Downstream Fish Passage Project Reclassification -- Attorney/Client Communication -- Do Not Release Under FOIA  
**Importance:** High

***Attorney/Client Communication -- Do Not Release Under FOIA***

**Hello:**

I had a conversation with the Corps' Willamette PM, Ida Royer, today on additional upcoming Willamette CRFM items that will likely change into "expense" and hit BPA's rates in the next few years.

To start with, Ida explained that each project has a charter and when that charter ends then the costs accrued in support of it become expense and the power share hits BPA's rates.

1.) Cougar Floating Surface Collector (FSC)

The EIS/BA action for a Cougar Diversion Tunnel represents a new "charter" for Cougar downstream passage. I asked if all the RME was specific to the FSC and Ida indicated that it was (i.e. studying fish in the CGR cul de sac and not just basic periodicity).

2.) Foster Fish Weir

This construction project resulted in a weir that has been useful for temperature control but has failed at fish passage. There is another broad "downstream passage" effort that is starting at Foster, which means that the old charter is done. Closing out the prior Foster Fish Weir effort has been complicated by Covid and SHPO requirements for an "historic" 50 year old crane, but I would suspect this will be expense soon... possibly this FY or next.

3.) RME

This is the big one. The Corps has five RME Charters (one for each subbasin and one for the system as a whole) and many efforts have been put into the RME bucket(s). For instance, the design/study for a Head of Reservoir Collector (HORC) at LOP that was ultimately deemed infeasible is RME. As is the Portable Floating Fish Collector (PFFC) at Cougar. Overall, Ida estimated that there is **\$250 million of RME** that is likely to become expense soon (perhaps in the next one

to three FYs), as future RME efforts are geared towards items in the new EIS/BA/BiOp and efforts from the 2008 BiOp are “closed”. With the aggregate BPA power share at ~40%, that would equate to \$100M entering BPA’s rates over the next one to three FYs (the actual power share is calculated on a project-by-project basis; I think it is likely that the aggregate will be more than 40%). I asked Ida to give BPA as much forewarning as possible about the closing of RME charters as the expenses that will hit BPA’s rates, on their own, will almost assuredly raise rates.

Best Regards,

Daniel Spear

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**From:** Spear, Daniel J (BPA) - PGB-5  
**Sent:** Friday, February 24, 2023 12:45 PM  
**To:** Eggimann, Scott A (BPA) - FRF-2 <[saeggimann@bpa.gov](mailto:saeggimann@bpa.gov)>; Welch, Julee A (BPA) - LP-7 <[jawelch@bpa.gov](mailto:jawelch@bpa.gov)>; Senter, Anne E (BPA) - LN-7 <[aesenters@bpa.gov](mailto:aesenters@bpa.gov)>; Nagra, Angad S (BPA) - LN-7 <[ASNagra@bpa.gov](mailto:ASNagra@bpa.gov)>  
**Cc:** Lindgren, Brenda M (BPA) - FRF-2 <[bmlindgren@bpa.gov](mailto:bmlindgren@bpa.gov)>; Rice, Cara N (BPA) - FRF-2 <[cnrice@bpa.gov](mailto:cnrice@bpa.gov)>; Sullivan, Leah S (BPA) - PGB-5 <[lsullivan@bpa.gov](mailto:lsullivan@bpa.gov)>; Kintz, Jesse H (BPA) - PG-5 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>; Chase, Luke B (BPA) - PGAF-6 <[lbchase@bpa.gov](mailto:lbchase@bpa.gov)>; Marker, Doug R (BPA) - AIR-7 <[drmarker@bpa.gov](mailto:drmarker@bpa.gov)>; Baskerville, Sonya L (BPA) - AIN-WASH <[slbaskerville@bpa.gov](mailto:slbaskerville@bpa.gov)>; Brown II, George L (BPA) - PGA-6 <[glbrown@bpa.gov](mailto:glbrown@bpa.gov)>; Todd, Wayne A (BPA) - PGA-6 <[watodd@bpa.gov](mailto:watodd@bpa.gov)>; Norris, Tony (BPA) - PGPO-5 <[ranorris@bpa.gov](mailto:ranorris@bpa.gov)>  
**Subject:** RE: CRFM Cougar Downstream Fish Passage Project Reclassification -- Attorney/Client Communication -- Do Not Release Under FOIA

***Attorney/Client Communication -- Do Not Release Under FOIA***

Hello Scott:

The CRFM Cougar Downstream Fish Passage Project in reference to the efforts to build a floating surface collector (FSC) at Cougar Dam that have been ongoing since inception of the 2008 Willamette BiOp. The Corps’ Proposed Action in the current Willamette draft EIS (and draft BA) calls for Cougar reservoir to be drawn down to the Diversion Tunnel. The Diversion Tunnel itself will be modified to accommodate fish passage. It appears from Ms. Thomas’ email that the updated stratagem for downstream passage in the Corps’ draft EIS/BA is now formal enough to demarcate the end of efforts to construct the FSC and, in the Corps’ opinion, these two efforts are separate and not an evolution of the goal of successful downstream fish passage at Cougar that have been adjusted in light of new information and knowledge.

I do not know how the choice to reclassify CIP costs to expense is made, or how various actions associated with the effort to build the FSC are “rolled up” into the \$21M figure cited in Ms. Thomas’ email, but here is some pertinent information that may be helpful going forward:

1.) No construction ever took place.

The \$21M would be entirely design costs and, likely, RME associated with the design. (Note: There is a “Portable Floating Surface Collector” at Cougar, but this was an entirely different research item that has a separate line item from the Cougar FSC in CRFM budgets.) There is no “asset,” performing or otherwise, that resulted from the money spent.

2.) Some RME for the FSC may be pertinent to passage strategies at Cougar

It is unclear what, if any, RME was associated with the FSC effort is included in the \$21M. Much of the initial research done at Cougar was for “baseline” information on periodicity of juvenile salmon in upstream reaches and in the

reservoir (basically, where the fish are located and at what time). In my opinion, this data would be pertinent to any downstream passage effort and, if it was included in the \$21M figure, it should be removed.

3.) There are two upcoming Disposition Studies on the power purpose of the Willamette Dams, one for Cougar and one for the whole system.

The Diversion Tunnel passage action will permanently eliminate power production at Cougar Dam. As such the Corps has incorporated a "Disposition Study" on the power purpose at Cougar Dam to ascertain if there is still a "federal interest" in maintaining it into its PA.

In addition, there is a systemwide disposition study that the Corps will conduct to determine the "federal interest" in maintaining the power purpose for the entire system that was mandated by Congress in the 2022 WRDA.

To the best of my knowledge, such a study has never been conducted at any FCRPS or other federal dam. So it is unclear what, if any, impact the outcome of the disposition studies may have on recent expenditures at Cougar or elsewhere.

This is the first that I am hearing about the CAP to expense changes, but I will loop you all in as I hear more.

Please let me know if you have any questions.

Best Regards,

Daniel Spear

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**From:** Eggimann, Scott A (BPA) - FRF-2 <[saeggimann@bpa.gov](mailto:saeggimann@bpa.gov)>  
**Sent:** Friday, February 24, 2023 9:24 AM  
**To:** Spear, Daniel J (BPA) - PGB-5 <[djspear@bpa.gov](mailto:djspear@bpa.gov)>  
**Cc:** Lindgren, Brenda M (BPA) - FRF-2 <[bmilindgren@bpa.gov](mailto:bmilindgren@bpa.gov)>; Rice, Cara N (BPA) - FRF-2 <[cnrice@bpa.gov](mailto:cnrice@bpa.gov)>  
**Subject:** FW: CRFM Cougar Downstream Fish Passage Project Reclassification

Hi Dan,

I just heard about the \$5m power CAP to EXP below. This will increase BPA's Treasury Payment on 9/30/22 by \$5m, or will need to be converted to a regulatory asset to absorb the cost over years.

I assume you're the BPA contact Sarah mentions below. We're out of the loop. Can you update us as this progresses?

Thanks!

**Scott Eggimann**  
ASPRJ Lead Accountant | Federal Partner Accounting (FRF-2)  
Bonneville Power Administration  
E [saeggimann@bpa.gov](mailto:saeggimann@bpa.gov) | P 503-230-4641 | C (b)(6)

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**From:** Thomas, Sarah L CIV USARMY CENWP (USA) <[Sarah.L.Harnitchek@usace.army.mil](mailto:Sarah.L.Harnitchek@usace.army.mil)>  
**Sent:** Friday, February 24, 2023 9:08 AM  
**To:** Eggimann, Scott A (BPA) - FRF-2 <[saeggimann@bpa.gov](mailto:saeggimann@bpa.gov)>  
**Cc:** Pierce, Hannah C CIV USARMY CENWP (USA) <[Hannah.C.Pierce@usace.army.mil](mailto:Hannah.C.Pierce@usace.army.mil)>; Layman, Nicholas L CIV USARMY CENWP (USA) <[Nicholas.L.Layman@usace.army.mil](mailto:Nicholas.L.Layman@usace.army.mil)>  
**Subject:** [EXTERNAL] CRFM Cougar Downstream Fish Passage Project Reclassification

Scott,

In summary of what we discussed this morning, the CRFM Cougar Downstream Fish Passage Project will be reclassified from capital to expense this FY. This is due to the project termination. The costs in CIP are no longer intended to be used to /construct an asset going forward.

The project itself will either go the direction of a similar asset with entirely new design needs, not utilizing any of the costs currently expended, OR it will be permanently terminated. In either case, the project will necessitate reclassification of the roughly \$21M in CIP costs to expense. BPA's portion is 23% for that project therefore this will equate to just under \$5M as the BPA portion.

The project managers at USACE will be communicating further about this with their BPA contacts in the near future as well.

If details are needed on the reclassification transaction, Hannah will be able to provide them.

Sarah (Harnitckek) Thomas, CPA, CDFM  
Finance and Accounting Officer  
USACE, Portland District  
503-808-4472

WILLAMETTE VALLEY HYDROPOWER PROJECT DISPOSITION STUDY 6 PIECES OF PAPER

CHARETTE READ AHEAD DATE: 4-11-23

DISCLAIMER: THIS READ-AHEAD WAS DEVELOPED USING EXISTING INFORMATION AND FEEDBACK RECEIVED FROM NWP & NWD TEAM MEMBERS DURING A RAPID ITERATION. ALL CONTENT IS DRAFT AND IS INTENDED TO SUPPORT CHARETTE DISCUSSIONS. CONTENT WILL BE FINALIZED BASED ON INPUT RECEIVED DURING AND AFTER THE CHARETTE.

## **SECTION 1 - PROBLEMS AND OPPORTUNITIES**

*Problems and opportunities statements will be framed in terms of the Federal objective and the specific study planning objectives. Problems and opportunities should be defined in a manner that does not preclude the consideration of all potential alternatives to solve the problems and achieve the opportunities. Problems and opportunities statements will encompass current as well as future conditions and are dynamic in nature. Thus, they can be, and usually are, re-evaluated and modified in subsequent steps and iterations of the planning process. Properly defined, statements of problems and opportunities will reflect the priorities and preferences of the Federal Government, the non-Federal sponsors and other groups participating in the study process; thus, active participation of all stakeholders in this process is strongly recommended. Proper identification of problems and opportunities is the foundation for scoping the planning process. This problem identification step, and/or “scoping”, should begin as soon as practicable after the decision to initiate a planning study.*

## 1 PROBLEMS:

- Uncertainty exists as to whether the use of the hydropower purpose as a whole – i.e. for both power generation and ESA/water conveyance - is economically efficient (i.e., within the Federal Interest) at one or more of the hydro projects within the WVS under the existing and future without project condition, potentially resulting in net losses for the national and/or regional economy.
- Commercial hydropower is not economically viable (i.e. costs significantly exceed the benefits) under current conditions, per analysis in the Draft Programmatic Willamette Environmental Impact Statement. This is contrary to congressional intent when the hydropower purpose was authorized.
- Meeting ESA requirements under existing operations of the projects is costly - and will continue to be costly in the future.
- Costs, benefits, and operations of WVS Dams and Reservoirs have evolved since original construction creating inequities in funding between tax payers and rate payers.
- A dedicated pool for hydropower limits flexibility for operations in the system
  - Considerations: The injunction requirements complicate this as some required drawdowns result in use of the power pool for non-hydropower purposes.

## 1 OPPORTUNITIES:

- There is a potential to optimize the operations of WVS Dams and Reservoirs to more effectively and efficiently meet the high priority authorized purposes of the system while achieving fish restoration objectives.
- Re-evaluating authorized purposes could provide more optimized comprehensive benefits for 4 accounts.
- Evaluating commercial hydropower as a separate function from the hydropower purpose as a whole could provide more optimized comprehensive benefits for 4 accounts, especially the regional stakeholders most impacted.
- There is the potential to more ~~reliably~~ effectively meet obligations associated with ESA compliance.
- There is an opportunity to ~~garner support from~~ align non-hydropower objectives with those of other federal agencies and stakeholders who support the recovery of salmonid populations.

- There is the potential to provide additional benefits associated with other project purposes (e.g., FRM).
- There is a potential to reduce operating costs of the project associated with ESA compliance.
- [There is potential opportunity to rebalance funding to be more equitable and aligned with the beneficiaries of the project and with current project priorities.](#)
- There is the potential to reduce O&M costs of the project generally by removing the need to maintain Hydropower assets.
- **1.1** Current O&M in the District could be reassigned to improve/expand capabilities at other higher value hydropower projects.
- There may be an opportunity to reconfigure/improve projects' physical operating characteristics to adjust to changing operations post loss of power generation.
- There may be opportunities to optimize mothballing of power infrastructure, versus removal, to enable potential future uses or to reduce operations and maintenance cost.
- ~~Deauthorization and ceasing~~ [Deauthorization and ceasing](#) hydropower operations may decrease the chance of water pollution downstream caused by oil spill or any other ops related activities.
- [There could be an increase in operational flexibility since the water associated with the](#) power pool could be used for other purposes such as to release water for Fish & Wildlife and ESA purposes.
- Preliminary assessments indicate that modifications to pool levels at Cougar Reservoir may be more effective and less costly than constructing fish passage facilities.
- There is the potential to revolutionize USACE dam operations nationwide by providing a unique example/testing ground.
- [There is the potential to save the taxpayer money if deauthorizing hydropower, in whole or in part, provides more opportunities for cheaper operational measures vs expensive structural measures to meet ESA requirements.](#)
- There is the potential to test different cost allocation scenarios

- **SECTION 2 - FUTURE WITHOUT PROJECT CONDITION**

*A quantitative and qualitative description of these resources is made, for both current and future conditions, and is used to define existing and future without-project conditions. Existing conditions are those at the time the study is conducted. The without-project condition is the most likely condition expected to exist in the future in the absence of a proposed*

*water resources project. Proper definition and forecast of the future without-project condition are critical to the success of the planning process. The future without-project condition constitutes the benchmark against which plans are evaluated. Forecasts of future without-project conditions shall consider all other actions, plans and programs that would be implemented in the future to address the problems and opportunities in the study area in the absence of a Corps project. Forecasts should extend from the base year (the year when the proposed project is expected to be operational) to the end of the period of analysis. Since impact assessment is the basis for plan evaluation, comparison and selection, clear definition and full documentation of the without-project condition are essential. Gathering information about historic and existing conditions requires an inventory. Gathering information about potential future conditions requires forecasts, which should be made for selected years over the period of analysis to indicate how changes in economic and other conditions are likely to have an impact on problems and opportunities.*

Questions related to existing and future without project condition assumptions:

- Is the EIS preferred alternative (i.e., drawdown to the Diversion Tunnel) a good assumption for existing conditions or is it Future Without Project Condition?
- At Cougar Dam, is the EIS preferred alternative (i.e. drawdown to the Diversion Tunnel) an assumed given; or should it be evaluated as one of the alternatives?
- Where will the guidance/decision on existing/baseline operating conditions come from?
- What are the driving factors under Climate Change that we will be modeling towards?
- What assumptions can we make about the status of the Water Control Manuals?
- What assumptions can we make about any Forecast Informed Reservoir Operation Pilots across the watershed?
- [Would BPA require replacement power if hydropower is deauthorized at all or some WVS Dams?](#)

## **1 SECTION 3 - OBJECTIVES AND CONSTRAINTS**

*Planning objectives are statements that describe the desired results of the planning process by solving the problems and taking advantage of the opportunities identified. The planning objectives must be directly related to the problems and opportunities identified for the study and will be used for the formulation and evaluation of*



plans.

*Objectives must be clearly defined and provide information on the effect desired (quantified, if possible), the subject of the objective (what will be changed by accomplishing the objective), the location where the expected result will occur, the timing of the effect (when would the effect occur) and the duration of the effect.*

*Constraints are restrictions that limit the planning process. Constraints, like objectives, are unique to each planning study. Some general types of constraints that need to be considered are resource constraints and legal and policy constraints. Resource constraints are those associated with limits on knowledge, expertise, experience, ability, data, information, money and time. Legal and policy constraints are those defined by law, Corps policy and guidance. These constraints are discussed in subsequent chapters of this regulation and its appendices.*

*Plans should be formulated to meet the study objectives and to avoid violating the constraints. Thus, a clear definition of objectives and constraints is essential to the success of the planning process.*

### **3.1 OBJECTIVES:**

- Determine if there is a Federal interest in deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System.
  - ○ Consideration: Need to define what is meant by “Federal Interest”. Federal Interest for USACE hydropower typically framed by The National Economic Development analysis with input from analysis for the other 3 accounts (Regional Economic Development, Environmental Quality, and Other social Effects).
  - [Consideration: Need to define what is meant by “in whole or in part”. \(For example, in part could mean individual projects but it could also mean deauthorizing commercial hydropower but keeping hydropower for operational/station service purposes, or some combo of the two\).](#)
- Identify the effects of deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System

### **3.2 CONSTRAINTS:**

- Ensure environmental compliance and mitigation requirements by all applicable federal, state, and local environmental protection status and regulations.

- Maintain Dam Safety standards

## 1 PLANNING CONSIDERATIONS:

- Ensure ESA Compliance activities in the WVS over the next 50 years are Efficient and Effective.
- Maintain current level of Flood Risk Management
- Maintain current level of Life Safety
  - Disposition Study and Implementation Funding
- Balance the needs of federally listed species with other authorized purposes of WVS over the next 50 years.
- Balance the authorized purposes across the system.
- Must identify the effects to the other authorized purposes, cost apportionments, dam safety, compliance with the requirements of the Endangered Species, and to system operations. etc.
- Residents and general public have diverse and vocal interests in how the WVS of dams are operated. This study will be highly visible in the public eye.
- Deauthorization [of power as a whole](#) would result in complex changes throughout the system with a change at just one project having ripple effects throughout the system. Changing or eliminating one purpose could make carrying out another purpose infeasible. An effort should be made to avoid/minimize impacts to other authorized purposes of the Willamette Valley System including Flood Risk Management, Water Supply, and Recreation.
- Disposition of federal hydropower facilities to another entity for continued operation could negate any potential opportunities associated with deauthorization of hydropower.
- Ceasing hydropower operations would require [evaluation of impacts on the regional power supply, including consideration of whether additional purchases](#) alternative sources of power [would be needed](#).
- Ceasing hydropower operations would result in impacts to grid stability. -Hydropower contributes to electrical grid stability and resilience to interruptions caused by fire, earthquakes, storms, or human activity. Areas local to the WV projects will be most impacted by loss of hydropower and the decreased ability to re-establish power after one of these events. WV projects serve some communities in an electrical grid loop and provide very helpful and necessary voltage control to this transmission loop and the loads served by it. All WV projects are west of the Cascade mountains. Most replacement power will have to come from east of the Cascade mountains.

- Ceasing hydropower production and use of penstock outlets could negatively impact water quality.
- If ceasing hydropower and resulted in a decision to plug the penstocks, this could affect flows at some projects. For example, Dexter and Big Cliff have to keep the penstock operational in some way because the spillway is the only alternative, and the reservoir is not always full enough to use the spillway so the river would go dry.
- Ceasing hydropower operations could negatively impact upstream passage.
- Ceasing hydropower could have dam safety implications/risks. Is it technically viable? Is it economically feasible? Will deauthorization of hydropower have long-term effects on the structure and O&M cost?
- Ceasing hydropower will result in lost capability for islanding at some projects so some of the small communities near our projects would need alternate sources of power in the event that they get disconnected from the grid. This has life/safety implications.
- If you cease hydropower production by removing the turbines but continue to use the penstocks, you will need to find a new way to dissipate a whole lot of energy. You can't just pass the flow through a penstock.
  - At projects such as Hills Creek the non-turbine outlet is higher than the turbine, so we would be limited on drawing down the reservoir given an emergency. Most projects are reversed though.
- Deauthorization of hydropower would likely increase the cost to the federal government to operate and maintain the respective dams and associated facilities, given that powerBPA (and BPA power ratepayers) would potentially no longer be a component of, or beneficiary from, the existing joint facilities. Alternative funding sources will need to be found to support O&M, dam safety, etc. in support of other authorized purposes such as flood risk mitigation, recreation, etc.
- The multi-purpose nature of the dams within the WVS make appropriate cost apportionment a challenge, especially under the current dynamic operational environment in response to evolving environmental, climatic, etc. requirements. Original cost allocation methodologies were developed from the perspective of new construction and may no longer be relevant after decades of operation. If deauthorization of all power or of commercial power occurred, a process would need to be needed to re-allocate costs among the remaining project purposes.
- Impacts to the Water Supply purpose could affect the recommended plan for the Willamette Basin Review Reallocation study which was authorized in WRDA 2020.
- Measures/Alternative not considered under the current Draft WVS EIS could affect that process.
- Timing of overlapping initiatives may make it challenging to have the most useful baseline for the

[needed hydropower analysis.](#)

- In order to carry out the EIS Preferred Alternative, deauthorization of hydropower at Cougar Dam will be required. The existing structures at Cougar Dam including the diversion outlet, are not designed to accommodate the potential modifications to pool levels that are under consideration. Furthermore, these changes are not consistent with the existing water control manual.

