

**FINAL LICENSE APPLICATION**

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



April 2023

**CONTENTS**

**INITIAL STATEMENT**

**EXHIBIT A: PROJECT DESCRIPTION**

**EXHIBIT B: PROJECT OPERATIONS AND RESOURCE UTILIZATION**

**EXHIBIT C: PROJECT CONSTRUCTION HISTORY**

**EXHIBIT D: STATEMENT OF COSTS AND FINANCING**

**EXHIBIT E: ENVIRONMENTAL ANALYSIS**

**EXHIBIT F: GENERAL DESIGN DRAWINGS AND SUPPORTING  
INFORMATION**

**EXHIBIT G: PROJECT BOUNDARY MAPS**

**EXHIBIT H: ECPA FACTORS**

United States of America

Before the

Federal Energy Regulatory Commission

Seattle City Light

)  
)  
)  
)

Project No. 553

Application for License for Major Project — Existing Dam

- (1) The City of Seattle, Washington, through its City Light Department (“City Light”), applies to the Federal Energy Regulatory Commission (“Commission”) for a new license, with a term of 50 years, for the Skagit River Hydroelectric Project, FERC No. 553, as described in the attached exhibits. The following license application has been prepared in accordance with Chapter 18 of the Code of Federal Regulations (CFR) Section 4.51, License for Major Project, Existing Dam, Section 5.18, Application Content under the integrated license application process, and Part 16.

The Project is currently licensed to City Light pursuant to the Commission’s Order issuing License No. 553 dated May 16, 1995, as modified on rehearing (June 26, 1996), and pursuant to subsequent orders amending the license as described in Exhibit A of the Final License Application (FLA).

- (2) The location of the Project is:

State:	Washington
County(ies):	Whatcom, Snohomish, and Skagit
Township or Nearby Town:	Diablo, Newhalem
Streams or other body of water:	Skagit River

- (3) The exact name, business address, and telephone number of the applicant are:

Seattle City Light  
P.O. Box 34023  
Seattle, WA 98124-4023  
(206) 304-1210

- (4) The exact name and business address of each person authorized to act as agent for the applicant in this application are:

Chris Townsend, Director of Natural Resources and Hydro Licensing  
Seattle City Light  
P.O. Box 34023  
Seattle, WA 98124-4023  
(206) 304-1210

- (5) Seattle City Light is a municipality and is claiming preference under Section 7(a) of the Federal Power Act.

The statutory or regulatory requirements of the state in which the Project is located and that affect the Project as proposed, with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting, and distributing power and in any other business necessary to accomplish the purposes of the license under the Federal Power Act, and the steps which Seattle City Light has taken or plans to take to comply with each of the laws, are summarized in Table IS-1 and detailed in the attached.

**Table IS-1. Applicable state statutes or regulations.**

State Agency	Statute or Regulation	Permit/Approval	Status
Department of Ecology	Section 401 of Federal Water Pollution Control Act; State Water Pollution Control Act (RCW 90.48)	Water Quality Certification	Request to be submitted within 60 days of issuance of Ready for Environmental Analysis (REA) Notice
Department of Ecology	Chapter 90.03 RCW	Appropriation, Diversion and Use of Water	Certificates of Surface Water Right Nos. S3-13196C, S3-27415C and R3-15021C (reservoir storage); and Application No. S3-30594
Department of Natural Resources	RCW 79.36.570; RCW 90.28.170	Easement for use of beds and banks	Department of Natural Resources Order granting overflow easement dated Aug. 5, 1963 on Application No. 28764, as amended by settlement agreement dated Feb. 6, 1967
Department of Archaeological and Historic Preservation	Chapter 43.334 RCW; Section 106 of the National Historic Preservation Act and Executive Order 11593	Approval of Historic Properties Management Plan (HPMP)	Draft HPMP filed with Final License Application
State of Washington	RCW 35.92.010	Municipal Authority	Legislative authority for municipal utility and municipal hydroelectric facilities

