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**VIA ELECTRONIC FILING**

November 30, 2022

KIMBERLY D. BOSE  
SECRETARY  
FEDERAL ENERGY REGULATORY COMMISSION  
888 FIRST STREET, NE  
WASHINGTON, DC 20426

Re: Skagit River Hydroelectric Project, FERC Project No. 553-235 – Draft License Application

Dear Secretary Bose:

In accordance with the Federal Energy Regulatory Commission's (FERC or Commission) regulations at 18 CFR § 5.16(c), the City of Seattle, Washington, through its City Light Department (City Light), hereby files with the Commission its Draft License Application (DLA) for the relicensing of the Skagit River Hydroelectric Project (FERC Project No. 553) (Project).

The Project is located in the upper Skagit River watershed. The Skagit River is the traditional territory of several Indian Tribes and Canadian First Nations. The watershed and surrounding ecosystem support vital runs of anadromous fish that are key to the cultural, spiritual, and economic health of Indian Tribes. These anadromous fish, especially Chinook Salmon, are also important to other area residents, endangered Southern Resident Orca whales, and the entire Puget Sound ecosystem. Recognizing this, City Light has embraced an ecosystem approach to relicensing looking beyond what is strictly required under the FERC study criteria and focusing its relicensing studies to inform decisions on operating the Project over the next 40-50 years.

The Project consists of three power-generating developments on the Skagit River—Ross, Diablo, and Gorge—and associated lands and facilities. The Project also includes: two City Light-owned towns, the North Cascades Environmental Learning Center, several recreation facilities, and several thousand acres of fish and wildlife mitigation lands. The Project generating facilities are entirely within the Ross Lake National Recreation Area, which is administered by the National Park Service as part of the North Cascades National Park. Approximately one mile of Ross Lake, the upper-most Project reservoir, is in British Columbia.

The three Skagit generating developments are hydraulically coordinated to act as a single project and supply approximately 20 percent of City Light's power requirements. The Project generates dispatchable, reliable, and non-emitting hydropower that contributes to the Pacific Northwest region having some of the least carbon-emitting electricity generation in the country. The Project

plays an important role in the regional energy market by integrating renewable resources and providing generation reserves.

The current license for the Project expires on April 30, 2025. In January 2019, City Light began a voluntary Study Plan Development Process with resource agencies, Indian Tribes, Canadian First Nations, and other interested parties (collectively, licensing participants or LPs) in advance of the formal relicensing process to identify resource issues that warrant study during relicensing. City Light filed a Notice of Intent to relicense the Project and Pre-Application Document (PAD) on April 27, 2020. Following the filing of its PAD, City Light continued meeting with LPs to discuss studies necessary to inform the relicensing process. City Light filed the Proposed Study Plan (PSP) on December 8, 2020. The PSP included a suite of 28 relicensing studies and responded to study requests from LPs. After extensive PSP meetings and careful review of LP comments on the PSP, City Light significantly expanded and modified its PSP in the Revised Study Plan (RSP) filed on April 7, 2021, which included a proposed suite of 33 relicensing studies. Following the filing of the RSP, City Light continued to work with LPs to attempt to resolve outstanding areas of disagreement regarding the proposed studies. On June 9, 2021, City Light filed a "Notice of Certain Agreements on Study Plans for the Skagit Relicensing" detailing additional modifications to the RSP that were agreed to between City Light and supporting LPs. FERC issued its study plan determination on July 16, 2021, approving with modifications City Light's RSP. No study disputes were filed with FERC.

City Light filed its Initial Study Report (ISR) on March 8, 2022, held ISR meetings March 21-23, 2022, and filed an ISR meeting summary on April 7, 2022. A number of LPs filed comments on the ISR and meeting summary, including requests for study modifications and new studies. On August 8, 2022, the Director of the Office of Energy Projects issued a Determination on Requests for Study Modifications adopting one requested study modification in full and one in part and declining to approve the remaining modifications and requests for new studies. City Light is implementing these study modifications and expects to file an Updated Study Report on March 8, 2023.