### 3 SECTION 4 - DECISION CRITERIA

*Criteria to evaluate the alternative plans include all significant resources, outputs and plan effects. They also include contributions to the Federal objective, the study planning objectives, compliance with environmental protection requirements, the P&G's four evaluation criteria (completeness, effectiveness, efficiency and acceptability) and other criteria deemed significant by participating stakeholders. The criteria for selecting the recommended plan differ, depending on the type of plan and the outputs it is seeking to achieve.*

*To ensure that the PDT has the information it needs when it needs it, the PDT must identify these decision criteria as early in the process as possible; ideally, during scoping. Fortunately, some of these criteria are easy to identify. Knowing the benefits, costs, and environmental impacts of each plan will be important as well as their contribution to your objectives and constraints. Scoping is the time for the PDT to think about the specific metrics that will be used to capture those values.*

#### 4.1 DATA AND ANALYSIS NEEDS

- Operations need to identify data and analysis needs from their perspective
- Hydropower economic analysis by HAC Economist [and BPA](#).
- Economic analysis for other authorized purposes (Flood Risk Management, Water Supply, and Recreation).
- Analysis to determine if Hydropower (on its own) is justified, [including commercial power component along with hydropower as a whole purpose \(including station service and ESA benefits, etc.\)](#).
- Analysis to determine impact of deauthorization [of commercial power](#) to other Authorized Purposes.
- Analysis to determine environmental tradeoffs of deauthorization including water quality, flow and ESA habitat impacts from hydropower cessation and use of the power pool for other authorized purposes.
- Analysis of benefits of deauthorizing hydropower.
- Analysis to determine dam safety implications.

- Analysis of structural, mechanical, and dam safety constraints associated with penstock reconfiguration.
- [BPA analysis related to BPA's mission areas including commercial power marketing and transmission impacts, including grid reliability and islanding questions.](#)
- Hydrologic, hydraulic, water quality, and ESA fish passage modeling of system operations under various alternatives.

#### 4.1 SECTION 5 - UNIQUE QUESTIONS AND KEY UNCERTAINTIES

*Document any unique questions that arise or that decision makers are likely to need answered. Knowing these during the scoping phase can help ensure that data gathering and analyses to answer them are planned for and incorporated into the study scope. Key Uncertainties may be related to the Decision Criteria that will be employed and the critical information that will need to be gathered in order to evaluate, compare, and ultimately select a plan. Alternately, these may reflect the most critical study, implementation and outcome risks that the team must manage throughout the planning phase. Teams should identify these key uncertainties and scope actions necessary to incrementally reduce them as needed.*

- How is federal Interest in the hydropower purpose determined?
- [How should the WRDA language to look at disposition “in whole or in part” be interpreted? Could/should this interpretation include evaluation of commercial hydropower as a separate consideration vs hydropower as a whole?](#)
- Is there a Fed Interest in maintaining hydropower and reallocating costs? Can Cost [allocation updates](#) ~~Apportionment~~ be utilized as a measurer to help solve the identified problem of hydropower power being economically inefficient? Or can cost ~~apportionment~~ [allocation updates](#) only be considered as a measure to address balancing the remaining authorizations once deauthorization at dam is indicated.
- [Can and should other potential techniques to address hydropower being economically efficient \(beyond de-authorization\) be brought into this WRDA disposition scope? \(i.e. cost allocation updates, specific/joint cost reclassifications, creative arrangements for offloading excess energy, etc.\)](#)
- [If cost allocation updates are considered in scope, can new cost allocation methodologies designed](#)

specifically for projects already in operation be developed, considered, and used?

- Does deauthorization of hydropower mean that we can no longer use the penstocks or produce hydropower, or just that we no longer have to? Does the disposition mean we have to remove turbines, not generate station service, etc.?
- What is the fate of hydropower assets if hydropower is deauthorized (Will a private entity want to take them over to produce incidental power? Will they be moth balled or removed and sold?)
- For this early phase of the study, do we assume we operate as we do currently under deauthorization without rebalancing the other purposes? Or must we formulate alternative systemwide operations to address changes associated with hydropower cessation? Is the analysis of potential changed flow and elevation targets (min flow requirements, rule curves, etc) on the table?
- If we have to look at rebalancing the authorized purposes across the system, do we complete environmental compliance, including NEPA, or would that come later?

•

- In proposing deauthorization of hydropower, specifically power peaking, would we consider removal of re-regulation dams?
- Do we know whether this theoretical buyer of the hydropower facilities still have the joint-cost share responsibilities?
- What analysis and data are needed to determine federal interest in deauthorizing hydropower at one or more dams in a multipurpose system.

What level of analysis can be performed, and questions answered, in 18-month timeline?

- • Characterization of the baseline/existing conditions and future without project conditions considering current injunction and future BiOp and needing to avoid being pre-decisional in regard to the ongoing Willamette Valley System Environmental Impact Statement.
- Required structural and operational changes if hydropower is deauthorized.

- What is structurally and mechanically possible in regard to penstock reconfiguration if hydropower is deauthorized at a dam.
- Cost associated with penstock reconfiguration.
- Cost associated with implementation of the pool adjustments.
- Risk to transmission stability and islanded communities if hydropower is deauthorized.
- Alternative power sources to run the dam facilities if hydropower is deauthorized.
- If adverse water quality and associated ESA habitat effects from cessation of hydropower under a deauthorization scenario can be mitigated.
- Dam safety constraints and considerations associated with cessation of hydropower.
- Unanticipated issues that arise when a pool is operated below the minimum power pool more often
- Other project constraints that may make operations like deep drawdowns infeasible even after hydropower is deauthorized (e.g. sediment)
- FRM effects from removing the release capacity of the penstocks (can water be released quickly enough after a flood event if the penstock is not operational?)

- **SECTION 6 - DECISION MILESTONE QUESTIONS (PER 2016 DISPOSITION STUDY INTERIM GUIDANCE)**

1. Does the project currently meet its authorized purposes? Why or why not?
2. Is there reason to believe that the future condition or needs will be different from those present under the current condition? How so?

3. Are there opportunities to modify the project to solve a water resources development purpose other than the one for which it was originally authorized?
4. Does the project pose a risk to public safety? What is the project's Dam Safety Action Classification (DSAC), if applicable? Describe the risk, including key risk drivers and uncertainties.
5. Are there environmental concerns or other controversies surrounding the project that will influence the scope and outcome of the study?
6. Are the real property and improvements associated with the project suitable for public uses other than water resources development? Do the real property and improvements have commercial value?
7. Are alterations to improvements likely to be necessary in order to safely dispose of the project?
8. What is the annual holding cost and anticipated transaction cost, including any rehabilitation required?
9. What other special considerations or potential liabilities exist due to retaining ownership of the project?
10. What is the level of Congressional Interest in the project and disposition study, if any?
11. What uncertainties need reduction in order to make a recommendation?
12. Are there issues of interest for the vertical team to monitor and review which would help to inform the deauthorization and disposal process?



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**Subject:** Hold: Corps Disposition Study Charrette BPA Pre-Meeting  
**Location:** WebEx (to be added)

**Start:** Mon 4/10/2023 10:00 AM  
**End:** Mon 4/10/2023 10:30 AM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Kintz,Jesse H (BPA) - PG-5  
**Required Attendees:** Welch,Julee A (BPA) - LP-7; Todd,Wayne A (BPA) - PGA-6; Smith,Glen A (BPA) - PG-5  
**Optional Attendees:** Ashby,Gordon S (BPA) - PGA-6; Marker,Doug R (BPA) - AIR-7; Leady Jr,William J (BPA) - PG-5

Attachments are the three most relevant docs for us and were provided this afternoon as part of the Corps planning materials. I am attaching them now without having read through them much yet so that you all have them with plenty of time to read through.

-Jesse



A - Charette  
Agenda - Willa...



D - 6 pieces of  
paper - Willam...



H - Willamette  
Valley System O...

# WILLAMETTE VALLEY SYSTEM AND HYDROPOWER ASSETS OVERVIEW



US Army Corps  
of Engineers



US Army Corps  
of Engineers  
Portland District

- | Dams            |                                      |
|-----------------|--------------------------------------|
| ●               | With Hydropower                      |
| ○               | Without Hydropower                   |
| ◐               | Re-Regulating                        |
| Fish Facilities |                                      |
| △               | Adult Collection                     |
| ■               | Hatchery                             |
| ★               | Control Point (approximate location) |



4/4/2023

# The Willamette River Basin



US Army Corps of Engineers  
Portland District



- Multipurpose Dams**
- With Hydropower
  - Without Hydropower
  - ◐ Re - Regulating with Hydropower
- Fish Facilities**
- △ Adult Collection
  - Hatchery



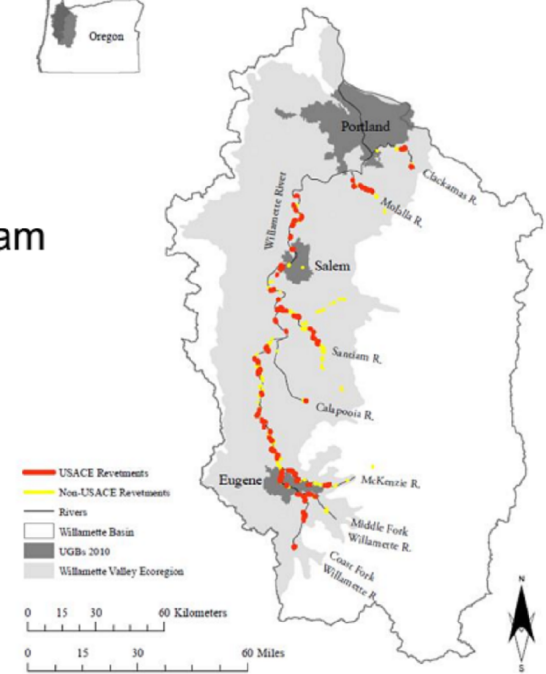
# WILLAMETTE VALLEY SYSTEM



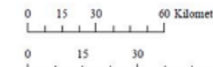
- 13 Reservoirs
- 11 Multiple-purpose
  - 2 Re-regulating
  - 8 hydropower

- 5 Fish Hatcheries  
5 Adult Fish Collection Facilities

- Willamette Bank Protection Program
- 100 miles of revetments
  - Mainstem and tributaries



- USACE Revetments
- Non-USACE Revetments
- Rivers
- Willamette Basin
- UGBs 2010
- Willamette Valley Ecoregion





# WILLAMETTE VALLEY SYSTEM – 13 MULTI-PURPOSE DAMS



**Fern Ridge 1941**



**Cottage Grove 1942**



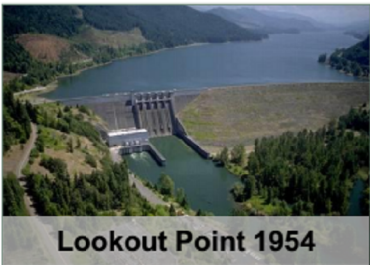
**Dorena 1949**



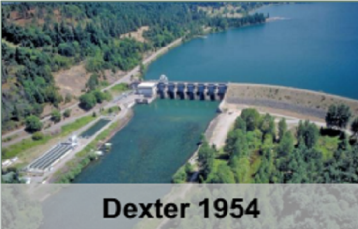
**Detroit 1953**



**Big Cliff 1953**



**Lookout Point 1954**



**Dexter 1954**



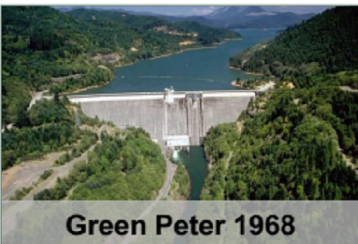
**Hills Creek 1961**



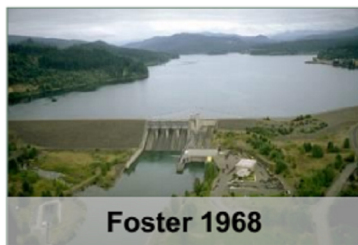
**Cougar 1963**



**Fall Creek 1965**



**Green Peter 1968**



**Foster 1968**



**Blue River 1969**



# AUTHORIZED PURPOSES





# HYDROPOWER

**8 plants ~ 500 mw capacity - 3 peaking plants**, function and value of re-reg project for water quality and flow mgmt.

## Design intent:

- Power redundancy at facilities for FRM mission (Life Safety) & Local Support.
- Produce as much hydro as possible - limited flow management restrictions, no ESA species.
- Limited awareness of environmental risks in design (oil over water).
- Reliability = life safety, available MWs, some water quality benefit (reduced TGD).

## Evolution:

- Power redundancy at facilities for FRM mission (Life Safety) & Local Support.
- Generation as a collateral benefit for flow management mission shifted to “How much hydro can be produced within our flow management and water quality targets?”.
- Less but more “valuable” MWs.

## Evolution (continued)...

- More awareness and actual risk to environmental compliance (transformers, oil filled hubs, aging infrastructure).
- Flow management and generation shaped to improve conditions for ESA listed species.
- Reliability = public safety, maximized revenue opportunity, reduced environmental risk, improved conditions for ESA listed species .

## Current Day:

- Power redundancy for FRM (Life Safety) & Local Support.
- Reliability directly tied to legal compliance with injunction measures (temp/water quality, fish passage), reduced opportunity to shape MW produced to maximize value, less overall MW production (flow, storage).
- Reliability = public safety, legal compliance, reduced environmental risk.





# GENERATION ASSETS



## Lookout Point (LOP)

- 3 generating units (each 27.0 MW)
- Medium value / low importance to FCRPS
- Peak power generation
- Minimum value to WQ\*
- Middle Fork Willamette

## Dexter (DEX)

- 1 generating unit (17.3 MW)
- Low value / low importance to FCRPS
- Base generation / re-regulation for LOP
- Minimum value to WQ
- Facility provides fish-attraction water
- Middle Fork Willamette

## Hills Creek (HCR)

- 2 generating units (each 14.6 MW)
- Medium value / low importance to FCRPS
- Base generation
- Local support (life safety to Oakridge)
- No value to WQ\*
- Middle Fork Willamette

## Cougar (CGR)

- 2 generating units (each 11.3 MW)
- Low value / high importance to FCRPS
- Base generation
- Value to WQ (TDG/Temperature)
- Facility provides fish-attraction water
- South Fork McKenzie

\*- may change with new BiOp

Value and importance cited from BPA FCRPS Optimization Initiative



## GENERATION ASSETS (CONT.)



### Foster (FOS)

- 2 generating units (each 9.7 MW)
- Low value / medium importance to FCRPS
- Base generation
- Value to WQ (TDG)
- Facility provides fish-attraction water
- South Santiam

### Green Peter (GPR)

- 2 generating units (each 37.4 MW)
- 1 generating unit (1.5 MW)
- medium value / low importance to FCRPS
- Peak power generation
- No value to WQ\*
- Facility does not provide fish-attraction water\*
- South Santiam

### Detroit (DET)

- 2 generating units (each 44.6 MW)
- medium value / low importance to FCRPS
- Peak power generation
- Value to WQ (TDG/Temperature)\*
- Facility does not provide fish-attraction water
- North Santiam

### Big Cliff (BCL)

- 1 generating unit (23.0 MW)
- Low value / high importance to FCRPS
- Base generation / re-regulation for DET
- Value to WQ (TDG)
- Facility does not provide fish-attraction water
- North Santiam

\*- may change with new BiOp

Value and importance cited from BPA FCRPS Optimization Initiative



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**From:** Marker,Doug R (BPA) - AIR-7  
**Sent:** Wednesday, January 25, 2023 9:40 AM  
**To:** Kintz,Jesse H (BPA) - PG-5; Baskerville,Sonya L (BPA) - AIN-WASH; Leady Jr,William J (BPA) - PG-5; Seifert,Roger E (BPA) - AIN-WASH  
**Subject:** RE: Possible Corps HQ meeting and Monday's agenda - BPA Request to meet with HQUSACE  
**Attachments:** Joel Cook - Fed. Hydropower Council - key messages Sept 2022 Version 3 marker bullets for willamette.docx

These were the points for Joel Cook to use last September. These have the points on the Willamette I suggested. I don't have the final TPs in my files.

---

**From:** Kintz,Jesse H (BPA) - PG-5 <jhkintz@bpa.gov>  
**Sent:** Wednesday, January 25, 2023 9:16 AM  
**To:** Baskerville,Sonya L (BPA) - AIN-WASH <slbaskerville@bpa.gov>; Leady Jr,William J (BPA) - PG-5 <wjleady@bpa.gov>; Seifert,Roger E (BPA) - AIN-WASH <reseifert@bpa.gov>; Marker,Doug R (BPA) - AIR-7 <drmarker@bpa.gov>  
**Subject:** RE: Possible Corps HQ meeting and Monday's agenda - BPA Request to meet with HQUSACE

Thanks Bill and Sonya. I've attached a draft of what I think are the latest FHC talking points.

-Jesse

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**From:** Baskerville,Sonya L (BPA) - AIN-WASH <[slbaskerville@bpa.gov](mailto:slbaskerville@bpa.gov)>  
**Sent:** Wednesday, January 25, 2023 7:33 AM  
**To:** Leady Jr,William J (BPA) - PG-5 <[wjleady@bpa.gov](mailto:wjleady@bpa.gov)>; Kintz,Jesse H (BPA) - PG-5 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>; Seifert,Roger E (BPA) - AIN-WASH <[reseifert@bpa.gov](mailto:reseifert@bpa.gov)>; Marker,Doug R (BPA) - AIR-7 <[drmarker@bpa.gov](mailto:drmarker@bpa.gov)>  
**Subject:** RE: Possible Corps HQ meeting and Monday's agenda - BPA Request to meet with HQUSACE

I think you should stay away from discussing more detailed work on the Willamette matters and stay high level on the general concerns we are experiencing with the Corps, essentially using the talking points John has used in the FHC meetings. Daniel is the Corps point for coordinating that FHC effort. He is trying to work with the Corps to help them see that their actions are many times negatively impacting National economic interests in hydropower. Thanks.

Sonya Baskerville  
BPA National Relations  
202.253.7352 m

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**From:** Leady Jr,William J (BPA) - PG-5 <[wjleady@bpa.gov](mailto:wjleady@bpa.gov)>  
**Sent:** Monday, January 23, 2023 4:25 PM  
**To:** Kintz,Jesse H (BPA) - PG-5 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>; Baskerville,Sonya L (BPA) - AIN-WASH <[slbaskerville@bpa.gov](mailto:slbaskerville@bpa.gov)>; Seifert,Roger E (BPA) - AIN-WASH <[reseifert@bpa.gov](mailto:reseifert@bpa.gov)>; Marker,Doug R (BPA) - AIR-7 <[drmarker@bpa.gov](mailto:drmarker@bpa.gov)>  
**Subject:** RE: Possible Corps HQ meeting and Monday's agenda - BPA Request to meet with HQUSACE

Jesse,

Daniel is the right guy to meet with at HQ, I think his title is National Hydropower Business Line Manager. Nice guy, he is the guy that Tony Kirk (and now Shawn Worthington, while Tony is out) talk to at HQ on Hydropower issues, not their boss but staff lines of coordination. He is probably the most knowledge / read-in on NWD issues around hydropower and the Willamette Valley. He has been there for many years. USACE HQ security is a pain (GAO runs it) make sure Daniel has you on the access list.

**Bill Leady P.E.**

Vice President, Generation Asset Management | PG

**BONNEVILLE POWER ADMINISTRATION**

[bpa.gov](http://bpa.gov) | Office 503-230-4270 | Cell (b) (6)

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**From:** Kintz,Jesse H (BPA) - PG-5 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>

**Sent:** Monday, January 23, 2023 12:05 PM

**To:** Baskerville,Sonya L (BPA) - AIN-WASH <[slbaskerville@bpa.gov](mailto:slbaskerville@bpa.gov)>; Seifert,Roger E (BPA) - AIN-WASH <[reseifert@bpa.gov](mailto:reseifert@bpa.gov)>; Marker,Doug R (BPA) - AIR-7 <[drmarker@bpa.gov](mailto:drmarker@bpa.gov)>; Leady Jr,William J (BPA) - PG-5 <[wjleady@bpa.gov](mailto:wjleady@bpa.gov)>

**Subject:** FW: Possible Corps HQ meeting and Monday's agenda - BPA Request to meet with HQUSACE

FYI that the Corps has offered me an informal meeting with Daniel Rabon, Corps hydropower lead, while I'm in DC next week.

First off, if anyone has concerns with this, please let me know.

If we do meet, my plan would be keeping it informal, meet and greet and not focused on business. That said, I would still want to work with you all to prepare a few bullet points to be prepared for the discussion. Sonya, let me know if you think it's important that Roger joins (If we end up setting up an actual phone call to include Brad from NWD, it would be easy to invite Roger).

-Jesse

U.S. Army Corp Information



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**From:** Kintz, Jesse H (BPA) - PG-5 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>  
**Sent:** Wednesday, January 18, 2023 11:30 AM  
**To:** Thompson, Bradley E CIV USARMY CENWD (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>  
**Subject:** [URL Verdict: Neutral][Non-DoD Source] Possible Corps HQ meeting and Monday's agenda

Good morning Brad,  
I have two quick items to touch base on.

1. I'm going to be in Washington DC the week of January 30 – February 3 as part of the National Policy Process Seminar training (along with several USACE leadership program employees!). Our program has meetings all day Monday-Thursday, but Friday 2/3 is an open day for setting up ad hoc meetings. Is there anyone at Corps HQ who is involved in our NWD-BPA Willamette or other policy issues (disposition study process, potential cost allocation policy, EIS, etc.) who you would recommend that I meet with / could connect me to? I was thinking a meet-and-greet type meeting (informal, no agenda). Would also be open if you wanted to do a three way meeting including you/NWD if you thought that would make sense. I've found that it's always really helpful to meet people involved in our issues from all angles – I recall it was really beneficial when I met with someone at Corps HQ finance a few years back in one of my previous roles. Please let me know what you think and if you have any suggestions. Thanks!
  