(6) The name and address of the owner of existing Project facilities are:

Seattle City Light  
P.O. Box 34023  
Seattle, WA 98124-4023

**State Law and City Charter Provision on SCL's Authority  
To Engage in the Business of Developing, Transmitting, Utilizing, or Distributing Power**

**RCW 35.92.010**

A city or town may construct, condemn and purchase, purchase, acquire, add to, alter, maintain and operate waterworks, including fire hydrants as an integral utility service incorporated within general rates, within or without its limits, for the purpose of furnishing the city and its inhabitants, and any other persons, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution, and price thereof: PROVIDED, That the rates charged must be uniform for the same class of customers or service. Such waterworks may include facilities for the generation of electricity as a byproduct and such electricity may be used by the city or town or sold to an entity authorized by law to distribute electricity. Such electricity is a byproduct when the electrical generation is subordinate to the primary purpose of water supply.

...

For such purposes any city or town may take, condemn and purchase, purchase, acquire, and retain water from any public or navigable lake or watercourse, surface or ground, and, by means of aqueducts or pipe lines, conduct it to the city or town; and it may erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or waterworks or other necessary structures in storing and retaining water, or for any of the purposes provided for by this chapter, the city or town may occupy and use the beds and shores up to the high water mark of any such watercourse or lake, and acquire the right by purchase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this chapter, or necessary for any of said purposes, and the city or town may acquire by purchase or condemnation and purchase any properties or privileges necessary to be had to protect its water supply from pollution. Should private property be necessary for any such purposes or for storing water above high water mark, the city or town may condemn and purchase, or purchase and acquire such private property. For the purposes of waterworks which include facilities for the generation of electricity as a byproduct, nothing in this section may be construed to authorize a city or town that does not own or operate an electric utility system to condemn electric generating, transmission, or distribution rights or facilities of entities authorized by law to distribute electricity, or to acquire such rights or facilities without the consent of the owner.

**Seattle City Charter, Article IV, Section 14**

The City Council shall have power by ordinance and not otherwise –

... To construct, purchase, condemn or otherwise acquire, maintain and operate works, plants and facilities within or without the City for the following purposes: water supply for domestic and all other uses; production of gas and electricity for light, heat, power and all other uses public and private; public transportation system; telephone service, local and long distance; ferries, docks and terminal facilities; and to control the use thereof, and fix the price of the services and products thereof.



SUBSCRIPTION AND VERIFICATION

This Application for New License for a Major Project, Existing Dam is executed in the

STATE OF WASHINGTON

COUNTY OF KING

By Chris Townsend, the Director of Natural Resources and Hydro Licensing of Seattle City Light, P.O. Box 34023, Seattle, Washington 98124-4023, being truly sworn, deposes and says that the contents of this application are true to the best of my knowledge or belief. The undersigned applicant has signed this application this \_\_\_\_ day of April, 2023.

Seattle City Light  
(Applicant)

By:



Chris Townsend

Director, Natural Resources and Hydro Licensing

SUBSCRIBED AND SWORN TO before me, a Notary Public of the State of Washington, this 17 day of April, 2023.



NOTARY PUBLIC

My Commission Expires:

12/19/2025

**JEAN CHRISTOPH GREAGOR**  
**NOTARY PUBLIC**  
**STATE OF WASHINGTON**  
COMM. EXPIRES DECEMBER 19, 2025  
COMM. #93052

United States of America

Before the  
Federal Energy Regulatory Commission

Seattle City Light

Project No. 553

Statement Pursuant to 18 CFR § 5.18(a)(5)(iii)  
(Incorporating by reference portions of 18 CFR § 4.51)

- (1) Name and address of every person, citizen, association of citizens, domestic corporation, municipality, or state that has or intends to obtain and will maintain any proprietary right necessary to construct, operate, or maintain the Project:

Seattle City Light  
P.O. Box 34023  
Seattle, WA 98124-4023

- (2) Name and address of every county in which any part of the Project, and any Federal facilities that would be used by the Project would be located:

The Project is located in three counties, Whatcom County, Snohomish County, and Skagit County which have the following mailing addresses:

Whatcom County  
311 Grand Ave, Suite 108  
Bellingham, WA 98225-2082

Skagit County  
700 S 2nd Street  
Mt Vernon, WA 98273

Snohomish County  
3000 Rockefeller Avenue  
Everett, WA 98201

There are no Federal facilities used or proposed to be used by the Project.



