

**Pensacola Hydroelectric Project
FERC Project No. 1494**

**Initial Statement Under 18 C.F.R. § 4.51(a)
and
Required Information Under 18 C.F.R. § 5.18(a)**

Draft License Application

Prepared for



Prepared by



December 2022

INITIAL STATEMENT
Pursuant to 18 C.F.R. Section 4.51(a)

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

Application for New License Major Water Power Project – Existing Dam

Pensacola Hydroelectric Project
FERC Project No. 1494

1. The Grand River Dam Authority (GRDA or Applicant) applies to the Federal Energy Regulatory Commission (FERC or Commission) for a new license for the Pensacola Hydroelectric Project (Project), an existing licensed major project as described in the attached exhibits. The Project is licensed as FERC Project No. 1494. The current operating license for the Project was issued on April 24, 1992, and expires on May 31, 2025.

2. The location of the Project is:

State:	Oklahoma
Counties:	Craig, Delaware, Mayes, and Ottawa
Township or Nearby Town:	Langley, OK
Stream or Other Body of Water:	Grand (Neosho), Spring, and Elk Rivers

3. The exact name and business address of the Applicant are:

Grand River Dam Authority
Administrative Headquarters
PO Box 669
Chouteau, OK 74337

The exact name and business address of each person authorized to act as agent for the Applicant are:

Brian Edwards
Executive Vice President & Chief of Law Enforcement
Grand River Dam Authority
PO Box 70
Langley, OK 74350
(918) 981-8475
brian.edwards@grda.com

Darrell E. Townsend II, Ph.D.
Vice President, Ecosystems & Watershed Management
Grand River Dam Authority
PO Box 70
Langley, OK 74350
(918) 981-8472
darrell.townsend@grda.com

Jacklyn Smittle
Director of Hydropower Projects
Grand River Dam Authority
PO Box 70
Langley, OK 74350
(918) 981-8473
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Troutman Pepper Hamilton Sanders, LLP
401 9th Street, NW, Suite 1000
Washington, DC 20004
(202) 274-2850
charles.sensiba@troutman.com

4. GRDA is a non-appropriated agency of the State of Oklahoma, created by the Oklahoma legislature in 1935 to be a conservation and reclamation district for the waters of the Grand River. As such, the Applicant is a municipality within the meaning of Section 3(7) of the Federal Power Act (FPA) and is claiming the status of an existing licensee under Section 15 of the FPA.
5. (i) The statutory or regulatory requirements of the State of Oklahoma, in which the project is located, that affect the project as proposed, with respect to bed and banks and 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, are:
 - (1) Applicant is an agency of the State of Oklahoma organized under Chapter 8, Title 82 of the Oklahoma Statutes Annotated. It derives from that law the authority to engage in the development, transmission, and distribution of power, to use water for power purposes, and to conduct any other business necessary to accomplish the purposes of the license under the FPA.
 - (2) Applicant is subject to water quality certification from the Oklahoma State Department of Environmental Quality (Oklahoma DEQ) under Title 252 of the Oklahoma DEQ rules, Section 252:611-3-1 and Section 401(a)(1) of the federal Clean Water Act of 1977 (CWA), 33 U.S.C. 1341(a)(1).
- (ii) The steps which the applicant has taken or plans to take, to comply with each of the laws cited above are:
 - (1) With regard to Chapter 8, Title 82, Applicant will continue to operate the Project in compliance with its governing laws.
 - (2) With regard to CWA section 401, Applicant will file a date-stamped copy of its application for a WQC filed with Oklahoma DEQ no later than the deadline for such application established by the Commission's regulations. See 18 C.F.R § 5.23(b).
6. Name and Address of the owner of Project facilities:

GRDA owns the rights to operate the generating station and ancillary Project facilities. Pensacola Dam, impoundment, and associated lands are owned by the People of the State of Oklahoma.

Grand River Dam Authority
PO Box 669
Chouteau, OK 74337

No Project components are owned or operated by federal entities.

**REQUIRED INFORMATION
Pursuant to 18 C.F.R. Section 5.18(a)**

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

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**Pensacola Hydroelectric Project
FERC Project No. 1494**

1. Proprietary Right:

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:

Grand River Dam Authority
PO Box 669
Chouteau, OK 74337

2. The names and mailing addresses of:

(i) Every county in which any part of the project, and any Federal facilities that would be used by the project, would be located:

Craig County
Clerk's Office
301 West Canadian Avenue
Vinita, Oklahoma, 74301

Delaware County
Clerk's Office
327 S 5th St,
Jay, OK, 74346

Mayes County
Clerk's Office
One Court Place, Suite 120
Pryor, OK, 74361

Ottawa County
Clerk's Office
102 East Central, Ste 103,
Miami, OK, 74354

There are no federal facilities used by the Project.

(ii) Every city, town, or similar local political subdivision:

(A) In which any part of the project, and any Federal facilities that would be used by the project, would be located:

City of Grove
104 West 3rd
Grove, OK 74344

City of Vinita
PO Box 329
104 East Illinois Avenue
Vinita, OK 74301

City of Miami
PO Box 1288
Miami, OK 74355

Town of Afton
PO Box 250
Afton, OK 74331

Town of Bernice
209 S Broadway
Bernice, OK 74331

Town of Disney
PO Box 318
Disney, OK 74340

Town of Fairland
PO Box 429
Fairland, OK 74343

Town of Ketchum
PO Box 150
Ketchum, OK 74349

Town of Langley
PO Box 760
Langley, OK 74350

Town of Wyandotte
212 South Main
Wyandotte, OK 74370

There are no federal facilities used by the Project.