2. Regarding our meeting on Monday – just wanted to confirm that this meeting would be a good time to discuss the attached disposition study scoping thoughts that BPA provided a few months back? In particular, BPA would like to discuss the commercial power concept as it relates to the scope. We'd also like to discuss what BPA's role or roles will be within this Corps' led disposition study. I've also included a draft agenda for Monday below – let me know if you have any adds/changes (if I don't hear I'll assume you're OK). I plan to send out the materials to the group on Friday.
  1. *Walk through of WRDA 2022 Congressional direction language – INFORM/DISCUSS (Corps/BPA)*
  2. *Disposition studies status – INFORM (Corps)*
  3. *Disposition studies: scoping and BPA's role – DISCUSS (Corps + BPA)*
  4. *Cost allocations touch base – topics could include basis for potential updates, status, and path forward considerations (methods, third party, etc.) – INFORM/DISCUSS (Corps/BPA)*
  5. *Next steps / wrap up*

Thanks,  
-Jesse

**Jesse Kintz**

Power Generation – Senior Policy and Projects Lead | [PG-2]

**BONNEVILLE POWER ADMINISTRATION**

[bpa.gov](http://bpa.gov) | P 503-230-3340 | C (b) [REDACTED]



**FY 2024 Budget Briefing Senate  
Energy and Water Development  
Subcommittee of the Senate  
Appropriations Committee**

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*Bonneville Power Administration*

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March 27, 2023

1



## BPA - Overview

- BPA is a federal nonprofit power marketing administration based in the Pacific Northwest. Although BPA is part of the U.S. Department of Energy, it is self-funding and covers its costs by selling its products and services. BPA markets wholesale electrical power from 31 federal hydroelectric projects in the Northwest, one nonfederal nuclear plant and several small nonfederal power plants. The dams are operated by the U.S. Army Corps of Engineers and the Bureau of Reclamation. BPA provides about 28 percent of the electric power used in the Northwest and its resources — primarily hydroelectric — make BPA power nearly carbon free.
  - BPA also operates and maintains about three-fourths of the high-voltage transmission in its service territory. BPA's territory includes Idaho, Oregon, Washington, western Montana and small parts of eastern Montana, California, Nevada, Utah and Wyoming.
  - BPA promotes energy efficiency, renewable resources and new technologies that improve its ability to deliver on its mission. It also funds regional efforts to protect and rebuild fish and wildlife populations affected by hydropower development in the Columbia River Basin.
  - BPA is committed to public service and seeks to make its decisions in a manner that provides opportunities for input from all stakeholders. In its vision statement, BPA dedicates itself to providing high system reliability, low rates consistent with sound business principles, environmental stewardship and accountability.
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## Strategic Direction & Results

- Bonneville's 2018-2023 Strategic Plan, released in 2018, describes how it will operate in a commercially successful manner while meeting its statutory obligations. Bonneville developed this strategic plan after listening to customers and constituents express their interests in Bonneville's commercial viability and ability to meet those obligations. The strategic plan was developed at the point when Bonneville was midway through 20-year firm power sales contracts with its preference power customers. Those customers continue to evaluate how Bonneville will be positioned to meet their needs beyond the terms of their current contracts.
- The strategic plan is framed by these goals:
  - Strengthen financial health
  - Modernize assets and system operations
  - Provide competitive power products and services
  - Meet transmission customer needs efficiently and responsively
- In 2020, Bonneville reassessed and reconfirmed its strategic goals and objectives. In its Strategic Plan Update, Bonneville added a fifth goal, "Value people and deliver results," which captures the agency's commitment to its workforce and the people it serves.
- Bonneville is currently working on a strategic plan refresh for 2024-2028 and expects to publish the plan in 2024. [MR\(A1\)](#)
- In 2018, Bonneville completed its Financial Plan to address the Strategic Plan's direction to maintain and enhance the agency's financial strength. The 2018 Financial Plan establishes a guiding framework for decision-making by defining the financial constraints within which Bonneville operates, and outlines Bonneville's financial health objectives. The plan contains Bonneville's statutory obligations and authorities, financial policies and established practices, and financial health objectives.



## Strategic Direction & Results (cont.)

- Pursuant to the Financial Plan, Bonneville adopted two specific policies. The Financial Reserves Policy (FRP) defines the level of financial reserves Bonneville and each business line should hold, how to build financial reserves when they fall below a prescribed level, and a process to consider repurposing financial reserves when they exceed a prescribed level. The policy provides a framework to help ensure Bonneville maintains a minimum of 60 days cash on hand for each business line and 90 days for the agency.
- The Leverage Policy created an approach to reduce Bonneville's total debt compared to its assets in an effort to strengthen financial health and financial flexibility. Reducing debt will help Bonneville lower its interest costs, support its strong credit rating, maintain access to borrowing from the U.S. Treasury, and improve financial strength and flexibility.
- In FY 2022, Bonneville held a public process to refresh its Financial Plan. The objective of the Financial Plan Refresh was to ensure Bonneville's long-term financial goals are supported with the appropriate targets, metrics and policies. The scope of the project focused on debt management, debt capacity, and capital execution performance reporting. From September 2021 through March 2022, Bonneville engaged customers and constituents through a series of workshops to discuss proposals. Bonneville completed a Record of Decision in July 2022 and published its 2022 Financial Plan on September 14, 2022. The 2022 Financial Plan is a refresh of specific sections of its 2018 Financial Plan which guides BPA's financial operations and establishes financial health objectives.



## Strategic Direction & Results (cont.)

- The Leverage Policy was superseded on July 29, 2022, by the Sustainable Capital Financing Policy. This policy outlines Bonneville's goal that each business unit will achieve a debt-to-asset ratio of no more than 60 percent by 2040 and outlines the approach for driving toward this goal. The policy creates a structure of 90 percent debt and 10 percent revenues for financing Bonneville's capital program. If a business unit is not on track to reach the 60 percent debt-to-asset ratio target, the percent of revenue financing will increase to 20 percent. At this level of revenue financing, the increases are limited to an approximate 1 percent incremental rate impact per rate period.
  - This FY 2024 Budget includes capital and expense estimates based on initial approved spending proposals from Bonneville's BP-24 Integrated Program Review (IPR). Capital investment levels reflect Bonneville's capital asset management process and external factors such as changes affecting the West Coast power and transmission markets, along with planned infrastructure investments designed to address the long-term needs of the region and national energy security goals.
  - Bonneville utilizes a structured capital project selection process requiring submission of a standardized business case for review. Each business case consists of a description of the project, a clear statement of objectives, description and mitigation of risks, and a rigorous analysis of project costs and benefits, including a status quo assumption and preferred alternatives. In addition, both annual and end-of-project targets are set for each project covering cost, scope, and schedule. Progress reports on these targets are provided to Bonneville's senior executives at least quarterly.
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## Strategic Direction & Results (cont.)

- In 2019, Bonneville adopted a broad regional settlement of a new transmission tariff, which included terms and conditions that would apply to all of Bonneville's customers. The Tariff sets forth the process Bonneville may use to make future modifications to it and positions the region to take advantage of opportunities in the rapidly changing industry as well as further its objectives for improving the agency's commercial performance. This resulted in a settlement package that includes TC-22 tariff as well as the BP-22 rates proceeding and completed in July 2021. Settlement Agreement on the tariff terms and conditions and a BP-22 Partial Transmission Rates Settlement Agreement that settles transmission and ancillary and control area services rates. Bonneville's Fiscal Year 2022 and 2023 rate decision included the transmission, and ancillary and control area services rates agreed upon in the settlement.
- The Columbia River Treaty: The U.S. Government reached consensus on a high level position for negotiations of the post-2024 future of the Columbia River Treaty in June 2015, and received authorization to negotiate with Canada on the Columbia River Treaty in October 2016. Government Affairs Canada notified the United States State Department in December 2017 of Canada's mandate to negotiate the Columbia River Treaty with the United States. Negotiations began in spring 2018 and continue to date. Both the U.S. Department of State and Canadian negotiators have discussed shared objectives and exchanged information on flood risk management, hydropower and ecosystem considerations.
- As of May 2022, debt instruments issued by non-federal entities but secured by payment and other financial commitments provided by Bonneville received the following credit ratings: Moody's at Aa2 with a positive outlook, Standard & Poor's at AA- with a stable outlook, and Fitch at AA with a stable outlook.



## Capital Infrastructure Investment

- Assured access to capital provides BPA with the planning certainty needed to maintain a capital spending program consistent with its mission and strategic objectives, such as transmission upgrades and new transmission to meet transmission service requests, refurbish the hydroelectric system, and fish and wildlife enhancement. BPA has established a Financial Plan goal to maintain \$1.5 billion in remaining borrowing authority with the US Treasury in order to have planning certainty for the multi-year nature of many projects, and base spending that is necessary to keep the system from deteriorating.
- This FY 2024 Congressional Budget includes capital and expense estimates based on BPA's 2022 initial IPR. FY 2022 numbers are based on BPA's actual FY 2022 financial results.
- BPA continues to consider other strategies, in addition to the use of Treasury borrowing and third party financing sources, to sustain funding for its infrastructure investment requirements. These additional strategies include restructuring of maturing Energy Northwest debt, and seeking, when feasible, third party financing sources.



**Funding Profile by Subprogram <sup>1/</sup>**  
(Accrued Expenditures in Thousands of Dollars)

	Fiscal Year			
	2022 Actuals	2023 Original <sup>2/</sup>	2023 Revised <sup>2/</sup>	2024 Proposed
<b>Capital Investment Obligations</b>				
Associated Project Costs <sup>3/</sup>	190,294	264,120	281,260	270,000
Fish & Wildlife	16,119	41,000	43,000	41,335
Subtotal, Power Services	206,413	307,120	324,260	311,335
Transmission Services	373,500	497,086	497,160	593,840
Capital Equipment & Bond Premium	20,905	22,002	21,047	23,583
<b>Total, Capital Obligations <sup>4/</sup></b>	<b>600,818</b>	<b>826,208</b>	<b>842,468</b>	<b>929,159</b>
<b>Expensed and Other Obligations</b>				
Expensed	2,994,653	2,733,825	2,758,063	2,879,919
Projects Funded in Advance <sup>5/</sup>	120,536	55,775	61,166	45,924
<b>Total, Obligations</b>	<b>3,716,007</b>	<b>3,615,808</b>	<b>3,661,697</b>	<b>3,855,001</b>
Capital Transfers (cash)	694,200	696,000	735,596	673,266
<b>Bonneville Total (Obligations &amp; Capital Transfers)</b>	<b>4,410,207</b>	<b>4,311,808</b>	<b>4,397,293</b>	<b>4,528,267</b>
Bonneville Net Outlays	(806,000)	(124,967)	(132,469)	(208,913)
Full-time Equivalents (FTTs) <sup>1/</sup>	2,847	3,000	3,000	3,000

**Public Law Authorizations Include:**  
 Bonneville Project Act of 1937, Public Law No. 75-319  
 Federal Columbia River Transmission System Act of 1974, Public Law No. 93-454  
 Regional Preference Act of 1964, Public Law No. 88-552  
 Flood Control Act of 1944, Public Law No. 78-543  
 Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act), Public Law No. 96-501



## BPA/Funding Profile (cont.)

### Outyear Funding Profile by Subprogram <sup>1/</sup>

(Accrued Expenditures in Thousands of Dollars)

	Fiscal Year			
	2025	2026	2027	2028
Capital Investment Obligations				
Associated Project Costs <sup>1/</sup>	275,675	281,620	288,001	294,794
Fish & Wildlife	41,300	29,000	15,700	15,000
Subtotal, Power Services	316,975	310,620	303,701	309,794
Transmission Services	581,009	555,897	537,180	546,032
Capital Equipment & Bond Premium	22,830	24,990	23,180	23,870
Total, Capital Obligations <sup>1/</sup>	920,814	891,507	864,061	879,796
Expensed and Other Obligations				
Expensed	2,993,800	3,094,149	3,176,877	3,257,217
Projects Funded in Advance <sup>2/</sup>	55,007	53,073	53,907	54,751
Total, Obligations	3,969,620	4,038,729	4,094,846	4,191,763
Capital Transfers (cash)	646,624	660,089	612,307	406,879
Bonneville Total (Obligations & Capital Transfers)	4,616,244	4,698,818	4,707,153	4,598,642
Bonneville Net Outlays	(137,386)	(121,344)	(102,062)	(49,988)
Full-time Equivalents (FTEs) <sup>3/</sup>	3,000	3,025	3,075	3,125



## BPA/Funding Profile Notes

**These notes are an integral part of this table.**

- <sup>1/</sup> This budget has been prepared in accordance with PAYGO. Under PAYGO all Bonneville budget estimates are treated as mandatory and are not subject to the discretionary caps included in the Budget Control Act of 2011. These estimates support activities that are separate from discretionary activities and accounts. Thus, any changes to Bonneville estimates cannot be used to affect any other budget categories which have their own dollar caps. Because Bonneville's obligations are and will be incurred under pre-existing legislative authority, Bonneville is not subject to a "pay-as-you-go" test regarding its revision of current-law funding estimates.
- <sup>2/</sup> Original estimates reflect Bonneville's FY 2023 OMB Budget Submission. Revised estimates, consistent with Bonneville's annual near-term funding review process, provide notification to the Administration and Congress of updated capital and expense funding levels for FY 2023. The BPA estimates in this budget are consistent with the BP-24 IPR.
- <sup>3/</sup> Includes infrastructure investments to address the long-term electric power related needs of the Northwest and significant changes affecting Bonneville's power and transmission markets.
- <sup>4/</sup> In this instance, Projects Funded in Advance represents prepayment of Power customers' bills reimbursed by future credits and third party non-federal financing for Conservation initiatives. Also this category includes those facilities and/or equipment where Bonneville retains control or ownership which are funded or financed by a third party, revenue, or with Power or Transmission
- <sup>5/</sup> As of 7/26/2022, DOE HR staff has reported FY 2022 BPA's FTE forecast useage at 2,839.

**Additional Notes**

Capital funding levels reflect external factors such as the significant changes affecting West Coast power and transmission markets, along with planned infrastructure investments designed to address the long-term needs of the region.

Cumulative advance amortization payments as of the end of FY 2021 are \$6,230 million.

Refer to 16 USC Chapters 12B, 12G, 12H, and Bonneville's other organic laws, including P.L. 100-371, Title III, Sec. 300, 102 Stat. 869, July 19, 1988, regarding Bonneville's ability to obligate funds.



## BPA/Funding Profile Notes (cont.)

Budget estimates included in this budget are subject to change due to rapidly changing economic and institutional conditions in the evolving electric utility industry.

Net Outlay estimates are based on current cost savings to date and anticipated cash management goals. They are expected to follow anticipated management decisions throughout the rate period that, along with actual market conditions, will impact revenues and expenses. Actual Net Outlays are volatile and are reported in Report on Budget Execution and Budgetary Resources (SF-133). Actual Net Outlays could differ from estimates due to changing market conditions, streamflow variability, continued restructuring of the electric industry, and other reasons.

Revenues, included in the Net Outlay formulation, are calculated consistent with cash management goals and assume a combination of adjustments. Assumed adjustments include the use of a combination of tools, including upcoming rate adjustment mechanisms, a net revenue risk adjustment, debt service refinancing strategies and/or short-term financial tools to manage net revenues and cash. Some of these potential tools will reduce costs rather than generate revenue, causing the same Net Outlay result. Adjustments for depreciation and 4(h)(10)(C) credits of the Northwest Power Act are also assumed.

FY 2022 Net Outlays are calculated using Bonneville's FY 2022 Q3 review. FY 2023 is based off of rate case and FY 2024 to 2028 Net Outlays are based on BP-24 IPR assumptions and an escalation factor from using the FY 2022 Whitebook Loads and Resources Report.

FTE outyear data are estimates and may change. Bonneville is facing a dynamic and changing energy marketplace and operations while, at the same time, many of its employees are eligible to retire in the near future. It is important that Bonneville continue to attract and retain skilled individuals to meet the growing demands of a competitive and rapidly changing industry. Accordingly, FTE estimates may need to be adjusted in the future.

Amounts in tables and schedules may not add to totals due to rounding.

### Major Outyear Considerations

Bonneville's outyear estimates reflect ongoing efforts to achieve its long-term mission and strategic direction. The outyear estimates are developed with consideration and support of Bonneville's multi-year performance targets that lay out the course for achieving Bonneville's long-term objectives. Outyear capital investment levels support Bonneville's infrastructure program, hydro efficiency program, and its fish and wildlife mitigation projects.

Bonneville continues to incorporate the various aspects of the Energy Policy Act of 2005 related to its business, in particular the energy supply, conservation, and new energy technologies for the future that are highlighted in the legislation.



### Proposed Bill Language

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$5,000, provided that during fiscal year 2024 no new direct loan obligations may be made. (Consolidated Appropriation Act, 2023.)

#### ***Explanation of Changes***

The proposed appropriations language restricts new direct loans in FY 2024 as in FY 2023. This bill language is drafted consistent with the Credit Reform Act of 1990.

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## Willamette River Projects Disposition Study

- Sec. 8220 of the enacted House-passed Water Resources Development Act of 2022 directs the Corps to “carry out a disposition study to determine the Federal interest in, and identify the effects of, deauthorizing hydropower as an authorized purpose” of the Willamette Valley dams.
  - The section directs the Corps to return its report within 18 months of WRDA passage. [MR\(-A2\)](#)
  - Bonneville is concerned it will be obligated to repay a share of the costs for new capital investments at Willamette dams made before the disposition study is completed and Congress decides on deauthorization.
  - The enacted WRDA law provides assurance that Bonneville will not be obligated to repay new capital investments pending completion of disposition studies.
  - Bonneville urges the Corps to propose stand-alone appropriations for Willamette EIS implementation. [MR\(-A3\)](#) draw from other funding sources without specific Congressional approval.
-





## FCRPS Cost Allocations

- The FY 2020 Energy and Water Development Appropriations Act included House subcommittee report language addressing the allocation of costs for multi-purpose projects of the Federal Columbia River Power System. In part, the subcommittee directed that BPA, Corps, and BOR develop a list of prioritized projects for cost reallocation. The FY 2021 Energy and Water Development Act acknowledged the prioritized list submitted by BPA and directed quarterly reports on progress toward resolving policy differences among the agencies for proceeding with reallocation.
  - It is clear that reallocation studies will not be easily or timely accomplished without Congressional statutory direction to BPA, the Corps, and BOR. This issue is urgent and Congressional direction will be most effective given current litigation under the Endangered Species Act. An expected outcome of this litigation will be significant reductions in power production and increases in operating costs. Similarly, the Corps may invest in significant fish and wildlife mitigation capital costs at certain Willamette projects that will further erode power production and increase costs. BPA is concerned by use of the Columbia River Fish Mitigation Program to fund the projects. [MR\(-A4\)](#)
-



## FCRPS Cost Allocations (cont.)

- The FY 2021 Energy and Water Development Appropriations Act included report language requesting that Bonneville, the Corps, and Reclamation provide quarterly reports on their work to resolve policy differences for the allocation of costs for multi-purpose projects of the FCRPS. This followed language in the House Committee on Appropriations report in the FY 2020 Energy and Water Development Appropriations Act, noting that the allocation of cost sharing among the authorized project purposes can be decades old and requesting that the three agencies return an outline of how cost allocations may be updated.
  - The three agencies provided the subcommittee with an outline of cost allocation methods and authorities in June 2020, noting specific policy differences. Bonneville is continuing to provide the subcommittee with Quarterly reports of its progress.
-



## FCRPS Cost Allocations (cont.)

- BPA appreciates the OMB budget guidance to BPA indicating that Bonneville should work with the Corps of Engineers to determine if changes in cost allocation may be warranted and present a joint proposal to OMB for consideration for the FY 2025 Budget if both agencies agree changes may be warranted.
  - BPA agrees that a joint proposal to OMB would support the effort to determine whether or not project costs are being appropriately allocated to power, thus ensuring carbon free and reliable FCRPS hydropower costs are not inflated by non-joint, non-power costs. The joint effort also would support the federal interest determination portion of completing the directed studies on disposition of hydropower at the Willamette dams, authorized by the enactment into federal law on December 23, 2022 as Section 8220, Disposition Study of hydropower in the Willamette, Valley, Oregon (pp. 3162-6), of Division H. of Title LXXXI, the Water Resources Development Act of 2022 (WRDA), of the James M. Inhofe National Defense Authorization Act (NDAA), P.L. 117-263, and directed to be completed by June 2024. Thus, the timing for this joint effort is critical to assuring decarbonization goals and certain fish mitigation activities.
-



### FCRPS Cost Allocations (cont.)

- BPA appreciates OMB scheduling a joint meeting of OMB, the Corps and BPA to discuss cost allocation and potential development of a joint proposal. BPA intends to discuss with OMB and the Corps a proposed schedule for the BPA and the Corps joint report to OMB by August 1. And assuming the report will note reallocation is warranted, BPA intends to discuss with OMB and the Corps a joint proposal for commencing the cost allocation update process by September 15 for the FY 2025 Budget.
  - BPA believes that the subcommittee continues to have an interest in expeditious commencement of these activities.
-



## Willamette River Projects Disposition Study Enacted Water Authorization Bill Language

### SEC. 8220. DISPOSITION STUDY ON HYDROPOWER IN THE WILLAMETTE VALLEY, OREGON.

#### (a) DISPOSITION STUDY.

(1) IN GENERAL. - The Secretary shall carry out a disposition study to determine the Federal interest in, and identify the effects of, deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley hydropower project.

(2) CONTENTS. - In carrying out the disposition study under paragraph (1), the Secretary shall review the effects of deauthorizing hydropower on - (A) Willamette Valley hydropower project operations; (B) other authorized purposes of such project; (C) cost apportionments; (D) dam safety; (E) compliance with the requirements of the Endangered Species Act (16 U.S.C. 1531 et seq.); and (F) the operations of the remaining dams within the Willamette Valley hydropower project.

(3) RECOMMENDATIONS. - If the Secretary, through the disposition study authorized by paragraph (1), determines that hydropower should be removed as an authorized purpose of any part of the Willamette Valley hydropower project, the Secretary shall also investigate and recommend any necessary structural or operational changes at such project that are necessary to achieve an appropriate balance among the remaining authorized purposes of such project or changes to such purposes.



## Willamette River Projects Disposition Study Enacted Water Authorization Bill Language (cont.)

(b) REPORT. - Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate that describes - (1) the results of the disposition study on deauthorizing hydropower as a purpose of the Willamette Valley hydropower project; and (2) any recommendations required under sub-section (a)(3).

(c) COSTS. - Until such time as the report required under subsection (b) is issued, any new construction-related expenditures of the Secretary at the Willamette Valley hydropower project that are assigned to hydropower shall not be reimbursable.

(d) DEFINITION. - In this section, the term "Willamette Valley hydropower project" means the system of dams and reservoir projects authorized to generate hydropower and the power features that operate in conjunction with the main regulating dam facilities, including the Big Cliff, Dexter, and Foster re-regulating dams in the Willamette River Basin, Oregon, as authorized by section 4 of the Flood Control Act of 1938 (chapter 795, 52 Stat. 1222; 62 Stat. 1178; 64 Stat. 177; 68 Stat. 1264; 74 Stat. 499; 100 Stat. 4144).