The enclosed DLA presents City Light's initial proposal for Project operations and non-operations protection, mitigation, and enhancement (PME) measures for inclusion in the new license. These proposed PME measures have been informed by the relicensing studies and other available information, together with City Light's continued dialogue with several Indian Tribes, Canadian First Nations, federal and state agencies, and other LPs. City Light has not sought the concurrence of the LPs on the proposed PME measures presented in this DLA. However, City Light continues to engage LPs regarding the PME measures that will be included in the final license application (FLA). City Light expects that this LP engagement, along with the results of the FERC-approved studies, will result in revisions to the PME measures as well as additional proposed PME measures in the FLA.

Given the number of PMEs under discussion and the limited time available before the FLA deadline, it is likely that negotiations with the LPs will extend beyond the filing of the FLA. City Light is committed to working with the LPs and FERC to ensure that it has the time needed to complete these negotiations, including modifying and extending the FERC deadlines after the filing of the FLA in April 2023. Should City Light and the LPs reach agreement on additional PME measures through the negotiations, City Light will supplement the FLA accordingly.

Several components of City Light's relicensing application remain under development and are not included in this DLA, including the Exhibit F facility design drawings and Exhibit G Project Boundary maps. For purposes of the DLA, City Light has included a copy of the Exhibit L (now called Exhibit F) drawings and Exhibit K (now called Exhibit G) maps currently on file with FERC under the existing license for reference. **The Exhibit L drawings contain critical energy infrastructure information (CEII) and are filed with the Commission confidentially with the label "CUI//CEII INFORMATION—DO NOT RELEASE."** Updated Exhibit F drawings and Exhibit G maps will be included in the FLA. In addition, drafts of certain management plans and a complete developmental analysis in Exhibit E will not be available until the filing of the FLA.

Section 106 of the National Historic Preservation Act (NHPA) requires FERC to take into account the effect of licensing a hydropower project on historic properties. As FERC's designated non-federal representative for purposes of Section 106 consultation, City Light has initiated informal consultation with NHPA Section 106 consultation parties, which remains ongoing. The cultural resource studies and Section 106 process will continue into the post-filing period to determine the effects of continued operation of the Project on historic properties and identify any additional measures needed to mitigate those effects. City Light will keep the Commission updated on the status of this consultation and supplement the FLA, as needed, with any additional information or proposed PME measures that result from this consultation. Consistent with FERC practice, the Historic Properties Management Plan (HPMP) currently under development in coordination with the Section 106 consultation parties as part of this relicensing will include procedures to address any unidentified Project impacts on historic properties during the new license term. An annotated outline of the HPMP is included in this DLA and a draft HPMP will be filed with the FLA.

City Light is the Commission's non-federal representative for carrying out informal consultation under the Endangered Species Act. City Light consulted with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) in developing the aquatic and terrestrial relicensing studies for threatened and endangered species and during implementation of the studies. City Light is currently consulting with USFWS and NMFS to develop draft Biological Assessments (BA) for the relicensing, which City Light expects to include with the FLA in April 2023.

Pursuant to 18 CFR § 5.16(e), any comments on the DLA should be filed within 90 days of filing this DLA, i.e., by February 28, 2023. Comments should be filed electronically through FERC's eLibrary system.

In addition to filing the DLA with the Commission, City Light will post a copy of the DLA on City Light's Skagit Relicensing Public Documents Library web page at <http://www.seattle.gov/light/skagit/Relicensing/default.htm>.

City Light looks forward to continued collaboration with LPs and FERC staff in further developing its relicensing proposal. If there are any questions regarding this filing, please contact me by phone at (206) 304-1210 or by email at [Chris.Townsend@seattle.gov](mailto:Chris.Townsend@seattle.gov).

Sincerely,



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Chris Townsend (Nov 29, 2022 15:42 PST)

Chris Townsend  
Director, Natural Resources and Hydro Licensing  
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Enclosures

cc: Distribution List (attached)

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# Skagit Hydroelectric Project (FERC No. 553)

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**DRAFT LICENSE APPLICATION**

**SKAGIT RIVER HYDROELECTRIC PROJECT**  
**FERC NO. 553**



December 2022

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