(B) That has a population of 5,000 or more people and is located within 15 miles of the project dam:

There are no cities or towns with a population of 5,000 or more people (2020 census data) located within 15 miles of the Project dam.

(iii) Every irrigation district, drainage district, or similar special purpose political subdivision:

(A) In which any part of the project, and any Federal facilities that would be used by the project, would be located; or (B) that owns, operates, maintains, or uses any project facilities that would be used by the project:

There is no irrigation district, drainage district, or similar special purpose political subdivision in which any part of the project would be located, or that owns, operates, maintains, or uses any project facilities.

(iv) 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:

There is no other political subdivision in the general area of the Project that there is reason to believe would be likely to be interested in, or affected by, this application.

(v) All Indian tribes that may be affected by the project:

Alabama-Quassarte Tribal Town
Chief Nelson Harjo
PO Box 187
Wetumka, OK 74883
nharjo@alabama-quassarte.org

Apache Tribe of Oklahoma
Chairman Bobby Komardley
511 E Colorado
Anadarko, OK 73005
info@apachetribe.org

Caddo Nation of Oklahoma
Chairman Bobby Gonzalez
PO Box 487
Binger, OK 73009
bgonzalez@mymcaddonation.com

Cherokee Nation
Chief Chuck Hoskin, Jr.
PO Box 948
Tahlequah OK 74465
chuck-hoskin@cherokee.org

Delaware Nation
Ms. Deborah Dotson
President
PO Box 825
Anadarko, OK 73005
ddotson@delawarenation.com

Delaware Tribe of Indians
Dr. Brice Obermeyer
1200 Commercial Street
Emporia KS 66801
bobermeyer@delawaretribe.org

Eastern Shawnee Tribe of Oklahoma
Chief Glenna J. Wallace
70500 E 128 Road
Wyandotte, OK 74370
gjwallace@estoo.net

Iowa Tribe of Oklahoma
335588 E 750 Road
Perkins, OK 74059
ekent@iowanation.org

Kiowa Tribe of Oklahoma
Ms. Kellie Lewis
Acting Tribal Historic Preservation Officer
PO Box 369
Carnegie, OK 73015
kellie@tribaladminservices.org

Little Traverse Bay Bands of Odawa Indians
Ms. Regina Gasco-Bentley
7500 Odawa Circle
Harbor Springs, MI 49740
tribalchair@ltbbodawa-nsn.gov

Miami Tribe of Oklahoma
Chief Douglas G. Lankford
PO Box 1326
Miami, OK 74354
dlankford@miamination.com

Modoc Tribe of Oklahoma
Chief Bill Follis
22 N Eight Tribes Trail
Miami, OK 74354
modoctribe@cableone.net

Muscogee (Creek) Nation
Chief David Hill
PO Box 580
Okmulgee, OK 74447
dhill@mcn-nsn.gov

Osage Nation
Chief Geoffrey Standing Bear
627 Grandview Avenue
Pawhuska, OK 74056
gdstandingbear@osagenation-nsn.gov

Otoe-Missouria Tribe of Indians
Chairman John Shotton
8151 Hwy 177
Red Rock, OK 74651
jshotton@omtribe.org

Ottawa Tribe of Oklahoma
Chief Ethel Cook
PO Box 110
Miami, OK 74354
cethel.oto@gmail.com

Peoria Tribe of Oklahoma
Chief Craig Harper
118 South Eight Tribes Trail
Miami, OK 74354
chiefharper@peoriatribe.com

Chairman Joseph T. Byrd
Quapaw Tribe of Oklahoma
PO Box 765
Quapaw, OK 74363
joseph.byrd@quapawnation.com

Chief Justin Wood
Sac and Fox Nation of Oklahoma
920883 S Hwy 99, Building A
Stroud, OK 74079
justinwood@sacandfoxnation-nsn.gov

Seneca-Cayuga Nation
Chief Charlie Diebold
PO Box 453220
Grove, OK 74345-3220
cdiebold@scribe.com

Shawnee Tribe of Oklahoma
Chief Ben Barnes
PO Box 189
Miami, OK 74354
chief@shawnee-tribe.com

Tonkawa Tribe of Oklahoma
President Russell Martin
1 Rush Buffalo Road
Tonkawa OK 74653
rmartin@tpmlawatribe.com

United Keetoowah Band of Cherokees
Chief Joe Bunch
PO Box 746
Tahlequah, OK 74465
jbunch@ukb-nsn.gov

Wichita and Affiliated Tribes
President Terri Parton
PO Box 729
Anadarko, OK 73005
terri.parton@wichitatribe.com

Wyandotte Tribe of Oklahoma
Chief Billy Friend
64700 East Highway 60
Wyandotte, OK 74370
bfriend@wyandotte-nation.org

3. Distribution of application for a license other than a license under Section 15 of the FPA:

GRDA is applying for a new license for an existing project under Section 15 of the FPA; therefore, the requirement to provide notification by certified mail of the filing of the application does not apply.

4. Subscription and Verification [*To be executed for Final License Application Only*]

This Application for Application for New License for the Pensacola Hydroelectric Project is executed in the

STATE OF: [STATE]
COUNTY OF: [COUNTY]

by: [OFFICER NAME]
[OFFICER TITLE]
[OFFICER ADDRESS]

[OFFICER NAME], being duly sworn, deposes and says that the contents of this application are true to the best of his/her knowledge or belief. The undersigned applicant has signed this application this _____ day of _____, 2023.

GRAND RIVER DAM AUTHORITY

By: _____
[OFFICER NAME]

Subscribed and sworn to before me, a Notary Public of the State of [state] this _____ day of _____, 2023

/SEAL/

Notary Public No. _____

My Commission expires: _____