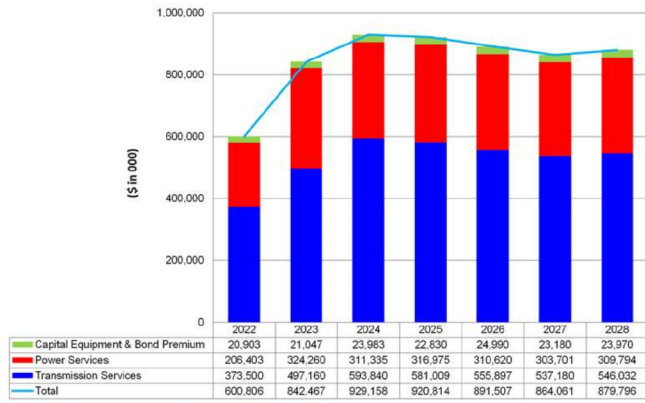


## Payments to the U.S. Treasury

- BPA repays borrowings from the U.S. Treasury with interest at market rates that exceed the Treasury's cost of borrowing. Repaying bonds issued to the U.S. Treasury results in replenishment of available Treasury borrowing authority.
- BPA is a responsible borrower with a 39<sup>th</sup> consecutive year track record of making its annual payment to the U.S. Treasury in full and on time. Additionally, BPA has over a 70-year record of meeting its statutory requirement to repay the Federal investment within the period prescribed by law. BPA made its FY 2022 annual payment to the U.S. Treasury payment on time and in full for the 39<sup>th</sup> consecutive year.
- Bonneville's FY 2022 payment to the U.S. Treasury of \$943 million was made on time and in full for the 39<sup>th</sup> consecutive year. The payment included \$694 million in principal, which included \$346 million in early retirement of higher interest rate U.S. Treasury debt, \$194 million for interest, \$17 million in irrigation assistance payments, and \$37 million in other payments.
- Bonneville's FY 2023 payment to the U.S. Treasury is currently estimated at approximately \$965 million. Based on third-quarter FY 2023 financial results, operating conditions and financial reserves, Bonneville fully expects to make its FY 2023 Treasury payment on time and in full.
- In recent years, BPA has made amortization payments in excess of those scheduled in its FERC-approved rate filings resulting in cumulative amount of advance amortization as of the end of FY 2022 in excess of \$6.2 billion.



### FY 2024 Budget Estimates Capital Investments – Excluding PFIA<sup>1</sup>

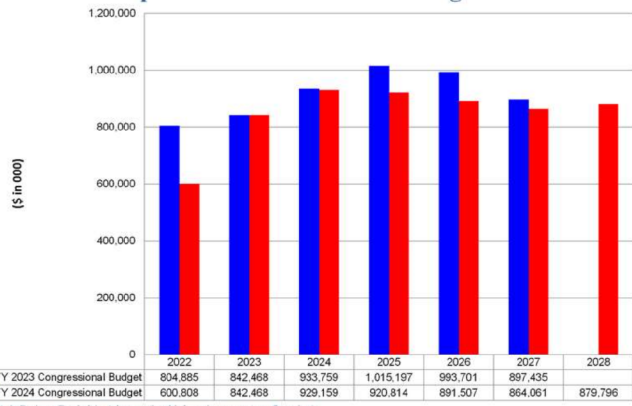


<sup>1</sup>PFIA is Projects Funded in Advance (by third parties or revenue financing)





### FY 2024 vs FY 2023 Budget Estimates Capital Investments – Excluding PFIA<sup>1</sup>



<sup>1</sup>PFIA is Projects Funded in Advance (by third parties or revenue financing)



## FY 2024 Budget Estimates Capital Investments – Including PFIA

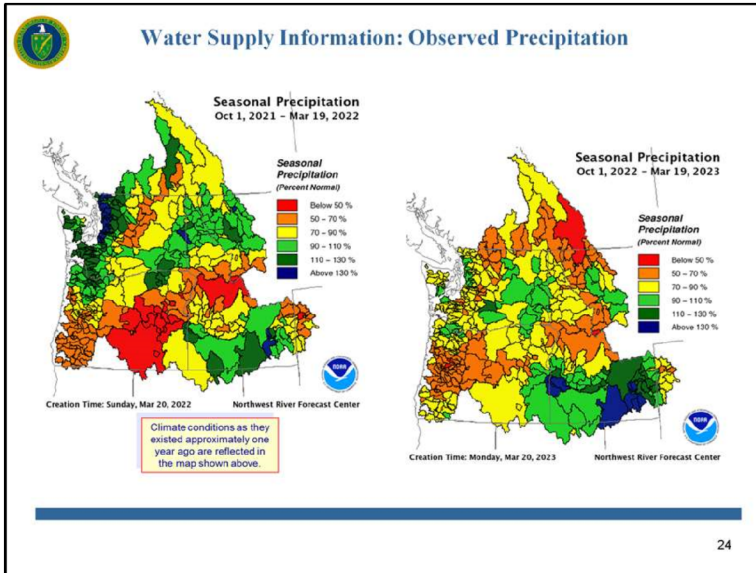
POWER- Capital	2022		2023		2024	
	actual/outlay		accrual		accrual	
Associated Project Costs	190,293		281,260		270,000	
Fish & Wildlife	16,119		43,000		41,333	
BUREAU OF RECLAMATION	33,230		51,974		68,923	
CORPS OF ENGINEERS	178,925		229,286		201,073	
<b>Subtotal</b>	<b>206,413</b>		<b>324,260</b>		<b>311,333</b>	
Proj Funded in Advance						
<b>Total, Power Services - Capital</b>	<b>206,413</b>		<b>324,260</b>		<b>311,333</b>	

TRANSMISSION- Capital	2022		2023		2024	
	actual/outlay		accrual		accrual	
Main Grid	7,013		6,219		38,285	
Area & Customer Services	38,907		71,520		38,285	
Upgrades & Addition	63,668		113,430		151,074	
Systems Replacements	263,912		305,991		366,197	
<b>Subtotal</b>	<b>373,500</b>		<b>497,160</b>		<b>593,840</b>	
Proj Funded in Advance	120,536		61,166		45,924	
<b>TOTAL, Trans. - Capital</b>	<b>494,036</b>		<b>558,327</b>		<b>639,764</b>	

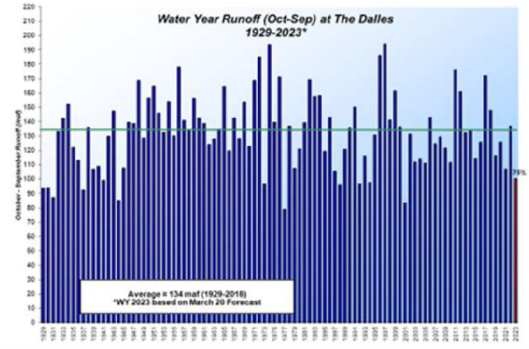
CAPITAL EQUIPMENT	2022		2023		2024	
	actual/outlay		accrual		accrual	
Capital Equipment	20,905		21,047		23,983	
Capitalized Bond Premium	0		0		0	
<b>TOTAL, Cap. Equip. - Capital</b>	<b>20,905</b>		<b>21,047</b>		<b>23,983</b>	





## Water Year Runoff – Historical Ranking

### Water Year Runoff – Historical Ranking





## 2023 Water Supply Forecast

NWS Official Water Supply Forecasts  
Volume at The Dalles, January-July and April-August 2022

*all forecasts include 10 days of QPF*

Date	Jan-Jul Median	% Avg	Apr-Aug Median	% Avg
10/3	92.0	89%	81.9	92%
10/17	94.0	91%	85.0	95%
11/7	90.1	87%	81.5	91%
11/14	86.5	83%	77.7	87%
<b>12/5</b>	<b>82.6</b>	<b>80%</b>	<b>73.5</b>	<b>82%</b>
12/12	79.2	76%	70.4	79%
<b>1/5</b>	<b>84.9</b>	<b>82%</b>	<b>72.4</b>	<b>81%</b>
1/17	83.8	81%	71.6	80%
<b>2/3</b>	<b>80.1</b>	<b>77%</b>	<b>72.8</b>	<b>82%</b>
2/15	83.4	80%	75.4	85%
<b>3/3</b>	<b>79.8</b>	<b>77%</b>	<b>74.0</b>	<b>83%</b>
3/13	80.2	77%	75.1	84%
3/20	78.1	75%	73.2	82%

1991-2020  
average

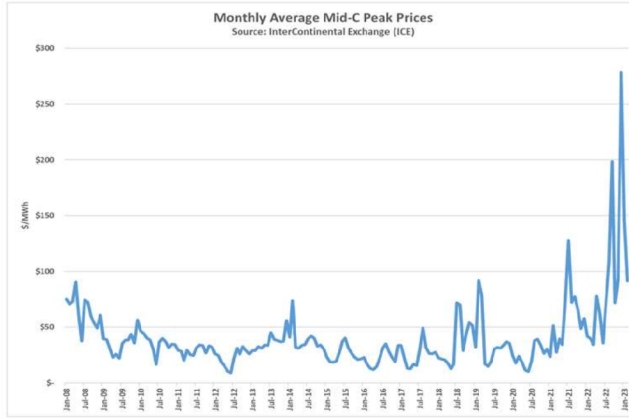
103.7 MAF

89.2 MAF

Forecasts in **Bold** used for monthly FCRPS flood risk and operations



## Market Prices





## FY 2022 Key Strategic Initiative (draft)

Key Strategic Initiatives (KSIs) are specific strategies and efforts to achieve critical BPA objectives or close significant gaps over multiple years in a phased, programmatic approach. BPA's draft FY 2023 KSI is as follows:

**Grid Modernization:** Bonneville continues a cross-agency grid modernization initiative. Bonneville's reliance on legacy systems and non-standard commercial practices are costly to maintain and have led to being conservative in its power and transmission operations, planning, and marketing.

The grid modernization initiative focuses on five areas of effort:

- Operational modernization
- Commercial modernization
- Energy Imbalance Market implementation
- Mission critical information technology improvements
- Improvements to core business practices

Part of the FY22 grid modernization scope was for Bonneville to evaluate joining the Western Energy Imbalance Market (EIM) and enabling Federal and non-federal resources in its service area to access that market. Bonneville joined the EIM after extensive consultations with its customers and constituents through regular public workshops. Bonneville continues to hold public workshops to report on EIM performance and operational issues.

From: Kintz, Jesse H (BPA) - FA-2

Sent: Tue Mar 22 07:17:12 2022

To: Thompson, Bradley E CIV USARMY GENWO (USA)

Subject: RE: WRDA Sec 218 follow up

Importance: Normal

Attachments: WRDA 2020 Section 218 Final Draft\_030322.docx

Brad,

Below is a written summary of BPA's input on the Corps' WRDA Section 218 response that we discussed via phone call last week, per your request.

- BPA appreciates that the Corps is offering a potential path forward via a disposition study.
- BPA would suggest some re-wording to achieve more clear and consistent language regarding the relationship of power de-authorization on other project purposes. As written, BPA believes there are mixed messages which could confuse the reader. The two key points which seem to be getting intermingled are:
  - o 1. The de-authorization and removal of power, on its own, does not directly alter project operations or impact the other purposes.
  - o 2. If power were to be de-authorized and removed, operations will change. While other purposes could be impacted by these operations changes, the changes are not a direct result of power removal.
  - o Some examples of where the messaging is confusing include:



§ Page 23: “The table below illustrates what authorized purposes could be affected if hydropower was deauthorized.” - all purposes are identified (implies significant impacts from power de-authorization on all project purposes)

§ Later on Page 23: “Hydropower is the only authorized purpose directly impacted by the deauthorization of hydropower.” (This point could be more clear if made up front. Also, directly impacted is ambiguous and could use defining/clarifying.)

§ Page 24: “However, if operation of the reservoir changes as a result of deauthorizing hydropower and impacts the ability of the reservoir to refill and operate the tower, then temperatures downstream of the dam could be negatively affected, resulting in an impact to federally listed ESA species.” (implies operation changes and ESA harm as direct impact of de-authorizing hydropower even though those issues exist with or without hydropower)

o Also, important context related to point #1 above that BPA would suggest adding to the report, is that project operations (and the associated project rule curves) are based primarily on flood control and not power, and this is why removal of power by itself does not directly impact project operations.

· Lastly, BPA would suggest more definitive language about BPA’s funding role if power were to be de-authorized. The report is somewhat noncommittal about the role of BPA funding if power is de-authorized, but BPA does not expect its funding to continue for future work if deauthorization were to occur and power is no longer being produced.

BPA appreciates the Corps’ consideration of these points as you meet with USACE HQ and move towards finalizing and submitting the report. Please let me know if there are questions or a need to discuss this information further.

-Jesse

**Jesse Kintz**

Power Generation – Senior Policy and Projects Lead | [PG-2]

**Bonneville Power Administration**

[bpa.gov](http://bpa.gov) | P 503-230-3340

U.S. Army Corp Information



**From:** Kintz, Jesse H (BPA) - FA-2 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>  
**Sent:** Thursday, March 3, 2022 6:56 PM  
**To:** Thompson, Bradley E CIV USARMY CENWO (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>  
**Subject:** [Non-DoD Source] RE: WRDA Sec 218 follow up

Hi Brad,

Reading through the slides with the BPA team, we were hoping to get some context about some of the characterizations on slide 4 about the rule curve and power impacts. I know the report is coming soon, but think it would be helpful to start the conversation now to get the ball rolling. I'll try giving you a call on Monday for starters and assume we may need to loop in others from the teams.

-Jesse

**From:** Kintz,Jesse H (BPA) - FA-2  
**Sent:** Thursday, March 3, 2022 11:22 AM  
**To:** Thompson, Bradley E CIV USARMY CENWO (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>  
**Subject:** RE: WRDA Sec 218 follow up

Got it, thank you. And appreciate the clarification about being able to share with the BPA team.

-Jesse

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**From:** Kintz, Jesse H (BPA) - FA-2 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>

**Sent:** Thursday, March 3, 2022 12:29 PM

**To:** Thompson, Bradley E CIV USARMY CENWO (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>

**Subject:** [Non-DoD Source] RE: WRDA Sec 218 follow up

Hi Brad,

Good discussion yesterday, and thanks again for the update and for touching on the other purpose impacts and WRDA timeline.

Are you able to share a copy the slides you walked us through yesterday and if so could you send over a copy?

Thanks,

-Jesse

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**From:** Kintz, Jesse H (BPA) - FA-2 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>  
**Sent:** Wednesday, March 2, 2022 10:58 AM  
**To:** Thompson, Bradley E CIV USARMY CENWO (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>  
**Subject:** [Non-DoD Source] RE: WRDA Sec 218 follow up

Got it, thanks Brad.

To give you a heads up on a couple things BPA would be interested in hearing about- one would be whether the Corps drew the same conclusion about removal of power not hurting the other purposes (as our BPA draft paper did) and another would be, whether the Corps is viewing this as still on track for the 2022 WRDA cycle (have heard mixed things on this).

Thanks again and look forward to the discussion this afternoon.

-Jesse

U.S. Army Corp Information





**From:** Kintz, Jesse H (BPA) - FA-2 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>  
**Sent:** Thursday, February 24, 2022 6:47 PM  
**To:** Thompson, Bradley E CIV USARMY CENWO (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>  
**Subject:** [URL Verdict: Neutral][Non-DoD Source] RE: WRDA Sec 218 follow up

Hi Brad,

Checking in on the status of the draft WRDA report – do you anticipate having a draft to share with us in advance of our upcoming meeting?

I'm off tomorrow but I may try giving you a quick call to touch base early next week.

Thanks,

-Jesse

**From:** Kintz, Jesse H (BPA) - FA-2  
**Sent:** Thursday, February 17, 2022 8:53 AM  
**To:** Thompson, Bradley E CIV USARMY CENWO (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>  
**Subject:** RE: WRDA Sec 218 follow up

OK great, sounds like a plan.

-Jesse

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**From:** Kintz, Jesse H (BPA) - FA-2 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>

**Sent:** Tuesday, February 15, 2022 5:44 PM

**To:** Thompson, Bradley E CIV USARMY CENWO (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>

**Subject:** [URL Verdict: Neutral][Non-DoD Source] RE: WRDA Sec 218 follow up

Brad,

Got it, thanks for the update. I believe we have a quarterly NWD-BPA meeting on the calendar on 3/2 where a lot of our key attendees would be on so my thought is that we could put this topic on that agenda – would that work? For our side, we'd have Joel Cook (COO), Bill Leady (VP of Power Generation), myself, and Glen Smith or Wayne Todd (power budget/operations perspectives). Let me know what you think.

Thanks,

-Jesse

**Jesse Kintz**

Power Generation – Senior Policy and Projects Lead | [PG-2]

**Bonneville Power Administration**

[bpa.gov](http://bpa.gov) | P 503-230-3340

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**From:** Kintz, Jesse H (BPA) - FA-2 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>

**Sent:** Monday, February 14, 2022 4:32 PM

**To:** Thompson, Bradley E CIV USARMY CENWO (USA) <[Bradley.E.Thompson@usace.army.mil](mailto:Bradley.E.Thompson@usace.army.mil)>

**Subject:** [URL Verdict: Neutral][Non-DoD Source] WRDA Sec 218 follow up

Hi Brad,

Per our discussion on Thursday afternoon, I'm just following up to see if there's any update on WRDA Sec 218 status and meeting dates that you can share following your meeting with your team late last week?

Thanks and I hope your Monday is going well,

-Jesse

**Jesse Kintz**

Power Generation – Senior Policy and Projects Lead | [PG-2]

**Bonneville Power Administration**

[bpa.gov](http://bpa.gov) | P 503-230-3340

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WILLAMETTE VALLEY HYDROPOWER PROJECT DISPOSITION STUDY  
6 PIECES OF PAPER

CHARETTE READ AHEAD

DATE: 4-11-23

DISCLAIMER: THIS READ-AHEAD WAS DEVELOPED USING EXISTING INFORMATION AND FEEDBACK RECEIVED FROM NWP & NWD TEAM MEMBERS DURING A RAPID ITERATION. ALL CONTENT IS DRAFT AND IS INTENDED TO SUPPORT CHARETTE DISCUSSIONS. CONTENT WILL BE FINALIZED BASED ON INPUT RECEIVED DURING AND AFTER THE CHARETTE.

DRAFT

## SECTION 1 - PROBLEMS AND OPPORTUNITIES

*Problems and opportunities statements will be framed in terms of the Federal objective and the specific study planning objectives. Problems and opportunities should be defined in a manner that does not preclude the consideration of all potential alternatives to solve the problems and achieve the opportunities. Problems and opportunities statements will encompass current as well as future conditions and are dynamic in nature. Thus, they can be, and usually are, re-evaluated and modified in subsequent steps and iterations of the planning process. Properly defined, statements of problems and opportunities will reflect the priorities and preferences of the Federal Government, the non-Federal sponsors and other groups participating in the study process; thus, active participation of all stakeholders in this process is strongly recommended. Proper identification of problems and opportunities is the foundation for scoping the planning process. This problem identification step, and/or “scoping”, should begin as soon as practicable after the decision to initiate a planning study.*

### 1.1 PROBLEMS:

- Uncertainty exists as to whether hydropower production is economically efficient (i.e., within the Federal Interest) at one or more of the hydro projects within the WVS under the existing and future without project condition, potentially resulting in net losses for the national economy.
- Meeting ESA requirements under existing operations of the projects is costly.
- A dedicated pool for hydropower limits flexibility for operations in the system
  - Considerations: The injunction requirements complicate this as some required drawdowns result in use of the power pool for non-hydropower purposes.

### 1.2 OPPORTUNITIES:

- There is a potential to optimize the operations of WVS Dams and Reservoirs to more effectively and efficiently meet the high priority authorized purposes of the system.
- Re-evaluating authorized purposes could provide more optimized comprehensive benefits for 4 accounts.
- There is the potential to more reliably meet obligations associated with ESA compliance.
- There is an opportunity to garner support from other federal agencies and stakeholders who support the recovery of salmonid populations.
- There is the potential to provide additional benefits associated with other project purposes (e.g., FRM).
- There is a potential to reduce operating costs of the project associated with ESA compliance.
- There is the potential to reduce O&M costs of the project generally by removing the need to maintain Hydropower assets.



- Current O&M in the District could be reassigned to improve/expand capabilities at other higher value hydropower projects.
- There may be an opportunity to reconfigure/improve projects' physical operating characteristics to adjust to changing operations post loss of power generation.
- There may be opportunities to optimize mothballing of power infrastructure, versus removal, to enable potential future uses or to reduce operations and maintenance cost.
- Deauthorization and ceasing hydropower operations may decrease the chance of water pollution downstream caused by oil spill or any other ops related activities.
- The power pool could be used for other purposes such as to release water for Fish & Wildlife and ESA purposes.
- Preliminary assessments indicate that modifications to pool levels at Cougar Reservoir may be more effective and less costly than constructing fish passage facilities.
- There is the potential to revolutionize USACE dam operations nationwide by providing a unique example/testing ground.
- There is the potential to test different cost allocation scenarios

DRAFT

## SECTION 2 - FUTURE WITHOUT PROJECT CONDITION

*A quantitative and qualitative description of these resources is made, for both current and future conditions, and is used to define existing and future without-project conditions. Existing conditions are those at the time the study is conducted. The without-project condition is the most likely condition expected to exist in the future in the absence of a proposed water resources project. Proper definition and forecast of the future without-project condition are critical to the success of the planning process. The future without-project condition constitutes the benchmark against which plans are evaluated. Forecasts of future without-project conditions shall consider all other actions, plans and programs that would be implemented in the future to address the problems and opportunities in the study area in the absence of a Corps project. Forecasts should extend from the base year (the year when the proposed project is expected to be operational) to the end of the period of analysis. Since impact assessment is the basis for plan evaluation, comparison and selection, clear definition and full documentation of the without-project condition are essential. Gathering information about historic and existing conditions requires an inventory. Gathering information about potential future conditions requires forecasts, which should be made for selected years over the period of analysis to indicate how changes in economic and other conditions are likely to have an impact on problems and opportunities.*

Questions related to existing and future without project condition assumptions:

- Is the EIS preferred alternative (i.e., drawdown to the Diversion Tunnel) a good assumption for existing conditions or is it Future Without Project Condition?
- At Cougar Dam, is the EIS preferred alternative (i.e. drawdown to the Diversion Tunnel) an assumed given; or should it be evaluated as one of the alternatives?
- Where will the guidance/decision on existing/baseline operating conditions come from?
- What are the driving factors under Climate Change that we will be modeling towards?
- What assumptions can we make about the status of the Water Control Manuals?
- What assumptions can we make about any Forecast Informed Reservoir Operation Pilots across the watershed?

