

July 31, 2025

SKAGIT COUNTY BOARD OF COMMISSIONERS
1800 CONTINENTAL PLACE, SUITE 100
MOUNT VERNON, WA 98273

Skagit County Commissioners Janicki, Wesen, and Browning,

Thank you for your feedback in your letter dated July 28, 2025, regarding the Federal Energy Regulatory Commission (FERC) relicensing of the Skagit River Hydroelectric Project (FERC Project No. 553) (Skagit Project). As Seattle City Light's General Manager and the person ultimately responsible for the operations of the Skagit Project, Mayor Harrell asked me to respond directly.

We, too, value our partnership with Skagit County (County). We are hopeful that through additional dialogue we will be able to resolve the County's concerns and gain the support of the County on the settlement agreement for the FERC relicensing. With that in mind, I want to clearly respond to the two concerns raised in your letter.

1) **The Federal Power Act (FPA) Condemnation Authority**. Seattle City Light (City Light) is committed to supporting salmon recovery and long-term harvest opportunities on the Skagit River. Estuary restoration is an essential component of the success of salmon recovery. In addition to our commitment to fish passage at the Skagit Project dams, the settlement, if adopted by FERC through a new license, will require City Light to make money available to Tribes, federal and state agencies, and Skagit County for habitat restoration projects in the estuary. City Light expects these entities will prioritize how this money will be used for voluntary property transactions and other estuary restoration projects.

City Light does **not** intend to use condemnation authority to acquire property in the estuary.

To my knowledge, over the past hundred years, City Light has not used FPA condemnation authority to implement its Skagit Project license obligations and has no plans to do so during the next FERC license. The FPA's condemnation authority is only available to FERC licensees to acquire property necessary for project works and other project purposes. As we have previously informed the County representative involved in the relicensing, City Light believes FPA condemnation authority cannot be used for the estuary funding program because any property or property rights acquired will not become project works or be used for project purposes.

City Light has already included language in the settlement documents that clearly states City Light's intent not to rely upon condemnation to implement the estuary funding license obligations. The settlement's Joint Explanatory Statement (JES) includes the following explanation:

"City Light believes that Proposed License Article FA LA-04 is structured in a way that allows Skagit County, the Tribes, the State, and other interests in the estuary to collaborate and define the salmon recovery priorities in the estuary. City Light sees the license article as creating a resource for those entities as they implement those priorities. City Light understands the importance of agriculture in Skagit County and expects that the Estuary License Article will be implemented in a manner that respects the importance of farming to Skagit County. For these reasons, measures funded through the Estuary Funding Obligation will be limited to those measures that do not result in the expansion of the Project Boundary. **City Light anticipates that property rights acquired with Estuary Funding will be through voluntary transactions. City Light does not intend to utilize condemnation authority and believes that such authority is likely not available under these circumstances.**"

The JES was shared with the County last week. City Light believes this language is responsive to Skagit County's concerns, while not running afoul of the FPA or creating complications with FERC in terms of its approval of the settlement package.

We welcome continued dialogue with the County, Tribes and other settlement parties on this topic. City Light believes that we are in agreement with Skagit County that FPA condemnation authority should not be used to implement the estuary restoration funding obligation.

2) **Skagit Watershed Council**. The [Skagit Watershed Council](#) (Watershed Council) is a community partnership for salmon protection formed in 1997. Its membership is open to associations, corporations, non-governmental organizations, and public agencies. City Light is supportive of the collaborative work of the Watershed Council. City Light has been a longstanding member of the Watershed Council based on our interest and ongoing involvement in and funding for salmon protection and recovery in the watershed.

The FERC relicensing settlement package does not involve the Watershed Council in the implementation of the new license. City Light does not envision that the Watershed Council will have any involvement in the implementation of the settlement agreement or the next FERC license. From our perspective, matters involving the structure and implementation of the Skagit Watershed Council are unrelated to the FERC relicensing. These matters should be addressed through the Watershed Council's existing governance structure.

In response to the County's request that City Light relinquish the Watershed Council board seat as a condition for the County's support of the settlement, City Light does not plan to relinquish its seat on the Watershed Council Board. However, I would be happy to discuss any specific concerns you may have regarding the Watershed Council and City Light's ongoing involvement in it with you to better understand your concerns and look for solutions amenable to both of us.

Again, thank you for your letter. I will be reaching out to set up a meeting with each of you in the near future. I look forward to working with you on the Skagit Project relicensing.

Please let me know if you have questions.

Warm regards,



Dawn Lindell
General Manager & CEO
Seattle City Light