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### **Q1-2023 LOPP Update**

1. Since September, Cat Creek Energy, LLC (“CCE”) has continued to engage stakeholders who made study requests to more fully understand the scope of studies requested and define their nexus to the project. CCE held in-person meetings (though some attended remotely) with the Bureau of Reclamation, the state of Idaho, and the U.S. Fish and Wildlife Service on October 3-4, 2022, to discuss the Proposed Study Plan (“PSP”). One of the outcomes of these meetings was an agreement by all parties to have smaller multi-agency meetings focused on proposed studies in specific resource areas. CCE set up six interagency technical working groups (“TWG”s) to consult on aquatic resources (water quality and quantity), fisheries, terrestrial resources, recreation, geology, and cultural resources. Each TWG met at least once to provide information and recommendations during the preparation of this PSP. Some TWGs met on multiple occasions to discuss the preparation of resource studies for the PSP.
2. CCE also hosted an on-site visit at the proposed Project location on October 5, 2022. Interested stakeholders toured Anderson Ranch Dam and the CCE Project site. The tour was well attended, with approximately 50 attendees from 9 different stakeholder groups, not including the CCE team and its consultants.
3. CCE considered the stakeholder input received in these in-person and subsequent TWG meetings, and prepared study plans in response. Draft study plans were shared with members of the TWGs, and CCE received comments from TWG members into December. The large volume of study requests and comments that were submitted require careful and diligent consideration. For this reason, CCE requested that FERC extend the deadline for filing the PSP from December 12, 2022, to January 26, 2023.

On December 2, FERC granted this request, in which case the subsequent Scoping Process dates are adjusted accordingly.

4. The subsequent FERC public meeting on February 22 & 23, 2023 addressed a number of concerns by the participants for a final PSP formulation. The exercise determined that the best approach for CCE necessitated waiting for additional comments to be filed by 26-April in order to gauge next steps, especially in light of whether or not what was conveyed in those two days of meetings were explained in detail with the 26-April filings. After a quick review, there is still much to be done in determining what is the appropriate scope of the study plan necessary in order to be in compliance with the FERC guidelines. A further review of the PSP requests reflects a need for more serious interaction to not only determine precisely what should be included within the four corners of the PSP, but also to once again, give transparency as to how the facility is going to function and the underlying conditions that should be the foundation of the efficacy of any study to determine the scope of potential environmental impact. CCE has also changed its position that FERC will be the arbiter of what is going to be needed in the Study Plan, necessitating additional meetings with stakeholders by CCE along with at least one more all-hands meeting initiated by FERC or CCE. Therefore, in the next few days, CCE will be asking FERC for a timeline to amass, aggregate, assess, and respond to the far reaching scope proposed in these PSP requests.
5. In brief, the expansive PSP scope of the study plan requests will be met by a submission to FERC that will focus on addressing the new, revised, or amended PSP responses by stakeholders.
6. What has not changed is an agreement to install monitoring devices that Cat Creek Energy will need for most of the proposed requests, to work with Reclamation on its monitoring equipment installation, and to determine what interaction will be necessary for the FERC approved Study Plan.
7. In a letter of December 2, 2022, the United States Forest Service Supervisor, Tawnya Brummett, notified CCE that because its top priority is to treat hazardous fuels on National Forest System lands over the next 5-7 years, that directive after the CCE submission to the USFS on a land exchange proposal, that the USFS has little capacity to undertake discretionary projects, including our proposed land exchange. The rational option is a land exchange, given the permanency of a one hundred year lifespan facility, and while CCE has other options including FERC's approval of location on USFS/USBR lands, the preferred pathway of a land exchange should be the preferred option of the USFS and those who recreate on public lands in the area. More generally, the USFS has an over-riding commitment to combatting climate change (a principal source of hazardous fuel build-up) as do other federal agencies; the CCE

Project helps make good on this commitment and thus be part of a hazardous fuels reduction program.

8. On April 19, 2023, USFS has now determined that a cost recovery is necessary to proceed with the Integrated Resource Plan and has presented it to CCE. CCE is reviewing both context and content.
9. The following remains the same with a slight slippage as to Notice to Proceed. As of late December, the output equivalent of the energy supply for 20% [131,000] of all the households in Idaho has been spoken for. Phased construction of CCE's portfolio of the Variable Renewable Energy resources will commence in Q3-2023.
10. Final plat design can now be established on the Variable Renewable Energy resource sites in Elmore County and CCE will finish its list of deliverables for the Elmore County Land Use and Building Department to clarify certain parameters of its agreements with the County in connection with its issuance of Project building permits and proceed with any final hearings updates as mandated by the Elmore County Commission.

The activity in Q2 Fiscal Year 2022/2023 for Reclamation [Q1-2023 for CCE] has been robust leading to events that help shape the course of Idaho's future in fulfilling both the federal and state role in the clean energy transition and addressing needed water storage.

Regards,



James Carkulis

Cc: Cat Creek Energy, LLC