## SECTION 3 - OBJECTIVES AND CONSTRAINTS

*Planning objectives are statements that describe the desired results of the planning process by solving the problems and taking advantage of the opportunities identified. The planning objectives must be directly related to the problems and opportunities identified for the study and will be used for the formulation and evaluation of plans. Objectives must be clearly defined and provide information on the effect desired (quantified, if possible), the subject of the objective (what will be changed by accomplishing the objective), the location where the expected result will occur, the timing of the effect (when would the effect occur) and the duration of the effect. Constraints are restrictions that limit the planning process. Constraints, like objectives, are unique to each planning study. Some general types of constraints that need to be considered are resource constraints and legal and policy constraints. Resource constraints are those associated with limits on knowledge, expertise, experience, ability, data, information, money and time. Legal and policy constraints are those defined by law, Corps policy and guidance. These constraints are discussed in subsequent chapters of this regulation and its appendices.*

*Plans should be formulated to meet the study objectives and to avoid violating the constraints. Thus, a clear definition of objectives and constraints is essential to the success of the planning process.*

### 3.1 OBJECTIVES:

- Determine if there is a Federal interest in deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System.
  - Consideration: Need to define what is meant by “Federal Interest”. Federal Interest for USACE hydropower typically framed by The National Economic Development analysis with input from analysis for the other 3 accounts (Regional Economic Development, Environmental Quality, and Other social Effects).
- Identify the effects of deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System

### 3.2 CONSTRAINTS:

- Ensure environmental compliance and mitigation requirements by all applicable federal, state, and local environmental protection status and regulations.
- Maintain Dam Safety standards

### 3.3 PLANNING CONSIDERATIONS:

- Ensure ESA Compliance activities in the WVS over the next 50 years are Efficient and Effective.
- Maintain current level of Flood Risk Management
- Maintain current level of Life Safety

- Disposition Study and Implementation Funding
- Balance the needs of federally listed species with other authorized purposes of WVS over the next 50 years.
- Balance the authorized purposes across the system.
- Must identify the effects to the other authorized purposes, cost apportionments, dam safety, compliance with the requirements of the Endangered Species, and to system operations. etc.
- Residents and general public have diverse and vocal interests in how the WVS of dams are operated. This study will be highly visible in the public eye.
- Deauthorization would result in complex changes throughout the system with a change at just one project having ripple effects throughout the system. Changing or eliminating one purpose could make carrying out another purpose infeasible. An effort should be made to avoid/minimize impacts to other authorized purposes of the Willamette Valley System including Flood Risk Management, Water Supply, and Recreation.
- Disposition of federal hydropower facilities to another entity for continued operation could negate any potential opportunities associated with deauthorization of hydropower.
- Ceasing hydropower operations would require purchasing alternative sources of power for the needs existing project.
- Ceasing hydropower operations would result in impacts to grid stability. Hydropower contributes to electrical grid stability and resilience to interruptions caused by fire, earthquakes, storms, or human activity. Areas local to the WV projects will be most impacted by loss of hydropower and the decreased ability to re-establish power after one of these events. WV projects serve some communities in an electrical grid loop and provide very helpful and necessary voltage control to this transmission loop and the loads served by it. All WV projects are west of the Cascade mountains. Most replacement power will have to come from east of the Cascade mountains.
- Ceasing hydropower production and use of penstock outlets could negatively impact water quality.
- Ceasing hydropower and plugging the penstocks would affect flows at some projects. For example, Dexter and Big Cliff have to keep the penstock operational in some way because the spillway is the only alternative, and the reservoir is not always full enough to use the spillway so the river would go dry.
- Ceasing hydropower operations could negatively impact upstream passage.
- Ceasing hydropower could have dam safety implications/risks. Is it technically viable? Is it economically feasible? Will deauthorization of hydropower have long-term effects on the structure and O&M cost?
- Ceasing hydropower will result in lost capability for islanding at some projects so some of the small communities near our projects would need alternate sources of power in the event that they get disconnected from the grid. This has life/safety implications.
- If you cease hydropower production by removing the turbines but continue to use the penstocks, you will need to find a new way to dissipate a whole lot of energy. You can't just pass the flow through a penstock.

- At projects such as Hills Creek the non-turbine outlet is higher than the turbine, so we would be limited on drawing down the reservoir given an emergency. Most projects are reversed though.
- Deauthorization of hydropower would likely increase the cost to the federal government to operate and maintain the respective dams and associated facilities. Alternative funding sources will need to be found to support O&M, dam safety, etc. in support of other authorized purposes such as flood risk mitigation, recreation, etc.
- The multi-purpose nature of the dams within the WVS make appropriate cost apportionment a challenge, especially under the current dynamic operational environment in response to evolving environmental, climatic, etc. requirements.
- Impacts to the Water Supply purpose could affect the recommended plan for the Willamette Basin Review Reallocation study which was authorized in WRDA 2020.
- Measures/Alternative not considered under the current Draft WVS EIS could affect that process.
- In order to carry out the EIS Preferred Alternative, deauthorization of hydropower at Cougar Dam will be required. The existing structures at Cougar Dam including the diversion outlet, are not designed to accommodate the potential modifications to pool levels that are under consideration. Furthermore, these changes are not consistent with the existing water control manual.

## SECTION 4 - DECISION CRITERIA

*Criteria to evaluate the alternative plans include all significant resources, outputs and plan effects. They also include contributions to the Federal objective, the study planning objectives, compliance with environmental protection requirements, the P&G's four evaluation criteria (completeness, effectiveness, efficiency and acceptability) and other criteria deemed significant by participating stakeholders. The criteria for selecting the recommended plan differ, depending on the type of plan and the outputs it is seeking to achieve.*

*To ensure that the PDT has the information it needs when it needs it, the PDT must identify these decision criteria as early in the process as possible; ideally, during scoping. Fortunately, some of these criteria are easy to identify. Knowing the benefits, costs, and environmental impacts of each plan will be important as well as their contribution to your objectives and constraints. Scoping is the time for the PDT to think about the specific metrics that will be used to capture those values.*

### 4.1 DATA AND ANALYSIS NEEDS

- Operations need to identify data and analysis needs from their perspective
- Hydropower economic analysis by HAC Economist.
- Economic analysis for other authorized purposes (Flood Risk Management, Water Supply, and Recreation).
- Analysis to determine if Hydropower (on its own) is justified.
- Analysis to determine impact of deauthorization to other Authorized Purposes.
- Analysis to determine environmental tradeoffs of deauthorization including water quality, flow and ESA habitat impacts from hydropower cessation and use of the power pool for other authorized purposes.
- Analysis of benefits of deauthorizing hydropower.
- Analysis to determine dam safety implications.
- Analysis of structural, mechanical, and dam safety constraints associated with penstock reconfiguration.
- Hydrologic, hydraulic, water quality, and ESA fish passage modeling of system operations under various alternatives.

## SECTION 5 - UNIQUE QUESTIONS AND KEY UNCERTAINTIES

*Document any unique questions that arise or that decision makers are likely to need answered. Knowing these during the scoping phase can help ensure that data gathering and analyses to answer them are planned for and incorporated into the study scope. Key Uncertainties may be related to the Decision Criteria that will be employed and the critical information that will need to be gathered in order to evaluate, compare, and ultimately select a plan. Alternately, these may reflect the most critical study, implementation and outcome risks that the team must manage throughout the planning phase. Teams should identify these key uncertainties and scope actions necessary to incrementally reduce them as needed.*

- How is federal Interest in the hydropower purpose determined?
- Is there a Fed Interest in maintaining hydropower and reallocating costs? Can Cost Apportionment be utilized as a measurer to help solve the identified problem of hydropower power being economically inefficient? Or can cost apportionment only be considered as a measure to address balancing the remaining authorizations once deauthorization at dam is indicated.
- Does deauthorization of hydropower mean that we can no longer use the penstocks or produce hydropower, or just that we no longer have to? Does the disposition mean we have to remove turbines, not generate station service, etc.?
- What is the fate of hydropower assets if hydropower is deauthorized (Will a private entity want to take them over to produce incidental power? Will they be moth balled or removed and sold?)
- For this early phase of the study, do we assume we operate as we do currently under deauthorization without rebalancing the other purposes? Or must we formulate alternative systemwide operations to address changes associated with hydropower cessation? Is the analysis of potential changed flow and elevation targets (min flow requirements, rule curves, etc) on the table?
- If we have to look at rebalancing the authorized purposes across the system, do we complete environmental compliance, including NEPA, or would that come later?
- In proposing deauthorization of hydropower, specifically power peaking, would we consider removal of re-regulation dams?
- Do we know whether this theoretical buyer of the hydropower facilities still have the joint-cost share responsibilities?
- What analysis and data are needed to determine federal interest in deauthorizing hydropower at one or more dams in a multipurpose system.
- What level of analysis can be performed, and questions answered, in 18-month timeline.

- Characterization of the baseline/existing conditions and future without project conditions considering current injunction and future BiOp and needing to avoid being pre-decisional in regard to the ongoing Willamette Valley System Environmental Impact Statement.
- Required structural and operational changes if hydropower is deauthorized.
- What is structurally and mechanically possible in regard to penstock reconfiguration if hydropower is deauthorized at a dam.
- Cost associated with penstock reconfiguration.
- Cost associated with implementation of the pool adjustments.
- Risk to transmission stability and islanded communities if hydropower is deauthorized.
- Alternative power sources to run the dam facilities if hydropower is deauthorized.
- If adverse water quality and associated ESA habitat effects from cessation of hydropower under a deauthorization scenario can be mitigated.
- Dam safety constraints and considerations associated with cessation of hydropower.
- Unanticipated issues that arise when a pool is operated below the minimum power pool more often
- Other project constraints that may make operations like deep drawdowns infeasible even after hydropower is deauthorized (e.g. sediment)
- FRM effects from removing the release capacity of the penstocks (can water be released quickly enough after a flood event if the penstock is not operational?)



**SECTION 6 - DECISION MILESTONE QUESTIONS (PER 2016  
DISPOSITION STUDY INTERIM GUIDANCE)**

1. Does the project currently meet its authorized purposes? Why or why not?
2. Is there reason to believe that the future condition or needs will be different from those present under the current condition? How so?
3. Are there opportunities to modify the project to solve a water resources development purpose other than the one for which it was originally authorized?
4. Does the project pose a risk to public safety? What is the project's Dam Safety Action Classification (DSAC), if applicable? Describe the risk, including key risk drivers and uncertainties.
5. Are there environmental concerns or other controversies surrounding the project that will influence the scope and outcome of the study?
6. Are the real property and improvements associated with the project suitable for public uses other than water resources development? Do the real property and improvements have commercial value?
7. Are alterations to improvements likely to be necessary in order to safely dispose of the project?
8. What is the annual holding cost and anticipated transaction cost, including any rehabilitation required?
9. What other special considerations or potential liabilities exist due to retaining ownership of the project?
10. What is the level of Congressional Interest in the project and disposition study, if any?
11. What uncertainties need reduction in order to make a recommendation?
12. Are there issues of interest for the vertical team to monitor and review which would help to inform the deauthorization and disposal process?

---

**From:** Kintz,Jesse H (BPA) - PG-5  
**Sent:** Tuesday, April 25, 2023 11:43 AM  
**To:** Marker,Doug R (BPA) - AIR-7; Baskerville,Sonya L (BPA) - AIN-WASH; Spear,Daniel J (BPA) - PGB-5; Welch,Julee A (BPA) - LP-7; Todd,Wayne A (BPA) - PGA-6; Ashby,Gordon S (BPA) - PGA-6; Smith,Glen A (BPA) - PG-5  
**Cc:** Senters,Anne E (BPA) - LN-7; Nagra,Angad S (BPA) - LN-7; Mai,Amy E (BPA) - EC-4; Maslow,Jeffrey J (BPA) - EC-4; Biegel,Sarah T (BPA) - EC-4  
**Subject:** RE: Seeking red flag review of proposed BPA input on Corps disposition study document by COB Monday  
**Attachments:** D - 6 pieces of paper - Willamette Disposition Study\_DRAFT\_April 11 2023 Charette (BPA Input) Marker Spear comments.rtf

I've updated our edits/comments to incorporate the input from Doug and Dan – [link here](#). I've also attached a messier version where you can see all of the comments and some of my resolutions to them. If you have time, please take one more look and let me know if any “red flags” on the link version before I send to the Corps first thing tomorrow.

As a reminder, given the informal venue of submitting comments to a Corps process and document and the fact that we are planning to send a follow up letter where we can expand/clarify I am trying to pick our spots judiciously for advocacy and input volume, while overall keeping a tone of suggestions to help the Corps move things in a positive direction for both them and us.

Thanks to all for your quick reviews and thoughtfulness on this response!

-Jesse

---

**From:** Kintz,Jesse H (BPA) - PG-5  
**Sent:** Friday, April 21, 2023 3:04 PM  
**To:** Marker,Doug R (BPA) - AIR-7 <[drmarker@bpa.gov](mailto:drmarker@bpa.gov)>; Baskerville,Sonya L (BPA) - AIN-WASH <[slbaskerville@bpa.gov](mailto:slbaskerville@bpa.gov)>; Spear,Daniel J (BPA) - PGB-5 <[djspear@bpa.gov](mailto:djspear@bpa.gov)>  
**Cc:** Welch,Julee A (BPA) - LP-7 <[jawelch@bpa.gov](mailto:jawelch@bpa.gov)>; Todd,Wayne A (BPA) - PGA-6 <[watodd@bpa.gov](mailto:watodd@bpa.gov)>; Ashby,Gordon S (BPA) - PGA-6 <[gsashby@bpa.gov](mailto:gsashby@bpa.gov)>; Smith,Glen A (BPA) - PG-5 <[gasmith@bpa.gov](mailto:gasmith@bpa.gov)>  
**Subject:** Seeking red flag review of proposed BPA input on Corps disposition study document by COB Monday

Doug, Sonya and Dan,

I've worked with the other attendees to last week's disposition study charrette (cc line) to put together this [set of proposed informal BPA comments on a Corps planning document](#) which attempts to summarize the key problems, opportunities, related to the disposition study. Please review, especially for strategy and approach considerations, and add any suggested comments/edits. We can also discuss at Monday's Willamette weekly as needed. We owe this back to the Corps early next week so I'm asking for edits or identified red flags for discussion by COB Monday if possible.

As you review, keep in mind that this is an informal format that the Corps invited us to comment on since there wasn't time to discuss in the meeting and also that BPA is considering following these comments up with a more formal letter laying out our suggestions and views on the disposition study - so we may have an opportunity to expand on and clarify some of the points in these comments.

Thanks!  
-Jesse

**Jesse Kintz**

Power Generation – Senior Policy and Project Lead | [PG-2]

**BONNEVILLE POWER ADMINISTRATION**

[bpa.gov](http://bpa.gov) | P 503-230-3340 | C (b)(6)

WILLAMETTE VALLEY HYDROPOWER PROJECT DISPOSITION STUDY 6 PIECES OF PAPER

CHARETTE READ AHEAD DATE: 4-11-23

DISCLAIMER: THIS READ-AHEAD WAS DEVELOPED USING EXISTING INFORMATION AND FEEDBACK RECEIVED FROM NWP & NWD TEAM MEMBERS DURING A RAPID ITERATION. ALL CONTENT IS DRAFT AND IS INTENDED TO SUPPORT CHARETTE DISCUSSIONS. CONTENT WILL BE FINALIZED BASED ON INPUT RECEIVED DURING AND AFTER THE CHARETTE.

**SECTION 1 - PROBLEMS AND OPPORTUNITIES**

*Problems and opportunities statements will be framed in terms of the Federal objective and the specific study planning objectives. Problems and opportunities should be defined in a manner that does not preclude the consideration of all potential alternatives to solve the problems and achieve the opportunities. Problems and opportunities statements will encompass current as well as future conditions and are dynamic in nature. Thus, they can be, and usually are, re-evaluated and modified in subsequent steps and iterations of the planning process. Properly defined, statements of problems and opportunities will reflect the priorities and preferences of the Federal Government, the non-Federal sponsors and other groups participating in the study process; thus, active participation of all stakeholders in this process is strongly recommended. Proper identification of problems and opportunities is the foundation for scoping the planning process. This problem identification step, and/or “scoping”, should begin as soon as practicable after the decision to initiate a planning study.*

## 1 PROBLEMS:

- Uncertainty exists as to whether the use of the hydropower purpose as a whole – i.e. for both power generation and ESA/water conveyance - is economically efficient (i.e., within the Federal Interest) at one or more of the hydro projects within the WVS under the existing and future without project condition, potentially resulting in net losses for the national and/or regional economy.
- Commercial hydropower is not likely to be economically efficient/viable (i.e. benefits exceeding costs significantly exceed the benefits) under current conditions, per analysis in the Draft Programmatic Willamette Environmental Impact Statement. This is contrary to congressional intent when the hydropower purpose was authorized.
- Meeting ESA requirements under existing operations of the projects is costly - and will continue to be costly in the future.
- will require substantial federal capital investments, increases in Bonneville Power Administration repayment obligations to the U.S. Treasury and significantly diminished hydropower generation. These costs and operational impacts do not effect the flood risk management capabilities of the WVS Dams and Reservoirs.
- Costs, benefits, and operations of WVS Dams and Reservoirs have evolved since original construction creating inequities in funding between tax payers and rate payers.
- A dedicated pool for hydropower limits flexibility for operations in the system
  - Considerations: The injunction requirements complicate this as some required drawdowns result in use of the power pool for non-hydropower purposes.

## 1 OPPORTUNITIES:

- There is a potential to optimize the operations of WVS Dams and Reservoirs to more effectively and efficiently meet the high priority authorized purposes of the system while achieving fish restoration objectives.
- Re-evaluating authorized purposes could provide more optimized comprehensive benefits for 4 non-hydropower accounts.
- Evaluating commercial hydropower as a separate function from the hydropower purpose as a whole could provide more optimized comprehensive benefits for 4 non-hydropower accounts.

- There is the potential to more reliably effectively meet obligations associated with ESA compliance.
- There is an opportunity to ~~garner support from~~ align non-hydropower objectives with those of other federal agencies and stakeholders who support the recovery of salmonid populations.
- There is the potential to provide additional benefits associated with other project purposes (e.g., FRM).
- There is a potential to reduce operating costs of the project associated with ESA compliance.
- There is opportunity to rebalance funding to be more aligned with the beneficiaries of the project and with current project priorities.
- There is the potential to reduce O&M costs of the project generally by removing the need to maintain Hydropower assets.
- **1.1** Current O&M in the District could be reassigned to improve/expand capabilities at other higher value hydropower projects.
- There may be an opportunity to reconfigure/improve projects' physical operating characteristics to adjust to changing operations post loss of power generation.
- There may be opportunities to optimize mothballing of power infrastructure, versus removal, to enable potential future uses or to reduce operations and maintenance cost.
- ~~Deauthorization and ceasing~~ ceasing hydropower operations may decrease the chance of water pollution downstream caused by oil spill or any other ops related activities.
- There could be an increase in operational flexibility since the water associated with the power pool could be used for other purposes such as to release water for Fish & Wildlife and ESA purposes.
- Preliminary assessments indicate that modifications to pool levels at Cougar Reservoir may be more effective and less costly than constructing fish passage facilities.
- There is the potential to revolutionize USACE dam operations nationwide by providing a unique example/testing ground.
- There is the potential to save the taxpayer money if deauthorizing hydropower, in whole or in part, provides more opportunities for cheaper operational measures vs expensive structural measures to meet ESA requirements.
- There is the potential to test different cost allocation scenarios

- **SECTION 2 - FUTURE WITHOUT PROJECT CONDITION**

*A quantitative and qualitative description of these resources is made, for both current and future conditions, and is used to define existing and future without-project conditions. Existing conditions are those at the time the study is conducted. The without-project condition is the most likely condition expected to exist in the future in the absence of a proposed water resources project. Proper definition and forecast of the future without-project condition are critical to the success of the planning process. The future without-project condition constitutes the benchmark against which plans are evaluated. Forecasts of future without-project conditions shall consider all other actions, plans and programs that would be implemented in the future to address the problems and opportunities in the study area in the absence of a Corps project. Forecasts should extend from the base year (the year when the proposed project is expected to be operational) to the end of the period of analysis. Since impact assessment is the basis for plan evaluation, comparison and selection, clear definition and full documentation of the without-project condition are essential. Gathering information about historic and existing conditions requires an inventory. Gathering information about potential future conditions requires forecasts, which should be made for selected years over the period of analysis to indicate how changes in economic and other conditions are likely to have an impact on problems and opportunities.*

Questions related to existing and future without project condition assumptions:

- Is the EIS preferred alternative (i.e., drawdown to the Diversion Tunnel) a good assumption for existing conditions or is it Future Without Project Condition?
- At Cougar Dam, is the EIS preferred alternative (i.e. drawdown to the Diversion Tunnel) an assumed given; or should it be evaluated as one of the alternatives?
- Where will the guidance/decision on existing/baseline operating conditions come from?
- What are the driving factors under Climate Change that we will be modeling towards?
- What assumptions can we make about the status of the Water Control Manuals?
- What assumptions can we make about any Forecast Informed Reservoir Operation Pilots across the watershed?
- Would BPA require replacement power if hydropower is deauthorized at all or some WVS Dams?

## 1 SECTION 3 - OBJECTIVES AND CONSTRAINTS

*Planning objectives are statements that describe the desired results of the planning process by solving the problems and taking advantage of the opportunities identified. The planning objectives must be directly related to the problems and opportunities identified for the study and will be used for the formulation and evaluation of plans.*

*Objectives must be clearly defined and provide information on the effect desired (quantified, if possible), the subject of the objective (what will be changed by accomplishing the objective), the location where the expected result will occur, the timing of the effect (when would the effect occur) and the duration of the effect.*

*Constraints are restrictions that limit the planning process. Constraints, like objectives, are unique to each planning study. Some general types of constraints that need to be considered are resource constraints and legal and policy constraints. Resource constraints are those associated with limits on knowledge, expertise, experience, ability, data, information, money and time. Legal and policy constraints are those defined by law, Corps policy and guidance. These constraints are discussed in subsequent chapters of this regulation and its appendices.*

*Plans should be formulated to meet the study objectives and to avoid violating the constraints. Thus, a clear definition of objectives and constraints is essential to the success of the planning process.*

### 3.1 OBJECTIVES:

- Determine if there is a Federal interest in deauthorizing hydropower as an authorized purpose, in whole or in part, of the Willamette Valley System.
  - ○ Consideration: Need to define what is meant by “Federal Interest”. Federal Interest for USACE hydropower typically framed by The National Economic Development analysis with input from analysis for the other 3 accounts (Regional Economic Development, Environmental Quality, and Other social Effects).
  - Consideration: Need to define what is meant by “in whole or in part”. (For example, in part could mean individual projects but it could also mean deauthorizing commercial hydropower but keeping hydropower for operational/station service purposes, or some combo of the two).
- Identify the effects of deauthorizing hydropower as an authorized purpose, in whole or in part, of the



## Willamette Valley System

### 3.2 CONSTRAINTS:

- Ensure environmental compliance and mitigation requirements by all applicable federal, state, and local environmental protection status and regulations.
- Maintain Dam Safety standards

### 1 PLANNING CONSIDERATIONS:

- Ensure ESA Compliance activities in the WVS over the next 50 years are Efficient and Effective.
- Maintain current level of Flood Risk Management
- Maintain current level of Life Safety
  - Disposition Study and Implementation Funding
- Balance the needs of federally listed species with other authorized purposes of WVS over the next 50 years.
- Balance the authorized purposes across the system.
- Must identify the effects to the other authorized purposes, cost apportionments, dam safety, compliance with the requirements of the Endangered Species, and to system operations. etc.
- Residents and general public have diverse and vocal interests in how the WVS of dams are operated. This study will be highly visible in the public eye.
- Deauthorization of power as a whole would result in complex changes throughout the system with a change at just one project having ripple effects throughout the system. Changing or eliminating one purpose could make carrying out another purpose infeasible. An effort should be made to avoid/minimize impacts to other authorized purposes of the Willamette Valley System including Flood Risk Management, Water Supply, and Recreation.
- Disposition of federal hydropower facilities to another entity for continued operation could negate any potential opportunities associated with deauthorization of hydropower.
- Ceasing hydropower operations would require evaluation of impacts on the regional power supply, including consideration of whether additional purchasing alternatives alternative sources of power for the needs existing project would be needed.