Lands occupied by the Project include federal lands managed by:

North Cascades National Park  
Service  
810 Moore Street  
Sedro-Woolley, WA 98284

Mt. Baker-Snoqualmie National  
Forest  
810 Moore Street  
Sedro-Woolley, WA 98284

Okanogan-Wenatchee National  
Forest  
215 Melody Lane  
Wenatchee, WA 98801

- (3) Name and address of every city, town, or similar local political subdivision in which any part of the Project, and any Federal facilities that would be used by the Project, would be located:

Lake Stevens  
1812 Main Street  
Lake Stevens, WA 98258

Snohomish  
116 Union Ave  
Snohomish, WA 98290

Marysville  
1049 State Ave # 101  
Marysville, WA 98270

- (4) Name and address of every city, town, or similar local political subdivision that has a population of 5,000 or more people and is located within 15 miles of the Project dams:

There are no cities, towns or similar political subdivisions within 15 miles of the Ross, Diablo, or Gorge developments with a population of 5,000 or more people.

- (5) Name and address of every irrigation district, drainage district, or similar special purpose political subdivision in which any part of the Project, and any Federal facilities that would be used by the Project, would be located:

There are no irrigation districts, drainage districts, or similar special purpose political subdivisions in which any part of the Project is or is proposed to be located.

- (6) Name and address of every irrigation district, drainage district, or similar special purpose political subdivision that owns, operates, maintains, or uses any Project facilities or any Federal facilities that would be used by the Project:

There are no irrigation districts, drainage districts, or similar special purpose political subdivisions that own, operate, maintain, or use any Project facility.

- (7) Name and address of every other political subdivision in the general area of the Project that there is reason to believe would likely be interested in, or affected by, the application:

Concrete  
45672 Main Street  
Concrete, WA 98237

- (8) Name and address of all Indian tribes that may be affected by the Project:

Confederated Tribes of the  
Colville Reservation  
P.O. Box 150  
Nespelem, WA 99155  
  
Lummi Nation  
2665 Kwina Road  
Bellingham, WA 98226-9298  
  
Muckleshoot Indian Tribe  
39015 172nd Avenue Southeast  
Auburn, WA 98092

Nlaka'pamux Nation Bands  
Coalition  
P.O. Box 130  
Spences Bridge, British Columbia,  
V0K 2L0  
  
Nlaka'pamux Nation Tribal  
Council  
P.O. Box 430  
Lytton, British Columbia, V0K  
1Z0

Nooksack Indian Tribe  
P.O. Box 157  
Deming, WA 98244

Tulalip Tribes of Washington  
6406 Marine Drive  
Tulalip, WA 98271

Samish Indian Nation  
Chelángen Department  
8327 Summit Park Road  
Anacortes, WA 98221

Upper Skagit Indian Tribe  
25944 Community Plaza  
Sedro-Woolley, WA 98284

Sauk-Suiattle Indian Tribe  
5318 Chief Brown Lane  
Darrington, WA 98241

Snoqualmie Indian Tribe  
P.O. Box 969  
Snoqualmie, WA 98065

S'ólh Téméxw Stewardship  
Alliance  
7201 Vedder Road, Bldg #10  
Chilliwack, British Columbia V2R  
4G5

Stillaguamish Tribe of Indians  
P.O. Box 277  
Arlington, WA 98223

Suquamish Tribe  
P.O. Box 498  
Suquamish, WA 98392-0498

Swinomish Indian Tribal  
Community  
11430 Moorage Way  
La Conner, WA 98257-8707