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# PUBLIC

May 27, 2010

Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

FILED  
SECRETARY OF THE  
COMMISSION  
2010 MAY 27 A 9:46  
FEDERAL ENERGY  
REGULATORY COMMISSION

**Subject: Wells Hydroelectric Project No. 2149-131  
Final License Application**

Dear Secretary Bose:

In accordance with 18 C.F.R. § 5.18, the Public Utility District No. 1 of Douglas County, Washington (Douglas PUD), licensee for the Wells Hydroelectric Project (Wells Project), hereby submits for filing one paper original and eight compact disk copies of its Final License Application (FLA) for the Wells Project.

The FLA consists of three volumes containing an Executive Summary, an Initial Statement and eight exhibits lettered A through H. Volume I contains the Executive Summary and Initial Statement, Exhibit A (Project Description), Exhibit B (Project Operations and Resource Utilization), Exhibit C (Construction History) and Exhibit D (Statement of Costs and Financing). Volume II contains Exhibit E (Environmental Exhibit). Volume III contains Exhibit F (General Design Drawings), Exhibit G (Project Maps) and Exhibit H (Plans and Ability of Applicant to Operate the Project).

Exhibit E is an Applicant-prepared draft Environmental Assessment (EA) that includes a detailed analysis of the Applicant's Proposed Action and the No Action Alternative. Exhibit E includes 13 supporting documents that contain Douglas PUD's proposed environmental measures and records of consultation for the FLA. Appendix E-1 of Exhibit E is the Anadromous Fish Agreement and Habitat Conservation Plan. Appendix E-2 contains the Aquatic Settlement Agreement and six associated aquatic resource management plans. Appendices E-3 through E-6 contain the Wildlife and Botanical Management Plan, Historic Properties Management Plan, Recreation Management Plan and Avian Protection Plan, respectively. Appendix E-7 contains the draft Biological Assessment developed by the Applicant in consultation with the United States Fish and Wildlife Service and the National Marine Fisheries Service. Appendix E-8 contains the Consultation Records for the Wells FLA, Section 7 of the Endangered Species Act

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and Section 106 of the National Historic Preservation Act. Appendix E-9 contains the Upper Columbia River Spring Chinook Hatchery Genetics Management Plan. Appendix E-10 contains the Comprehensive List of Plant Species Occurring in the Wells Project. Appendix E-11 contains the Off-License Settlement Agreement with the Washington State Department of Fish and Wildlife. Appendix E-12 contains the relicensing agreements with the cities of Bridgeport, Pateros and Brewster. Appendix E-13 contains Douglas PUD's proposed Land Use Policy for the Wells Project.

The FLA is the culmination of 17 years of relicensing-related work by stakeholders and Douglas PUD. Work on the Anadromous Fish Agreements and Habitat Conservation Plan (Wells HCP), specifically developed to satisfy the anticipated relicensing requirements for anadromous salmonids, was initiated in 1993 and was approved by FERC in 2004. Negotiations related to settling all remaining aquatic resource issues started in 2005, prior to the filing of the Notice of Intent and Pre-Application Document in December 2006. These negotiations led to the execution of the Aquatic Settlement Agreement (ASA) in early 2009. The measures in the ASA are proposed to satisfy the anticipated relicensing requirements for aquatic resources other than anadromous salmonids.

In addition to the settlement agreements for all aquatic resource issues, as provided by the Wells HCP and the ASA, Douglas PUD has also resolved stakeholder issues related to terrestrial, recreation and cultural resources through the collaborative development of five management plans and four additional settlement agreements. Management plans developed to address terrestrial, recreation and cultural resources include the Wildlife and Botanical Resources Management Plan, Avian Protection Plan, Recreation Management Plan, Historic Properties Management Plan and Douglas PUD's Land Use Policy. Settlement agreements include relicensing agreements with the cities of Bridgeport, Pateros and Brewster related to project related recreation facilities and an Off-License Settlement Agreement with the Washington State Department of Fish and Wildlife for wildlife and resident fish enhancement within and outside the Project Boundary.

Douglas PUD's FLA proposes extensive environmental measures with an estimated cost exceeding \$643 million during a 50-year license term. These measures were developed through the use of extensive stakeholder outreach and early stakeholder approval of study plans, management plans and settlement agreements. Collectively these measures address all of the resource issues related to the Wells Project and fully support the issuance of a new 50-year license. In fact, support for a 50-year license term is a central element of the five settlement agreements executed by Douglas PUD and various stakeholders. Agencies, tribes and stakeholders who have signed these settlement agreements with Douglas PUD include the United States Fish and Wildlife Service, United States Bureau of Land Management, Washington State Department of Ecology, Washington State Department of Fish and Wildlife, the Confederated Tribes of the Colville Reservation, the Confederated Tribes and Bands of the Yakama Nation and the cities of Bridgeport, Pateros and Brewster.

The Historic Properties Management Plan in Appendix E-4 of Exhibit E of the FLA contains confidential cultural information, the disclosure of which would create a risk of harm, theft or destruction of archeological or native American cultural resources and therefore qualifies as

privileged information under FERC regulations, 18 C.F.R. §§ 5.6, 388.112. Accordingly, one original of the Historic Properties Management Plan has been marked as Privileged Information in accordance with instructions issued by the Secretary and is being filed separately from the public volume of the FLA. Douglas PUD requests that the Historic Properties Management Plan be maintained in a non-public file and withheld from public disclosure in accordance with applicable regulations.

The Design Drawings in Exhibit F of the FLA contain specific engineering and design information that relates to the generation and transmission of electric energy and qualify as Critical Energy Infrastructure Information (CEII) pursuant to FERC regulations, 18 C.F.R § 388.113. Accordingly, an original and two copies of Exhibit F have been marked as CEII in accordance with instructions issued by the Secretary and are being filed separately from the public volume of the FLA. Douglas PUD requests that Exhibit F of the FLA be maintained in a non-public file and withheld from public disclosure in accordance with applicable regulations.

Public copies of the FLA are concurrently being distributed to all entities listed on the attached Relicensing Distribution List in accordance with the Communication Protocol set forth in section 2.3 of the Pre-Application Document for the Wells Project.

If you have any questions or require further information, please feel free to contact me at (509) 881-2208 or sbickford@dcpud.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane Bickford". The signature is fluid and cursive, with a large loop at the end.

Shane Bickford  
Natural Resources Supervisor

Cc: Relicensing Distribution List

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