- Ceasing hydropower operations would result in impacts to grid stability. Hydropower contributes to electrical grid stability and resilience to interruptions caused by fire, earthquakes, storms, or human activity. Areas local to the WV projects will be most impacted by loss of hydropower and the decreased ability to re-establish power after one of these events. WV projects serve some communities in an electrical grid loop and provide very helpful and necessary voltage control to this transmission loop and the loads served by it. All WV projects are west of the Cascade mountains. Most replacement power will have to come from east of the Cascade mountains.
- Ceasing hydropower production and use of penstock outlets could negatively impact water quality.
- If ceasing hydropower and resulted in a decision to plugging the penstocks, this would affect flows at some projects. For example, Dexter and Big Cliff have to keep the penstock operational in some way because the spillway is the only alternative, and the reservoir is not always full enough to use the spillway so the river would go dry.
- Ceasing hydropower operations could negatively impact upstream passage.
- Ceasing hydropower could have dam safety implications/risks. Is it technically viable? Is it economically feasible? Will deauthorization of hydropower have long-term effects on the structure and O&M cost?
- Ceasing hydropower will result in lost capability for islanding at some projects so some of the small communities near our projects would need alternate sources of power in the event that they get disconnected from the grid. This has life/safety implications.
- If you cease hydropower production by removing the turbines but continue to use the penstocks, you will need to find a new way to dissipate a whole lot of energy. You can't just pass the flow through a penstock.
  - At projects such as Hills Creek the non-turbine outlet is higher than the turbine, so we would be limited on drawing down the reservoir given an emergency. Most projects are reversed though.
- Deauthorization of hydropower would likely increase the cost to the federal government to operate and maintain the respective dams and associated facilities. given that power BPA (and BPA power ratepayers) would potentially no longer be a component of, or beneficiary from, the existing joint facilities. Alternative funding sources will need to be found to support O&M, dam safety, etc. in support of other authorized purposes such as flood risk mitigation, recreation, etc.
- The multi-purpose nature of the dams within the WVS make appropriate cost apportionment a challenge, especially under the current dynamic operational environment in response to evolving environmental, climatic, etc. requirements. Original cost apportionment allocation methodologies were developed from the perspective of new construction and may no longer be relevant after decades of

operation. If deauthorization of all power or of commercial power occurred, a process would may be needed to re-allocate costs among the remaining project purposes.

- Impacts to the Water Supply purpose could affect the recommended plan for the Willamette Basin Review Reallocation study which was authorized in WRDA 2020.
- Measures/Alternative not considered under the current Draft WVS EIS could affect that process.
- In order to carry out the EIS Preferred Alternative, deauthorization of hydropower at Cougar Dam will be required. The existing structures at Cougar Dam including the diversion outlet, are not designed to accommodate the potential modifications to pool levels that are under consideration. Furthermore, these changes are not consistent with the existing water control manual.

#### • SECTION 4 - DECISION CRITERIA

*Criteria to evaluate the alternative plans include all significant resources, outputs and plan effects. They also include contributions to the Federal objective, the study planning objectives, compliance with environmental protection requirements, the P&G's four evaluation criteria (completeness, effectiveness, efficiency and acceptability) and other criteria deemed significant by participating stakeholders. The criteria for selecting the recommended plan differ, depending on the type of plan and the outputs it is seeking to achieve.*

*To ensure that the PDT has the information it needs when it needs it, the PDT must identify these decision criteria as early in the process as possible; ideally, during scoping. Fortunately, some of these criteria are easy to identify. Knowing the benefits, costs, and environmental impacts of each plan will be important as well as their contribution to your objectives and constraints. Scoping is the time for the PDT to think about the specific metrics that will be used to capture those values.*

#### 4.1 DATA AND ANALYSIS NEEDS

- Operations need to identify data and analysis needs from their perspective
- Hydropower economic analysis by HAC Economist and BPA.
- Economic analysis for other authorized purposes (Flood Risk Management, Water Supply, and Recreation).
- Analysis to determine if Hydropower (on its own) is justified, including commercial power component along with hydropower as a whole purpose (including station service and ESA benefits, etc.).
- Analysis to determine impact of deauthorization of commercial power to other Authorized Purposes.

- Analysis to determine environmental tradeoffs of deauthorization including water quality, flow and ESA habitat impacts from hydropower cessation and use of the power pool for other authorized purposes.
- Analysis of benefits of deauthorizing hydropower.
- Analysis to determine dam safety implications.
- Analysis of structural, mechanical, and dam safety constraints associated with penstock reconfiguration.
- [BPA analysis related to BPA's mission areas including commercial power marketing and transmission impacts, including grid reliability and islanding questions.](#)
- Hydrologic, hydraulic, water quality, and ESA fish passage modeling of system operations under various alternatives.

#### 4.1 SECTION 5 - UNIQUE QUESTIONS AND KEY UNCERTAINTIES

*Document any unique questions that arise or that decision makers are likely to need answered. Knowing these during the scoping phase can help ensure that data gathering and analyses to answer them are planned for and incorporated into the study scope. Key Uncertainties may be related to the Decision Criteria that will be employed and the critical information that will need to be gathered in order to evaluate, compare, and ultimately select a plan. Alternately, these may reflect the most critical study, implementation and outcome risks that the team must manage throughout the planning phase. Teams should identify these key uncertainties and scope actions necessary to incrementally reduce them as needed.*

- How is federal Interest in the hydropower purpose determined?
- [How should the WRDA language to look at disposition "in whole or in part" be interpreted? Could/should this interpretation include evaluation of commercial hydropower as a separate consideration vs hydropower as a whole?](#)
- Is there a Fed Interest in maintaining hydropower and reallocating costs? Can Cost [allocation updates](#) Apportionment be utilized as a measurer to help solve the identified problem of hydropower power being economically inefficient? Or can cost apportionment [allocation updates](#) only be considered as a measure to address balancing the remaining authorizations once deauthorization at dam is indicated.

- Can and should other potential techniques to address hydropower being economically efficient (beyond de-authorization) be brought into this WRDA disposition scope? (i.e. cost allocation updates, specific/joint cost reclassifications, creative arrangements for offloading excess energy, etc.)
  - If cost allocation updates are considered in scope, can new cost allocation methodologies designed specifically for projects already in operation be developed, considered, and used?
  - Does deauthorization of hydropower mean that we can no longer use the penstocks or produce hydropower, or just that we no longer have to? Does the disposition mean we have to remove turbines, not generate station service, etc.?
  - What is the fate of hydropower assets if hydropower is deauthorized (Will a private entity want to take them over to produce incidental power? Will they be moth balled or removed and sold?)
  - For this early phase of the study, do we assume we operate as we do currently under deauthorization without rebalancing the other purposes? Or must we formulate alternative systemwide operations to address changes associated with hydropower cessation? Is the analysis of potential changed flow and elevation targets (min flow requirements, rule curves, etc) on the table?
  - If we have to look at rebalancing the authorized purposes across the system, do we complete environmental compliance, including NEPA, or would that come later?
- 
- In proposing deauthorization of hydropower, specifically power peaking, would we consider removal of re-regulation dams?
  - Do we know whether this theoretical buyer of the hydropower facilities still have the joint-cost share responsibilities?
  - What analysis and data are needed to determine federal interest in deauthorizing hydropower at one or more dams in a multipurpose system.

What level of analysis can be performed, and questions answered, in 18-month timeline?-

- • Characterization of the baseline/existing conditions and future without project conditions considering current injunction and future BiOp and needing to avoid being pre-decisional in regard to the ongoing Willamette Valley System Environmental Impact Statement.
- Required structural and operational changes if hydropower is deauthorized.
- What is structurally and mechanically possible in regard to penstock reconfiguration if hydropower is deauthorized at a dam.
- Cost associated with penstock reconfiguration.
- Cost associated with implementation of the pool adjustments.
- Risk to transmission stability and islanded communities if hydropower is deauthorized.
- Alternative power sources to run the dam facilities if hydropower is deauthorized.
- If adverse water quality and associated ESA habitat effects from cessation of hydropower under a deauthorization scenario can be mitigated.
- Dam safety constraints and considerations associated with cessation of hydropower.
- Unanticipated issues that arise when a pool is operated below the minimum power pool more often
- Other project constraints that may make operations like deep drawdowns infeasible even after hydropower is deauthorized (e.g. sediment)
- FRM effects from removing the release capacity of the penstocks (can water be released quickly enough after a flood event if the penstock is not operational?)
  - **SECTION 6 - DECISION MILESTONE QUESTIONS (PER 2016 DISPOSITION STUDY INTERIM GUIDANCE)**

1. Does the project currently meet its authorized purposes? Why or why not?
2. Is there reason to believe that the future condition or needs will be different from those present under the current condition? How so?
3. Are there opportunities to modify the project to solve a water resources development purpose other than the one for which it was originally authorized?
4. Does the project pose a risk to public safety? What is the project's Dam Safety Action Classification (DSAC), if applicable? Describe the risk, including key risk drivers and uncertainties.
5. Are there environmental concerns or other controversies surrounding the project that will influence the scope and outcome of the study?
6. Are the real property and improvements associated with the project suitable for public uses other than water resources development? Do the real property and improvements have commercial value?
7. Are alterations to improvements likely to be necessary in order to safely dispose of the project?
8. What is the annual holding cost and anticipated transaction cost, including any rehabilitation required?
9. What other special considerations or potential liabilities exist due to retaining ownership of the project?
10. What is the level of Congressional Interest in the project and disposition study, if any?
11. What uncertainties need reduction in order to make a recommendation?
12. Are there issues of interest for the vertical team to monitor and review which would help to inform the deauthorization and disposal process?

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**From:** Marker,Doug R (BPA) - AIR-7  
**Sent:** Monday, March 13, 2023 10:43 AM  
**To:** Smith,Glen A (BPA) - PG-5; Kintz,Jesse H (BPA) - PG-5; Welch,Julee A (BPA) - LP-7; Baskerville,Sonya L (BPA) - AIN-WASH; Spear,Daniel J (BPA) - PGB-5  
**Cc:** Dondy-Kaplan,Hannah A (BPA) - AIR-7  
**Subject:** For your review and editing this week. Comments to Army for WRDA 2022 implementation - due March 21  
**Attachments:** Comment to Army on implementation guidance for WRDA 2022 Sec 8220.docx; Federal Register Notice for WRDA 2022 Implementation Guidance 2023-01043.pdf; BPA comments on Draft PEIS (3 Feb 2023).pdf; WRDA 2020 Section 218 Final Draft\_030322.docx

Here are draft comments to the Assistant Secretary of the Army for Civil Works for implementation guidance to the Corps for the provision of WRDA 2022 directing disposition studies for the hydropower purpose of the Willamette dams. I'd appreciate your review and suggestions by Wednesday in order to give to Bill Leady for his approval and signature to meet the March 21 due date. I'm happy to discuss. I'm attaching:

The Federal Register notice,  
BPA's comments on the Willamette draft EIS for attachment  
Our 2021 analysis of the effect on other project purposes from dam deauthorization

Thanks,

Doug



Draft of March 13, 2023

**Comments of the Bonneville Power Administration  
Implementation Guidance for Section 8220 of the Water Resources Development Act of 2022  
Disposition Study on Hydropower in the Willamette Valley, Oregon**

**Docket ID No. COE-2023-2002**

Ms. Amy Frantz, CEW-P  
U.S. Army Corps of Engineers, 3F91  
441 G Street, N.W.  
Washington, DC 20314

Dear Ms. Frantz,

The Bonneville Power Administration (Bonneville) appreciates the opportunity to comment on guidance for implementing section 8220 of the Water Resources Development Act of 2022. Section 8220 directs the Secretary to carry out a disposition study to determine the Federal interest in, and identify the effects of, deauthorizing hydropower as an authorized purpose in whole, or in part, of the Willamette Valley Project.

Bonneville is the Federal power marketing administration with the statutory authority and sole obligation to market hydroelectric power from the Willamette Valley project. Bonneville implements this authority to ensure an adequate, economic, and reliable power supply for regional power customers in the Pacific Northwest. Bonneville shares the interest of the U.S. Army Corps of Engineers (Corps), for timely and sufficient completion of the final Programmatic Environmental Impact Statement (EIS) for the Willamette Valley System (WVS), which is evaluating dam passage and water quality designs for anadromous fish restoration above the WVS dams as well as reservoir operational changes.

Bonneville believes that the disposition studies required by Congress, if efficiently conducted, will inform the completion of the WVS EIS by incorporating analysis of the Federal interest in commercial power generation. That analysis may inform design options that the Corps has not considered in order to preserve power generation as a project purpose.

To support timely completion of the WVS EIS, implementation guidance should guide the Corps to focus on the power purpose of the WVS dams and not introduce analysis of other project purposes that Section 8220 does not address. Implementation guidance should encourage the Corps to update the draft PEIS analysis, as described by Bonneville in its comments on the draft PEIS (attached), and rely on Bonneville's determination of the value of the commercial generation that may remain available with the limits on operations proposed by the draft PEIS.

Bonneville has also provided its assessment to the Corps that the other project purposes would not be negatively impacted by deauthorization of the project purpose. Bonneville provided this assessment to the Corps in 2021.

Bonneville also wants to reiterate points it recently provided to the Corps on the draft PEIS:

- An implementation plan for the consideration of deauthorization and cost allocation updates should be included in the final PEIS.
  - The Draft PEIS estimates the annual benefit of flood protection to be at least \$1 billion and power generation to be \$26 million, yet the power purpose's cost allocation averages around 40 percent. This estimate itself highlights the need for updated cost allocations, and should help inform the Corps of its appropriate short and long-term federal funding requests necessary to meet its most valued project purposes.
- The disposition studies should include the full scope of operational limits affecting hydropower generation. The current PEIS analysis does not reflect the significant cost impact from continued operations of the 2021 Oregon District Court injunction until the Corps completes structural measures. These operations stand to reduce the value of hydropower generation by nearly a third. Under the PEIS implementation schedules, these operational limits will be in place well into the 2040s. Having that information incorporated into the disposition studies analysis will help inform both Congress and the Final PEIS.
- Finally, Bonneville continues to urge the Corps to update structural cost estimates, which the Corps states in the Draft PEIS are likely more than double the current estimates. In addition, recent economic events of inflation, constrained supply chains, and escalated interest rates also likely impact the cost estimates.

Thank you for your consideration of these comments and please do not hesitate to contact me for any additional information or assistance.

Sincerely,

William J. Leady P.E.  
Vice President for Generation Asset Management  
Bonneville Power Administration

**From:** Baskerville,Sonya L (BPA) - AIN-WASH  
**Sent:** Thursday, April 20, 2023 1:04 PM  
**To:** Seifert,Roger E (BPA) - AIN-WASH  
**Subject:** Fwd: USACE Disposition Study Funding  
**Attachments:** 2023 Investigations Work Plan.pdf; FY24 Justification Sheets - WVS Disposition.pdf

For general awareness.

Sonya Baskerville  
 BPA National Relations

(b)(6) m

----- Forwarded message -----

From: "Smith,Glen A (BPA) - PG-5" <[gasmith@bpa.gov](mailto:gasmith@bpa.gov)>  
 Date: Apr 20, 2023 3:49 PM  
 Subject: USACE Disposition Study Funding  
 To: "Kintz,Jesse H (BPA) - PG-5" <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>,"Marker,Doug R (BPA) - AIR-7" <[drmarker@bpa.gov](mailto:drmarker@bpa.gov)>,"Welch,Julee A (BPA) - LP-7" <[jawelch@bpa.gov](mailto:jawelch@bpa.gov)>,"Baskerville,Sonya L (BPA) - AIN-WASH" <[slbaskerville@bpa.gov](mailto:slbaskerville@bpa.gov)>,"Spear,Daniel J (BPA) - PGB-5" <[djspear@bpa.gov](mailto:djspear@bpa.gov)>  
 Cc:  
 All,

Confirmed today that the disposition study in the Valley is funded through the General Investigations program. I don't believe that BPA has a repayment responsibility as the funding from this account is non-reimbursable.

I've attached the '23 Workplan which shows all of the disposition related work they are doing in the nation to include the work in the Valley. Not sure where they are getting the additional \$500K from to support the statement that they have \$1M for this work. But, could be embedded in other line items or could have been added within USACE (HQ or NWD).

STATE	DIVISION	BUSINESS PROGRAM 1/	STUDY OR PROGRAM	FY 2023 BUDGET	FY 2023 EXPLANATORY STATEMENT	ADDITIONAL WORK PLAN AMOUNT	TOTAL FY 2023 ALLOCATION	LINE ITEM OF ADDITIONAL FUNDING 1/	SUMMARY OF WORK TO BE ACCOMPLISHED WITH CONFERENCE ALLOCATION	SUMMARY OF WORK TO BE ACCOMPLISHED WITH FUNDING POT ALLOCATION
OR	NWD	2/	COUGAR AND DETROIT PROJECTS,							
OR	500,000			500,000		Continue the disposition study				

We should keep a lookout for PBUD and subsequent Congressional approved Work Plans in the future to track funding for this effort. PBUD is typically submitted late in the prior FY and Work Plan in the FY2Q or a little later in the current FY.

Also, included the justification sheets regarding WVS Disposition Studies for FY24. Substantial amount being asked for to support the studies, looks like \$3M total over the course of the project.

Glen

**Glen A. Smith**

Senior Policy Advisor | PG-5

**BONNEVILLE POWER ADMINISTRATION**

[gasmith@bpa.gov](mailto:gasmith@bpa.gov) | P 503-230-3105 | C (b)(6)



submitted in response to the agenda set forth in this notice by Monday, January 30, 2023, to be considered by the Board. The DFO will review all timely submitted written comments or statements with the Board Chair and ensure the comments are provided to all members of the Board before the meeting. Written comments or statements received after this date may not be provided to the Board until its next scheduled meeting. Please note that all submitted comments and statements will be treated as public documents and will be made available for public inspection, including, but not limited to, being posted on the Board's website.

Dated: January 13, 2023.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison  
Officer, Department of Defense.

[FR Doc. 2023-01013 Filed 1-19-23; 8:45 am]

BILLING CODE 5001-06-P

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

[COE-2023-0002]

#### Water Resources Development Act of 2022 Comment Period and Stakeholder Sessions

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Request for comments; announcement of stakeholder sessions.

**SUMMARY:** The Assistant Secretary of the Army for Civil Works (ASA (CW)) is seeking public comment on any provisions in the Water Resources Development Act (WRDA) of 2022. The Office of the ASA(CW) will consider all comments received during the 60-day public comment period in the preparation of any guidance.

**DATES:** The public comment period will end on March 21, 2023. To ensure your comment is considered during development of implementation guidance, comments should be received on or before that date. In addition, three stakeholder sessions will be held to allow the public to provide input on any provisions in WRDA 2022 at the following dates/times: February 15, 2023 from 2:00 p.m. to 4:00 p.m. Eastern; February 22, 2023 from 2:00 p.m. to 4:00 p.m. Eastern; March 1, 2023 from 2:00 to 4:00 p.m. Eastern. Please refer to the **SUPPLEMENTARY INFORMATION** section for additional information on the stakeholder sessions.

**ADDRESSES:** You may submit written comments, identified by Docket ID No. COE-2023-0002, by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov/>. Follow the online instructions for submitting comments.

*Email:* [WRDA2022@usace.army.mil](mailto:WRDA2022@usace.army.mil). Include Docket ID No. COE-2023-0002 in the subject line of the message.

*Mail:* U.S. Army Corps of Engineers, ATTN: Ms. Amy Frantz, CEW-P, U.S. Army Corps of Engineers, 3F91, 441 G St. NW, Washington, DC 20314.

*Hand Delivery/Courier:* Due to security requirements, we cannot receive comments by hand delivery or courier. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** All requests for further information on the notice and the stakeholder sessions may be directed to Mr. Gib Owen, 571-274-1929 or [gib.a.owen.civ@army.mil](mailto:gib.a.owen.civ@army.mil). Mr. Owen may also be contacted by mail at Office of the Assistant Secretary of the Army for Civil Works, 108 Army Pentagon, Washington, DC 20310-0108.

**SUPPLEMENTARY INFORMATION:** This comment period regarding WRDA 2022 (Pub. L. 117-81) is being conducted in accordance with Section 1105 of the Water Resources Development Act of 2018 (Pub. L. 115-270). A copy of WRDA 2022 can be found at: <https://www.usace.army.mil/Missions/Civil-Works/Water-Resources-Development-Act/>. The ASA(CW) and the Corps will hold focused stakeholder sessions using webinars/teleconferences by means of the web link <https://usace1.webex.com/meet/WRDA2022> and teleconference information at (844) 800-2712, Code 199 937 4287. See dates and times above. Commenters can provide information on any provision of interest during each session. Written final guidance will be available to the public on a publicly accessible website ([https://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/wrda\\_2022/](https://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/wrda_2022/)).

Michael L. Connor,

Assistant Secretary of the Army (Civil Works).

[FR Doc. 2023-01043 Filed 1-19-23; 8:45 am]

BILLING CODE 3720-58-P

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### National Wetland Plant List

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice.

**SUMMARY:** The National Wetland Plant List (NWPL) provides plant species indicator status ratings, which are used in determining whether the hydrophytic vegetation factor is met when conducting wetland delineations under the Clean Water Act and wetland determinations under the Wetland Conservation Provisions of the Food Security Act. Other applications of the NWPL include wetland restoration, establishment, and enhancement projects. To update the NWPL, the U.S. Army Corps of Engineers (USACE), as part of an interagency effort with the U.S. Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (FWS), and the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS), is announcing the availability of the proposed changes to the 2022 NWPL and its web address to solicit public comments. The public will now have the opportunity to comment on the proposed changes to wetland indicator status ratings for two plant species in the Arid West (AW) region. In addition, we are accepting comments on the proposal to move from a two-year update cycle to a three-year update cycle for the NWPL. Finally, USACE is seeking comments on the overall NWPL update process.

