



City and Borough of Sitka

• ELECTRIC DEPARTMENT •

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Date: August 28, 2003

Ms. Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
Mail Code: DHAC, PJ-12.3
888 First Street, N.E.
Washington, D.C. 20426

Subject: **Request for approval to use Alternative Licensing Procedures (ALP),
Blue Lake Project (“Project”, FERC No. 2230) relicensing.**

Ms. Salas:

This letter is a request to the FERC for approval to use Alternative Licensing Procedures (ALP) for pre-filing consultation and processing of an application for new license for the Subject Project. The Project license expires on March 31, 2008, and our final application for new license is due to the FERC no later than March 31, 2006.

The City and Borough of Sitka, Alaska, (“City”, Licensee) in accordance with Federal Regulations, has submitted to the FERC a Notice of Intent (NOI) to relicense the Project, dated Nov. 1, 2002. We have also completed certain early-stage consultation requirements, including distribution of an Initial Consultation Document and holding of public and agency meetings and a site visit. We have informed FERC staff of each of these early consultation steps.

The FERC regulations, 18 CFR Section 4.34(i)(3), require us to do the following prior to FERC’s acceptance of our request to use the ALP (the following is exact language from the federal regulations):

- 1) *“demonstrate that a reasonable effort has been made to contact all resource agencies, Indian tribes, citizens’ groups and other affected by your license proposal, and that a consensus exists that the use of the alternative procedures is appropriate under the circumstance;*

- 2) *submit a communications protocol, supported by interested entities, governing how you and other participants in the pre-filing consultation process, including the Commission staff, may communicate with each other regarding the merits of your proposal and proposal and recommendations of interested entities; and*
- 3) *serve a copy of the request on all affected resource agencies and Indian tribes and on all entities contacted by you that have expressed an interest in the alternative pre-filing consultation process.”*

In response to items 1 and 2, the City described the ALP in the Initial Consultation Document (ICD) and Initial Consultation Meeting(s) in December of 2002. The ICD and Meeting notification were sent 30 days prior to the meeting date, and participants were allowed 60 days to comment.

The City also distributed a Draft Communications Protocol (“CP”, Attachment I) on May 8, 2003, to the existing distribution list, along with a request for recipients to state their position on use of the ALP for the Project relicensing. Comments on the Draft CP were received from certain agencies and reviewed by the City. We incorporated all comments without dispute and sent the Final CP (Attachment II, including documentation of comments and our responses) to the distribution list via e-mail with attachment for final review on August 12, 2003. We received no further comments. We believe that there are no disputes with provisions of the Final CP.

Also in the August 12 review request, we asked recipients to comment in writing on use of the ALP. We received e-mail responses from the major consulting agencies, including US Forest Service, Alaska Department of Fish and Game, US Fish and Wildlife Service, Alaska Department of Natural Resources, and National Marine Fisheries Service (Attachment III). All written responses supported use of the ALP process and the Final CP. We assume that reviewers who did not comment do not object to use of the ALP. At the time of this request, we believe that positive consensus exists on use of the ALP and the provisions of the Final CP.

Finally, in response to item 3, above, we have sent a copy of this request (minus Attachments), via e-mail to this letter’s copy list.

Thanks for your prompt attention to this request. If you require any additional information, or if I can be of further assistance, please do not hesitate to contact me at 907-747-6633 or at dean@cityofsitka.com , at your earliest convenience.

Sincerely,

**C. Mike Prewitt, relicensing consultant, for
Dean Orbison, Engineering Manager**

cc:

Nick Jayjack, FERC Washington D.C.

cc: (Via e-mail, cover only; recipients have all been sent Draft and Final CP's):

Christopher Estes,
Alaska Department of Fish & Game, Anchorage

Jason Mouw
Alaska Department of Fish and Game, Juneau

Phil Mooney
Alaska Department of Fish and Game, Sitka

Joe Klein
Alaska Department of Fish and Game, Anchorage

Kevin Brownlee
Alaska Department of Fish and Game, Juneau

Bob Chadwick
Alaska Department of Fish and Game, Sitka

Richard Enriques
US Fish and Wildlife Service, Juneau

John Dunker
Alaska Department of Natural Resources, Division of Water, Juneau

Lisa Gassman
Sitka Tribe of Alaska, Sitka

Michael Stringer
Sitka Tribe of Alaska, Sitka

Bruce Bigelow
U.S. Geological Survey, Juneau

Jim Powell
Alaska Department of Environmental Conservation, Juneau

Lorraine Marshall
Alaska Department of Natural Resources, Juneau

Linda Shaw, Habitat Biologist

National Marine Fisheries Service, Juneau

Carol Goularte,
U.S. Forest Service, Sitka

Lorraine Thomas
Tongass National Forest, Juneau

Margaret Beilharz
U.S. Forest Service, Blue River, OR

Roger Birk,
U.S. Forest Service, Juneau

Mike Johnson
U.S. Forest Service, Sitka

Martin Becker
U.S. Forest Service, Sitka

Marlene Campbell, Special Projects Director
City and Borough of Sitka, Sitka

Judith Bittner
State Historic Preservation Officer, Anchorage

Federal Energy Regulatory Commission
Portland Regional Office, Portland, OR

Nick Jayjack
Federal Energy Regulatory Commission, Washington, D.C.

John Klutz
US Army Corps of Engineers, Anchorage

Karl Wolfe
Sitka, AK 99835

Mike Prewitt
Seattle, WA 98103-4434

Lan Garrison
NSRAA, Sitka

ATTACHMENT I

Cover letter and Draft Communications Protocol sent for review on May 8, 2003

ATTACHMENT II

Cover letter and Final Communications Protocol sent for review on August 12, 2003

ATTACHMENT III

Approvals of Final Communication Protocol and Use of ALP from various Alaska State and Federal resource agencies