**DATES:** Comments must be submitted on or before March 21, 2023.

**ADDRESSES:** U.S. Army Corps of Engineers, Attn: CECW-CO-R, 441 G Street NW, Washington, DC 20314-1000.

**FOR FURTHER INFORMATION CONTACT:** Brianne McGuffie, Headquarters, U.S. Army Corps of Engineers, Operations and Regulatory Community of Practice, by phone at 202-761-4750 or by email at [brianne.e.mcguiffie@usace.army.mil](mailto:brianne.e.mcguiffie@usace.army.mil).

#### SUPPLEMENTARY INFORMATION:

##### Background

USACE administers the NWPL for the United States (U.S.) and its territories. Responsibility for the NWPL was transferred to USACE from the FWS in 2006. The NWPL has undergone several revisions since its inception in 1988. Additions or deletions to the NWPL represent new records, range extensions, nomenclatural and taxonomic changes, and newly proposed species. The latest review process began in 2022 and included review by Regional Panels (RPs) and the National Panel (NP).

##### Wetland Indicator Status Ratings

On the NWPL, there are five categories of wetland indicator status



## Department of Energy

Official File

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

POWER SERVICES

February 3<sup>rd</sup>, 2023

In reply refer to: PG-5

Liza Wells  
Deputy District Engineer for Programs and Project Management  
Portland District, United States Army Corps of Engineers  
333 SW First Ave.  
Portland, OR 97204

Dear Ms. Wells,

The Bonneville Power Administration (Bonneville) appreciates this opportunity to comment on the Draft Programmatic Environmental Impact Statement (Draft PEIS) for operations and maintenance of the Willamette Valley System.

Bonneville is participating in the development of the Draft PEIS as a cooperating agency, focusing on its expertise on the hydropower purpose of the Willamette Valley System, including hydropower generation and marketing, and electric transmission facilities and operations.

As contemplated by the Cooperating Agency Memorandum of Understanding between Bonneville and the Corps, Bonneville would like to take this opportunity to present its views on the Draft PEIS, particularly where it believes the PEIS would benefit from additional analysis. In addition to the themes discussed in this letter, Bonneville will provide the Corps with specific updates and revisions related to hydropower generation and transmission analysis in the Draft PEIS, as part of Bonneville's ongoing participation in this PEIS process as a cooperating agency. Bonneville continues to acknowledge and thank the Corps staff and leadership for its engagement and collaboration with Bonneville in the preparation of the Draft PEIS.

The Draft PEIS evaluated alternatives to achieve multiple objectives; however, none of the action alternatives to restore naturally spawning salmon and steelhead above Willamette Valley dams would maintain economical hydropower as a residual benefit of the system.

The Corps constructed the Willamette Valley System to primarily provide flood protection for Oregon communities. The system's storage capacity also provides benefits for recreation, water supply, and water quality. As the Draft PEIS notes, hydropower is a residual benefit of the Willamette Valley System, available after the Corps has optimized operations for other project purposes. The current action alternatives in the draft PEIS have outcomes which reduce the availability of hydropower generation while multiplying its costs.

Although the Draft PEIS clarifies some of the challenges of maintaining economical hydropower as a benefit of the Willamette Valley System, Bonneville believes that the Final PEIS would benefit by including specific elements to more completely capture the scope of those challenges, as well as identifying steps towards addressing them. Accordingly, Bonneville has three requests for inclusion in the Final PEIS:

- Bonneville continues to request that the Corps include in the final PEIS its implementation plan for the consideration of de-authorization and cost allocation updates at these projects. Bonneville notes the recent mandate from Congress in the 2022 Water Resources Development Act directing system-wide disposition studies of the power purpose of the Willamette dams by June 2024. Bonneville also offers the following considerations for the disposition studies:
  - Disposition studies will inform potential congressional deauthorization of power at the Willamette dams. If Congress does deauthorize power, the Corps may be able to design less costly and more effective passage routes for juvenile salmon.
  - Disposition study analysis should also inform needed cost allocation updates. Significant operational changes and the shifting economics of managing hydropower and flood control at Willamette Valley projects make cost allocation updates necessary. The Draft PEIS estimates the annual benefit of flood protection to be at least \$1 billion and power generation to be \$26 million, yet power's cost allocation averages around 40 percent. If the disposition studies, as part of assessing whether hydropower is in the federal interest, do find net economic value for remaining hydropower generation at one or more of the Willamette dams, the Corps and Bonneville should use that analysis to implement the needed appropriate cost allocation between flood risk management and power.
  - Meeting Congress' timeline for completing disposition studies by June 2024 should support implementation planning for the Final PEIS and help inform Bonneville's decisions for continued investments in the dams' power facilities. It will be important for the Corps to limit the scope of the disposition studies and focus only on the effects of deauthorizing hydropower.
- The Corps should revise the PEIS analysis to fully include the impact of the continuation of the near-term operations in the planned implementation of the final preferred alternative. The most significant impact on hydropower is the provision to continue the operations of the 2021 Oregon District Court injunction until the Corps completes structural measures, which, for some of the measures, would be well into the 2040s under the Draft PEIS implementation schedule. The current analysis does not reflect these operations which stand to reduce the value of hydropower generation by nearly a third. The Final PEIS should include revised estimates for the remaining value of hydropower generation that incorporates the near-term measures. Because these estimates are also

necessary for the disposition studies directed by Congress, their inclusion will help inform both Congress and the Final PEIS.

- Bonneville continues to urge the Corps to update structural cost estimates. The estimated costs of structures for fish passage and water temperature seem to be quite conservative. The Corps states in the Draft PEIS that it is basing cost estimates on conceptual designs and that actual costs could likely more than double. Additionally, recent economic events of inflation, constrained supply chains, and escalated interest rates make the Draft PEIS estimates likely out of date.

Again, Bonneville appreciates the Corps' collaboration during the preparation of the PEIS. This represents an important milestone for the future management of the Willamette Valley System. The system continues to provide substantial regional value through flood risk management, water supply, and recreation as its operations evolve to benefit fish and wildlife. We submit these comments with the objective of resolving the anticipated major, adverse impacts presented in the PEIS to economic and reliable power generation.

Sincerely,

William J. Leady P.E.  
Vice President for Generation Asset Management  
Bonneville Power Administration

cc: Beth Coffey  
Director of Programs  
Northwestern Division, USACE

Brad Thompson  
Chief of Planning, Environmental Resources and Fish Policy  
Northwestern Division, USACE

Jesse Kintz  
Senior Policy and Project Lead, Power Generation, Bonneville



ARMY CIVIL WORKS PROGRAM  
FY 2023 WORK PLAN • INVESTIGATIONS

STATE	DIVISION	BUSINESS PROGRAM 1/	STUDY OR PROGRAM	FY 2023 BUDGET	FY 2023 EXPLANATORY STATEMENT	ADDITIONAL WORK PLAN AMOUNT	TOTAL FY 2023 ALLOCATION	LINE ITEM OF ADDITIONAL FUNDING 1/	SUMMARY OF WORK TO BE ACCOMPLISHED WITH CONFERENCE ALLOCATION	SUMMARY OF WORK TO BE ACCOMPLISHED WITH FUNDING POT ALLOCATION
AK	POD	NHD	HOMER NAVIGATION IMPROVEMENTS, AK		300,000		300,000		Initiate the feasibility study phase	
AK	POD	NHS	SAINT GEORGE HARBOR IMPROVEMENT, ST. GEORGE, AK		2,500,000		2,500,000		Initiate the preconstruction engineering and design phase	
AK	POD	3/	SAVOONGA SUBSISTENCE HARBOR STUDY, AK				800,000		Continue the feasibility study phase	
AL	SAD	ENR	CLAIRBORNE AND MILLERS FERRY LOCKS AND DAMS (FISH PASSAGE), LOWER ALABAMA RIVER, AL	400,000	400,000		400,000		Complete the feasibility study phase	
AL	SAD	NIH	TENNESSEE TOMBIGBEE AND BLACK WARRIOR TOMBIGBEE RIVERS DEEPENING STUDY, AL & MS		2,600,000		2,600,000		Complete the feasibility study phase	
AZ	SPD	3/	NAVAJO NATION AT BIRD SPRINGS, AZ				260,000		Continue the watershed assessment	
AZ	SPD	FDRR	CAVE BUTTES DAM, AZ		200,000		200,000		Initiate the feasibility study phase	
AZ	SPD	ENR	RIO SALADO OESTE, SALT RIVER, AZ		300,000		300,000		Continue a General Reevaluation Report	
AZ	SPD	FDRC	TRES RIOS, AZ (GENERAL REEVALUATION REPORT)	500,000	500,000		500,000		Initiate a General Reevaluation Report	
CA	SPD	3/	CAHUILLA HOT SPRINGS RESTORATION, CA				240,000		Continue the feasibility study phase	
CA	SPD	3/	CLEAR CREEK ECOSYSTEM RESTORATION, CA				700,000		Continue the preconstruction engineering and design phase	
CA	SPD	2/	FRUITVALE AVENUE RAILROAD BRIDGE, CA				143,000		Initiate the disposition study	
CA	SPD	3/	LA POSTA TRIBE STORMWATER, CA				300,000		Continue the feasibility study phase	
CA	SPD	FDRR	LOWER SAN JOAQUIN (LATHROP & MANTECA), CA	600,000	600,000		600,000		Continue the feasibility study phase	
CA	SPD	FDRR	MIDDLE CREEK, CA		750,000		750,000		Continue the preconstruction engineering and design phase	
CA	SPD	FDRR	MURRIETA CREEK, CA (GENERAL REEVALUATION REPORT)	500,000	500,000		500,000		Complete a General Reevaluation Report	
CA	SPD	FDRR	NORTHERN CALIFORNIA STREAMS, LOWER CACHE CREEK, YOLO COUNTY, WOODLAND & VICINITY, CA		1,000,000	2,000,000	3,000,000	2	Continue the preconstruction engineering and design phase	Complete the preconstruction engineering and design phase
CA	SPD	NHD	OAKLAND INNER HARBOR TURNING BASIN WIDENING, CA			550,000	550,000	1		Complete the feasibility study phase
CA	SPD	FDRR	REDBANK AND FANCHER CREEKS, CA		200,000		200,000		Initiate the feasibility study phase	
CA	SPD	FDRR	SACRAMENTO RIVER, YOLO BYPASS, CA	500,000	500,000		500,000		Initiate the feasibility study phase	
CA	SPD	FDRR	SANTA PAULA CREEK, CA			250,000	250,000	1		Continue the feasibility study phase
CA	SPD	3/	YUOK BLUE CREEK RESTORATION, CA				25,000		Continue the feasibility study phase	
CT	NAD	FDRR	HARTFORD AND EAST HARTFORD, CT		1,000,000		1,000,000		Continue the feasibility study phase	
FL	SAD	FDRR	CENTRAL & SOUTHERN FLORIDA (C&SF) FLOOD RESILIENCY (SECTION 216) STUDY, FL	475,000	475,000		475,000		Continue the feasibility study phase	
FL	SAD	FDRC	CHARLOTTE COUNTY, FL		500,000		500,000		Initiate the feasibility study phase	
FL	SAD	ENR	FLORIDA KEYS, MONROE COUNTY, FL		916,000		916,000		Initiate the preconstruction engineering and design phase	
FL	SAD	FDRR	KEY BISCAYNE, FL			500,000	500,000	1		Initiate the feasibility study phase
FL	SAD	FDRC	ST. AUGUSTINE BACK BAY, FL		1,000,000		1,000,000		Continue the feasibility study phase	
GA	SAD	NHD	BRUNSWICK HARBOR, GA		1,500,000		1,500,000		Initiate and complete the preconstruction engineering and design phase	
ID	NWD	FDRR	BOISE RIVER, GARDEN CITY, ADA COUNTY, ID	300,000	300,000		300,000		Complete the feasibility study phase	
IL	LRD	FDRC	GREAT LAKES COASTAL RESILIENCY STUDY, IL, IN, MI, MN, NY, OH, PA & WI	600,000	3,000,000		3,000,000		Continue the watershed study	
IL	LRD	ENR	INTERBASIN CONTROL OF GREAT LAKES-MISSISSIPPI RIVER AQUATIC NUISANCE SPECIES, IL, IN, OH & WI			200,000	200,000	1		Vertical team coordination, stakeholder coordination and engagement, budget development and defense, public outreach, Invasive Carp Regional Coordinating Committee and Chicago Area Waterway System Advisory Committee related activities, and response to Congressional and media inquiries.
IL	LRD	ENR	SOUTH FORK OF THE SOUTH BRANCH OF THE CHICAGO RIVER, BUBBLY CREEK, IL		1,300,000		1,300,000		Initiate the preconstruction engineering and design phase	
KS	NWD	NIL	LOWER MISSOURI RIVER BASIN, KS, MO & IA	400,000	400,000		400,000		Complete the feasibility study phase	

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KY	LRD	FDRR	KENTUCKY RIVER, BEATTYVILLE, KY		800,000		800,000		Complete the feasibility study phase	
KY	LRD	FDRR	METRO LOUISVILLE FLOOD PROTECTION SYSTEM, KY			1,000,000	1,000,000	2		Initiate and complete the preconstruction engineering and design phase
LA	MVD	FDRR	LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECTION)			1,000,000	1,000,000	2		Initiate the preconstruction engineering and design phase
LA	MVD	NHD	PORT FOURCHON BELLE PASS CHANNEL, LA		303,000		303,000		Continue the Section 403 review	
LA	MVD	NHD	PORT OF IBERIA, LA		1,200,000		1,200,000		Complete the post-feasibility/validation study	
MA	NAD	FDRR	BOSTON METROPOLITAN AREA, MA			500,000	500,000	1		Continue the watershed study
MA	NAD	FDRR	CITY OF BOSTON COASTAL STORM RISK MANAGEMENT, MA	250,000	250,000		250,000		Continue the feasibility study phase	
MA	NAD	FDRR	HOOSIC RIVER BASIN, MA		200,000		200,000		Initiate the feasibility study phase	
MI	LRD	3/	BAY MILLS SHORELINE EROSION, MI				100,000		Initiate the preconstruction engineering and design phase	
MI	LRD	NHD	MENOMINEE RIVER DEEPENING, MI & WI		600,000		600,000		Continue the feasibility study phase	
MI	LRD	3/	PEAVINE CREEK STABILIZATION, POKAGON BAND - POTAWATOMI TRIBE, MI				270,000		Continue the feasibility study phase	
MN	MVD	2/	LOWER ST. ANTHONY FALLS, MISSISSIPPI RIVER, MN	550,000			550,000		Continue the disposition study	
MN	MVD	3/	MINNESOTA RIVER BANK STABILIZATION, LOWER SIOUX COMMUNITY, MN				246,000		Complete the preconstruction engineering and design phase	
MN	MVD	3/	MINNESOTA RIVER BANK STABILIZATION, UPPER SIOUX COMMUNITY, MN				680,000		Initiate the preconstruction engineering and design phase	
MO	NWD	FDRR	LITTLE BLUE RIVER BASIN, JACKSON COUNTY, MO	400,000	400,000		400,000		Complete the feasibility study phase	
MO	NWD	FDRR	LOWER MISSOURI BASIN - BRUNSWICK L-246, MO		500,000		500,000		Continue the feasibility study phase	
MO	NWD	FDRR	LOWER MISSOURI BASIN - HOLT COUNTY, MO & DONIPHAN COUNTY, KS		600,000		600,000		Continue the feasibility study phase	
MO	NWD	FDRR	LOWER MISSOURI BASIN - JEFFERSON CITY L-142, MO		500,000		500,000		Continue the feasibility study phase	
MO	MVD	ENR	ST LOUIS RIVERFRONT, MERAMEC RIVER BASIN, MO & IL		1,400,000		1,400,000		Initiate the preconstruction engineering and design phase	
MS	SAD	NHD	GULFPORT HARBOR, MS		200,000		200,000		Initiate the feasibility study phase	
NC	SAD	FDRR	BRUNSWICK COUNTY BEACHES, NC (HOLDEN BEACH)		1,000,000		1,000,000		Continue a General Reevaluation Report for Holden Beach	
NC	SAD	FDRR	BRUNSWICK COUNTY BEACHES, NC (OAK ISLAND)		500,000		500,000		Initiate a General Reevaluation Report for Oak Island	
NC	SAD	NHD	WILMINGTON HARBOR NAVIGATION IMPROVEMENTS, NC		1,500,000		1,500,000		Continue the Section 403 review	
NJ	NAD	FDRR	WHIPPANY RIVER, NJ		300,000		300,000		Initiate the feasibility study phase	
NM	NWD	3/	POTTERY MOUNDS CULTURAL PRESERVATION, NM				250,000		Continue the feasibility study phase	
NM	NWD	3/	PUEBLO OF SANTA ANA - ANCESTRAL VILLAGE CULTURAL PRESERVATION, NM				250,000		Continue the feasibility study phase	
NY	NAD	NHD	NEW YORK AND NEW JERSEY HARBOR DEEPENING AND CHANNEL IMPROVEMENTS STUDY, NY & NJ		1,000,000		1,000,000		Initiate the preconstruction engineering and design phase	
OR	NWD	2/	COUGAR AND DETROIT PROJECTS, OR	500,000			500,000		Continue the disposition study	
OR	NWD	NIH	JOHN DAY LOCK AND DAM, OR & WA (TRIBAL HOUSING)		200,000		200,000		Initiate the feasibility study phase	
OR	NWD	FDRR	PORTLAND METRO LEVEE SYSTEM, OR	3,775,000	3,775,000		3,775,000		Initiate the preconstruction engineering and design phase	
OR	NWD	FDRR	WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR		374,000		374,000		Complete the preconstruction engineering and design phase.	
RI	NAD	NHS	LITTLE NARRAGANSETT BAY, RI	600,000	600,000		600,000		Continue the feasibility study phase	
SC	SAD	FDRR	CHARLESTON PENINSULA, SC		13,325,000		13,325,000		Initiate the preconstruction engineering and design phase	
SC	SAD	FDRR	CHARLESTON, SC TIDAL AND INLAND FLOODING - FLOOD RISK MANAGEMENT		200,000		200,000		Initiate the feasibility study phase	
SC	SAD	FDRR	FOLLY BEACH, SC		500,000		500,000		Initiate the preconstruction engineering and design phase	
SC	SAD	2/	PORT ROYAL HARBOR, SC	308,000			200,000		Continue the disposition study	

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SC	SAD	FDRR	WACCAMAW RIVER, HORRY COUNTY, SC	300,000	300,000		300,000		Continue the feasibility study phase	
SD	NWD	3/	LOWER BRULE ECOSYSTEM RESTORATION NORTHEAST, ELEMENT 1, SD				200,000		Initiate the preconstruction engineering and design phase	
SD	NWD	3/	LOWER BRULE ECOSYSTEM RESTORATION NORTHEAST, ELEMENT 2, SD				200,000		Initiate the preconstruction engineering and design phase	
SD	NWD	3/	LOWER MOREAU RIVER FEASIBILITY STUDY, SD		230,000		230,000		Initiate the feasibility study phase	
SD	NWD	3/	THUNDER BUTTE FLOOD RISK RESILIENCY, SD		430,000		430,000		Continue the feasibility study phase	
SD	NWD	FDRR	WATERTOWN AND VICINITY, SD		850,000		850,000		Complete the feasibility study phase	
TN	MVD	ENR	HATCHIE/DOOAHATCHIE, MISSISSIPPI RIVER MILE 775-736 HABITAT RETORATION, TN & AR	400,000	400,000		400,000		Complete the feasibility study phase	
TX	SWD	2/	ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	200,000			200,000		Initiate the disposition study	
TX	SWD	NHD	MATAGORDA SHIP CHANNEL, TX (DEFICIENCY CORRECTION)			1,400,000	1,400,000	1		Initiate the Supplemental Environmental Impact Statement
TX	SWD	WTR	WHITNEY LAKE, TX	200,000	200,000		200,000		Initiate the feasibility study phase	
VA	NAD	NIL	ATLANTIC INTRACOASTAL WATERWAY, NORTH LANDING BRIDGE, VA		5,000,000		5,000,000		Initiate the preconstruction engineering and design phase	
VA	NAD	NHD	NORFOLK HARBOR AND CHANNELS, VA (ELIZABETH RIVER AND SOUTHERN BRANCH)			100,000	100,000	1		Revisit the design assumptions and update the project costs for the Elizabeth River and Southern Branch
VI	SAD	NHD	CHRISTIANSTED HARBOR, VI		200,000		200,000		Initiate a General Reevaluation Report	
WA	NWD	NIH	BONNEVILLE LOCK AND DAM, WA (TRIBAL HOUSING)		100,000		100,000		Initiate the feasibility study phase	
WA	NWD	NHD	COLUMBIA RIVER TURNING BASIN NAVIGATION IMPROVEMENTS, WA & OR		900,000		900,000		Complete the feasibility study phase	
WA	NWD	NHD	TACOMA HARBOR, WA		1,500,000		1,500,000		Initiate the preconstruction engineering and design phase	
WI	MVD	3/	BIG SAND LAKE SHORELINE STABILIZATION, WI				122,000		Initiate and complete the preconstruction engineering and design phase	
WV	LRD	FDRR	UPPER GUYANDOTTE FEASIBILITY STUDY, WV		250,000		250,000		Initiate the feasibility study phase	
WY	NWD	ENR	LITTLE GOOSE CREEK, SHERIDAN, WY	1,000,000	1,000,000		1,000,000		Complete the feasibility study phase	
XX	ERDC	RI	ACCESS TO WATER DATA	325,000	325,000		325,000		Provide access to water resources data to the public.	
XX	HQ	RI	AUTOMATED INFORMATION SYSTEMS SUPPORT TRI-SERVICE CADDISGIS TECHNOLOGY CENTER	250,000	250,000		250,000		Develop and publish geospatial standards.	
XX	ERDC	RI	COASTAL FIELD DATA COLLECTION	660,000	3,660,000		3,660,000		Systematically measure, analyze, and assemble long-term coastal data that field offices use to accomplish the Corps mission in coastal navigation and storm damage reduction (\$1.83 million); continue data collection and research on the impact of extreme storms in coastal regions (\$1.83 million).	
XX	HQ	RI	COORDINATION WITH OTHER WATER RESOURCE AGENCIES	600,000	1,000,000		1,000,000		Participation in multi-agency and/or national water resources initiatives such as the Gulf of Mexico, Chesapeake Bay, and the CALFED Bay-Delta Program. Funds are also included for continued collaboration with other Federal agencies and stakeholders.	
XX	HQ	RI	DISPOSITION OF COMPLETED PROJECTS	2,000,000	1,593,000		[1,593,000]		Undertake disposition studies needed to identify necessary actions to safely dispose of infrastructure. Funded studies are listed individually under the State and Project the study is being conducted.	
XX	IWR	RI	ENVIRONMENTAL DATA STUDIES	80,000	80,000		80,000		Maintain a web-based geospatial data system that displays national ecological data.	
XX	MVD	RI	FERC LICENSING	100,000	100,000		100,000		Conduct reviews of Federal Energy Regulatory Commission (FERC) preliminary permit & license applications for development of hydroelectric power.	
XX	IWR	RI	FLOOD DAMAGE DATA	275,000	275,000		275,000		Collect and maintain basic flood damage data to support research efforts and to inform specific project studies.	
XX	HQ	RI	FLOOD PLAIN MANAGEMENT SERVICES	20,000,000	20,000,000		20,000,000		Provide site-specific flood and flood plain data and assistance to State and local communities.	

ARMY CIVIL WORKS PROGRAM  
FY 2023 WORK PLAN - INVESTIGATIONS

STATE	DIVISION	BUSINESS PROGRAM 1/	STUDY OR PROGRAM	FY 2023 BUDGET	FY 2023 EXPLANATORY STATEMENT	ADDITIONAL WORK PLAN AMOUNT	TOTAL FY 2023 ALLOCATION	LINE ITEM OF ADDITIONAL FUNDING 1/	SUMMARY OF WORK TO BE ACCOMPLISHED WITH CONFERENCE ALLOCATION	SUMMARY OF WORK TO BE ACCOMPLISHED WITH FUNDING POT ALLOCATION
XX	MVD	RI	HYDROLOGIC STUDIES	500,000	500,000		500,000		Collect and study basic hydrologic data for major storm events or special hydrologic processes; Develop flood inundation data for improved real time flood forecasting.	
XX	HQ	RI	INTERAGENCY WATER RESOURCE DEVELOPMENT	10,000	10,000		10,000		Coordinate with potential non-Federal sponsors.	
XX	IWR	RI	INTERNATIONAL WATER STUDIES	85,000	85,000		85,000		Participation in and support of boundary water treaties and related international agreements between the United States and Canada.	
XX	IWR	RI	INVENTORY OF DAMS	500,000	500,000		500,000		Maintain and administer the National Inventory of Dams database and web site.	
XX	IWR	RI	NATIONAL FLOOD RISK MANAGEMENT PROGRAM	6,400,000	6,400,000		6,400,000		Support the participation of the Corps in interagency technical and policy coordination groups on issues of flood risk management at the national and state levels, including the state-led intergovernmental Silver Jacket teams, which support state and local community efforts to address their flood hazard mitigation priorities.	
XX	IWR	RI	NATIONAL SHORELINE MANAGEMENT STUDY		1,350,000		1,350,000		Support the Coastal Systems Portfolio Initiative, including a study and report on how beneficial uses of dredged material for noncontiguous states and territories can be applied to mitigate rising sea levels, including impacts on sensitive shoreline areas.	
XX	HQ	RI	PLANNING ASSISTANCE TO STATES	11,000,000	11,000,000		11,000,000		Provide planning and technical assistance to States and local communities for a wide variety of water resource efforts, including watershed activities benefiting environmental restoration, flood risk management, and other watershed resources. Funds are also provided for planning-level technical assistance to coastal Federally recognized tribal communities that are actively working to relocate homes and other critical infrastructure to higher ground to mitigate the impacts of climate change.	
XX	HQ	RI	PLANNING SUPPORT PROGRAM	3,500,000	3,500,000		3,500,000		Support Planning Associates Program, Planning Centers of Expertise, and Planning Modernization efforts (\$2.5 million). Continue to integrate climate preparedness and resilience into planning policy for the development of Civil Works projects that reduce the potential vulnerabilities of communities to the effects of climate change (\$1 million).	
XX	IWR	RI	PRECIPITATION STUDIES	150,000	150,000		150,000		Conduct hydro-meteorological studies coordination/support with the National Weather Service.	
XX	ERDC	RI	REMOTE SENSING / GEOGRAPHIC INFORMATION SYSTEM SUPPORT	75,000	2,175,000		2,175,000		Provide technical support within the Corps for remote sensing and GIS.	
XX	ERDC	RI	RESEARCH AND DEVELOPMENT	15,000,000	39,000,000		39,000,000		Research and development of technologies and techniques that will promote significant monetary savings and greater reliability, safety, enhanced efficiency, and environmental sustainability in planning, design, construction, operation and maintenance of civil works activities including biopolymers to reduce the cost of rehabilitating and maintaining and to strengthen earthen infrastructure (\$6 million); advanced technology to automate assessment and inspection of flood control systems (\$5 million); innovative materials as discussed in section 1173 of the Water Infrastructure Improvements for the Nation Act (\$1.5 million); geochemical, geophysical, and sedimentological analysis and modeling (\$4 million); modernizing existing Corps coastal and hydraulics models and integrating them to make them more accessible for use by others (\$5 million); effective restoration strategies for oyster reef restoration (\$1.5 million); and post-wildfire and debris flow urban flood damage reduction in arid regions (\$3 million).	

ARMY CIVIL WORKS PROGRAM  
FY 2023 WORK PLAN - INVESTIGATIONS

STATE	DIVISION	BUSINESS PROGRAM 1/	STUDY OR PROGRAM	FY 2023 BUDGET	FY 2023 EXPLANATORY STATEMENT	ADDITIONAL WORK PLAN AMOUNT	TOTAL FY 2023 ALLOCATION	LINE ITEM OF ADDITIONAL FUNDING 1/	SUMMARY OF WORK TO BE ACCOMPLISHED WITH CONFERENCE ALLOCATION	SUMMARY OF WORK TO BE ACCOMPLISHED WITH FUNDING POT ALLOCATION
XX	NAD	RI	RIVER BASIN COMMISSIONS		715,000		715,000		Funding to support the Delaware Basin Commission.	
XX	ERDC	RI	SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	50,000	50,000		50,000		Gather and disseminate information generated by the Army Corps of Engineers Civil Works as required by P.L. 99-802, Federal Technology Transfer Act of 1986.	
XX	HQ	RI	SPECIAL INVESTIGATIONS	750,000	750,000		750,000		Respond to general inquiries from members of the public on the work of the Civil Works program outside the scope of a specific Corps study, project, or program.	
XX	IWR	RI	STREAM GAGING	1,350,000	1,350,000		1,350,000		Pay USGS to gather data and operate and maintain approximately 150 existing stream gaging stations, including repair and replacement, at locations not directly associated with a project that the Corps owns or with a particular Corps study, in order to assist the Corps by improving its general understanding of flood risk in those watersheds.	
XX	IWR	RI	TRANSPORTATION SYSTEMS	1,000,000	1,000,000		1,000,000		Fund information and technical services and support for navigation projects.	
XX	HQ	RI	TRIBAL PARTNERSHIP PROGRAM	500,000	6,854,000		2,211,000		Funds will be used to initiate, continue, and complete studies with Tribes (\$5,303,000). Funded studies are listed individually under the State and Project the study is being conducted. The remaining \$2,211,000 will be used to fund eligible work that arises during the remainder of FY 2023.	
<b>GRAND TOTAL</b>					<b>165,000,000</b>	<b>7,500,000</b>	<b>172,500,000</b>			

1/ KEY:	FUNDING POT NAME
1	Additional Funding
2	Flood and Storm Damage Reduction
FDRC	FLOOD DAMAGE REDUCTION COASTAL
FDRR	FLOOD DAMAGE REDUCTION RIVERINE
NHD	COASTAL NAVIGATION DEEP DRAFT
NHS	COASTAL NAVIGATION SHALLOW DRAFT
NIH	INLAND WATERWAYS HIGH USE
NIL	INLAND WATERWAYS LOW USE
RI	REMAINING ITEM

2/ The studies funded in Disposition of Completed Projects are listed individually under the State and Project where the study is being conducted.  
3/ The studies funded in the Tribal Partnership Program are listed individually under the State and Project where the study is being conducted.

**From:** [Kintz, Jesse H \(BPA\) - PG-5](#)  
**To:** [Baskerville, Sonya L \(BPA\) - AIN-WASH](#); [Marker, Doug R \(BPA\) - AIR-7](#); [Spear, Daniel J \(BPA\) - PGB-5](#); [Maslow, Jeffrey J \(BPA\) - EC-4](#); [Mai, Amy E \(BPA\) - EC-4](#); [Nagra, Angad S \(BPA\) - LN-7](#); [Senters, Anne E \(BPA\) - LN-7](#); [Biegel, Sarah T \(BPA\) - EC-4](#)  
**Cc:** [Welch, Julee A \(BPA\) - LP-7](#); [Todd, Wayne A \(BPA\) - PGA-6](#); [Ashby, Gordon S \(BPA\) - PGA-6](#); [Smith, Glen A \(BPA\) - PG-5](#)  
**Subject:** FW: BPA input on Corps' Willamette disposition "6 pieces of paper"  
**Date:** Wednesday, April 26, 2023 6:02:00 PM  
**Attachments:** [D - 6 pieces of paper - Willamette Disposition Study DRAFT April 11 2023 Charette \(BPA Input\).rtf](#)

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FYI

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**From:** Kintz, Jesse H (BPA) - PG-5  
**Sent:** Wednesday, April 26, 2023 11:22 AM  
**To:** Janes, Kelly A CIV USARMY CENWP (USA) <Kelly.A.Janes@usace.army.mil>; Tackley, Kathryn L CIV USARMY CENWP (USA) <Kathryn.L.Tackley@usace.army.mil>  
**Cc:** bradley.e.thompson@usace.army.mil; Welch, Julee A (BPA) - LP-7 <jawelch@bpa.gov>; Smith, Glen A (BPA) - PG-5 <gasmith@bpa.gov>; Ashby, Gordon S (BPA) - PGA-6 <gsashby@bpa.gov>; Todd, Wayne A (BPA) - PGA-6 <watodd@bpa.gov>  
**Subject:** BPA input on Corps' Willamette disposition "6 pieces of paper"

Hello Kelly and Kathryn,

I've attached BPA's input on the Willamette Valley Hydropower Project Disposition Study 6 Pieces of Paper Document, as a follow up to the Corps' invite during the charrette to provide comments.

BPA's input – which includes both comments and suggested edits via tracked changes - is meant to be informal and provides some suggestions to achieve completeness of the problems/opportunities/objectives/constraints/etc., as well as potential distinctions and possibilities to consider which may help streamline the scope. We hope it is helpful to the Corps as you continue working on the (somewhat daunting!) task of refining the scope and approach for this effort and getting approval on this document.

I've cc'd Brad Thompson for awareness as BPA continues to meet monthly with the NWD/NWP group he is leading to coordinate on items related to the disposition study and Willamette hydropower in general.

Please reach out to me if you have any questions or if a follow up discussion to clarify any of our input would be helpful.

-Jesse

## **Jesse Kintz**

Power Generation – Senior Policy and Project Lead | [PG-2]

**BONNEVILLE POWER ADMINISTRATION**

[bpa.gov](http://bpa.gov) | P 503-230-3340 | C (b) (6)

**From:** [Marker,Doug R \(BPA\) - AIR-7](#)  
**To:** [Seifert,Roger E \(BPA\) - AIN-WASH](#)  
**Subject:** FW: CRFM Cougar Downstream Fish Passage Project Reclassification -- Attorney/Client Communication -- Do Not Release Under FOIA  
**Date:** Wednesday, March 1, 2023 10:36:00 AM  
**Importance:** High

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Hi Roger – This follows up the notice Dan gave us on Monday of the likely \$5 million charge we could see for the Cougar downstream fish passage design. I think these new costs – and their astonishing price tag – may not be as qualified for treatment under WRDA 2022, but wonder what you think.

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**From:** Spear,Daniel J (BPA) - PGB-5 <djspear@bpa.gov>  
**Sent:** Wednesday, March 1, 2023 10:28 AM  
**To:** Eggimann,Scott A (BPA) - FRF-2 <saeggimann@bpa.gov>; Welch,Julee A (BPA) - LP-7 <jawelch@bpa.gov>; Sinters,Anne E (BPA) - LN-7 <aesinters@bpa.gov>; Nagra,Angad S (BPA) - LN-7 <ASNagra@bpa.gov>  
**Cc:** Lindgren,Brenda M (BPA) - FRF-2 <bmlindgren@bpa.gov>; Rice,Cara N (BPA) - FRF-2 <cnrice@bpa.gov>; Sullivan,Leah S (BPA) - PGB-5 <lsullivan@bpa.gov>; Kintz,Jesse H (BPA) - PG-5 <jhkintz@bpa.gov>; Chase,Luke B (BPA) - PGAF-6 <lbchase@bpa.gov>; Marker,Doug R (BPA) - AIR-7 <drmarker@bpa.gov>; Baskerville,Sonya L (BPA) - AIN-WASH <slbaskerville@bpa.gov>; Brown II,George L (BPA) - PGA-6 <glbrown@bpa.gov>; Todd,Wayne A (BPA) - PGA-6 <watodd@bpa.gov>; Norris,Tony (BPA) - PGPO-5 <ranorris@bpa.gov>; Seifert,Roger E (BPA) - AIN-WASH <reseifert@bpa.gov>  
**Subject:** RE: CRFM Cougar Downstream Fish Passage Project Reclassification -- Attorney/Client Communication -- Do Not Release Under FOIA  
**Importance:** High

***Attorney/Client Communication -- Do Not Release Under FOIA***

**Hello:**

I had a conversation with the Corps' Willamette PM, Ida Royer, today on additional upcoming Willamette CRFM items that will likely change into "expense" and hit BPA's rates in the next few years.

To start with, Ida explained that each project has a charter and when that charter ends then the costs accrued in support of it become expense and the power share hits BPA's rates.

1.) Cougar Floating Surface Collector (FSC)

The EIS/BA action for a Cougar Diversion Tunnel represents a new "charter" for Cougar downstream passage. I asked if all the RME was specific to the FSC and Ida indicated that it was (i.e. studying fish in the CGR cul de sac and not just basic periodicity).

2.) Foster Fish Weir

This construction project resulted in a weir that has been useful for temperature control but has failed at fish passage. There is another broad "downstream passage" effort that is starting at Foster,

which means that the old charter is done. Closing out the prior Foster Fish Weir effort has been complicated by Covid and SHPO requirements for an “historic” 50 year old crane, but I would suspect this will be expense soon... possibly this FY or next.

### 3.) RME

This is the big one. The Corps has five RME Charters (one for each subbasin and one for the system as a whole) and many efforts have been put into the RME bucket(s). For instance, the design/study for a Head of Reservoir Collector (HORC) at LOP that was ultimately deemed infeasible is RME. As is the Portable Floating Fish Collector (PFFC) at Cougar. Overall, Ida estimated that there is **\$250 million of RME** that is likely to become expense soon (perhaps in the next one to three FYs), as future RME efforts are geared towards items in the new EIS/BA/BiOp and efforts from the 2008 BiOp are “closed”. With the aggregate BPA power share at ~40%, that would equate to \$100M entering BPA’s rates over the next one to three FYs (the actual power share is calculated on a project-by-project basis; I think it is likely that the aggregate will be more than 40%). I asked Ida to give BPA as much forewarning as possible about the closing of RME charters as the expenses that will hit BPA’s rates, on their own, will almost assuredly raise rates.

Best Regards,

Daniel Spear

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**From:** Spear, Daniel J (BPA) - PGB-5

**Sent:** Friday, February 24, 2023 12:45 PM

**To:** Eggimann, Scott A (BPA) - FRF-2 <[saeggimann@bpa.gov](mailto:saeggimann@bpa.gov)>; Welch, Julee A (BPA) - LP-7 <[jawelch@bpa.gov](mailto:jawelch@bpa.gov)>; Sinters, Anne E (BPA) - LN-7 <[aesinters@bpa.gov](mailto:aesinters@bpa.gov)>; Nagra, Angad S (BPA) - LN-7 <[ASNagra@bpa.gov](mailto:ASNagra@bpa.gov)>

**Cc:** Lindgren, Brenda M (BPA) - FRF-2 <[bmilindgren@bpa.gov](mailto:bmilindgren@bpa.gov)>; Rice, Cara N (BPA) - FRF-2 <[cnrice@bpa.gov](mailto:cnrice@bpa.gov)>; Sullivan, Leah S (BPA) - PGB-5 <[lsullivan@bpa.gov](mailto:lsullivan@bpa.gov)>; Kintz, Jesse H (BPA) - PG-5 <[jhkintz@bpa.gov](mailto:jhkintz@bpa.gov)>; Chase, Luke B (BPA) - PGAF-6 <[lbchase@bpa.gov](mailto:lbchase@bpa.gov)>; Marker, Doug R (BPA) - AIR-7 <[drmarker@bpa.gov](mailto:drmarker@bpa.gov)>; Baskerville, Sonya L (BPA) - AIN-WASH <[slbaskerville@bpa.gov](mailto:slbaskerville@bpa.gov)>; Brown II, George L (BPA) - PGA-6 <[glbrown@bpa.gov](mailto:glbrown@bpa.gov)>; Todd, Wayne A (BPA) - PGA-6 <[watodd@bpa.gov](mailto:watodd@bpa.gov)>; Norris, Tony (BPA) - PGPO-5 <[ranorris@bpa.gov](mailto:ranorris@bpa.gov)>

**Subject:** RE: CRFM Cougar Downstream Fish Passage Project Reclassification -- Attorney/Client Communication -- Do Not Release Under FOIA

***Attorney/Client Communication -- Do Not Release Under FOIA***

Hello Scott:

The CRFM Cougar Downstream Fish Passage Project in reference to the efforts to build a floating surface collector (FSC) at Cougar Dam that have been ongoing since inception of the 2008 Willamette BiOp. The Corps’ Proposed Action in the current Willamette draft EIS (and draft BA) calls



for Cougar reservoir to be drawn down to the Diversion Tunnel. The Diversion Tunnel itself will be modified to accommodate fish passage. It appears from Ms. Thomas' email that the updated stratagem for downstream passage in the Corps' draft EIS/BA is now formal enough to demarcate the end of efforts to construct the FSC and, in the Corps' opinion, these two efforts are separate and not an evolution of the goal of successful downstream fish passage at Cougar that have been adjusted in light of new information and knowledge.

I do not know how the choice to reclassify CIP costs to expense is made, or how various actions associated with the effort to build the FSC are "rolled up" into the \$21M figure cited in Ms. Thomas' email, but here is some pertinent information that may be helpful going forward:

1.) No construction ever took place.

The \$21M would be entirely design costs and, likely, RME associated with the design. (Note: There is a "Portable Floating Surface Collector" at Cougar, but this was an entirely different research item that has a separate line item from the Cougar FSC in CRFM budgets.) There is no "asset," performing or otherwise, that resulted from the money spent.

2.) Some RME for the FSC may be pertinent to passage strategies at Cougar

-

It is unclear what, if any, RME was associated with the FSC effort is included in the \$21M. Much of the initial research done at Cougar was for "baseline" information on periodicity of juvenile salmon in upstream reaches and in the reservoir (basically, where the fish are located and at what time). In my opinion, this data would be pertinent to any downstream passage effort and, if it was included in the \$21M figure, it should be removed.

3.) There are two upcoming Disposition Studies on the power purpose of the Willamette Dams, one for Cougar and one for the whole system.

The Diversion Tunnel passage action will permanently eliminate power production at Cougar Dam. As such the Corps has incorporated a "Disposition Study" on the power purpose at Cougar Dam to ascertain if there is still a "federal interest" in maintaining it into its PA.

In addition, there is a systemwide disposition study that the Corps will conduct to determine the "federal interest" in maintaining the power purpose for the entire system that was mandated by Congress in the 2022 WRDA.

To the best of my knowledge, such a study has never been conducted at any FCRPS or other federal dam. So it is unclear what, if any, impact the outcome of the disposition studies may have on recent expenditures at Cougar or elsewhere.

This is the first that I am hearing about the CAP to expense changes, but I will loop you all in as I hear more.

Please let me know if you have any questions.

Best Regards,

Daniel Spear

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**From:** Eggimann,Scott A (BPA) - FRF-2 <[saeggimann@bpa.gov](mailto:saeggimann@bpa.gov)>  
**Sent:** Friday, February 24, 2023 9:24 AM  
**To:** Spear,Daniel J (BPA) - PGB-5 <[djspear@bpa.gov](mailto:djspear@bpa.gov)>  
**Cc:** Lindgren,Brenda M (BPA) - FRF-2 <[bmilindgren@bpa.gov](mailto:bmilindgren@bpa.gov)>; Rice,Cara N (BPA) - FRF-2 <[cnrice@bpa.gov](mailto:cnrice@bpa.gov)>  
**Subject:** FW: CRFM Cougar Downstream Fish Passage Project Reclassification

Hi Dan,

I just heard about the \$5m power CAP to EXP below. This will increase BPA's Treasury Payment on 9/30/22 by \$5m, or will need to be converted to a regulatory asset to absorb the cost over years.

I assume you're the BPA contact Sarah mentions below. We're out of the loop. Can you update us as this progresses?

Thanks!

**Scott Eggimann**

ASPRJ Lead Accountant | Federal Partner Accounting (FRF-2)  
Bonneville Power Administration  
E [saeggimann@bpa.gov](mailto:saeggimann@bpa.gov) | P 503-230-4641 | C 503-622-9878

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**From:** Thomas, Sarah L CIV USARMY CENWP (USA) <[Sarah.L.Harnitchek@usace.army.mil](mailto:Sarah.L.Harnitchek@usace.army.mil)>  
**Sent:** Friday, February 24, 2023 9:08 AM  
**To:** Eggimann,Scott A (BPA) - FRF-2 <[saeggimann@bpa.gov](mailto:saeggimann@bpa.gov)>  
**Cc:** Pierce, Hannah C CIV USARMY CENWP (USA) <[Hannah.C.Pierce@usace.army.mil](mailto:Hannah.C.Pierce@usace.army.mil)>; Layman, Nicholas L CIV USARMY CENWP (USA) <[Nicholas.L.Layman@usace.army.mil](mailto:Nicholas.L.Layman@usace.army.mil)>  
**Subject:** [EXTERNAL] CRFM Cougar Downstream Fish Passage Project Reclassification

Scott,

In summary of what we discussed this morning, the CRFM Cougar Downstream Fish Passage Project will be reclassified from capital to expense this FY. This is due to the project termination. The costs in CIP are no longer intended to be used to /construct an asset going forward.

The project itself will either go the direction of a similar asset with entirely new design needs, not utilizing any of the costs currently expended, OR it will be permanently terminated. In either case, the project will necessitate reclassification of the roughly \$21M in CIP costs to expense. BPA's

portion is 23% for that project therefore this will equate to just under \$5M as the BPA portion.

The project managers at USACE will be communicating further about this with their BPA contacts in the near future as well.

If details are needed on the reclassification transaction, Hannah will be able to provide them.

Sarah (Harnitchek) Thomas, CPA, CDFM  
Finance and Accounting Officer  
USACE, Portland District  
503-808-4472