

**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**



meadhunt.com

**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](mailto: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](mailto:darrell.townsend@grda.com)

Jacklyn Smittle  
Director of Hydropower Projects  
Grand River Dam Authority  
PO Box 70  
Langley, OK 74350  
(918) 981-8473  
[jacklyn.smittle@grda.com](mailto:jacklyn.smittle@grda.com)

Charles R. Sensiba  
Troutman Pepper Hamilton Sanders, LLP  
401 9th Street, NW, Suite 1000  
Washington, DC 20004  
(202) 274-2850  
[charles.sensiba@troutman.com](mailto: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.

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**REQUIRED INFORMATION**  
**Pursuant to 18 C.F.R. Section 5.18(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. 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](mailto:nharjo@alabama-quassarte.org)

Apache Tribe of Oklahoma  
Chairman Bobby Komardley  
511 E Colorado  
Anadarko, OK 73005  
[info@apachetribe.org](mailto:info@apachetribe.org)

Caddo Nation of Oklahoma  
Chairman Bobby Gonzalez  
PO Box 487  
Binger, OK 73009  
[bgonzalez@mycaddonation.com](mailto:bgonzalez@mycaddonation.com)

Cherokee Nation  
Chief Chuck Hoskin, Jr.  
PO Box 948  
Tahlequah OK 74465  
[chuck-hoskin@cherokee.org](mailto:chuck-hoskin@cherokee.org)

Delaware Nation  
Ms. Deborah Dotson  
President  
PO Box 825  
Anadarko, OK 73005  
[ddotson@delawarenation.com](mailto:ddotson@delawarenation.com)

Delaware Tribe of Indians  
Dr. Brice Obermeyer  
1200 Commercial Street  
Emporia KS 66801  
[bobermeyer@delawaretribe.org](mailto:bobermeyer@delawaretribe.org)

Eastern Shawnee Tribe of Oklahoma  
Chief Glenna J. Wallace  
70500 E 128 Road  
Wyandotte, OK 74370  
[gjwallace@estoo.net](mailto:gjwallace@estoo.net)

Iowa Tribe of Oklahoma  
335588 E 750 Road  
Perkins, OK 74059  
[ekent@iowanation.org](mailto:ekent@iowanation.org)

Kiowa Tribe of Oklahoma  
Ms. Kellie Lewis  
Acting Tribal Historic Preservation Officer  
PO Box 369  
Carnegie, OK 73015  
[kellie@tribaladminsivices.org](mailto:kellie@tribaladminsivices.org)

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

Miami Tribe of Oklahoma  
Chief Douglas G. Lankford  
PO Box 1326  
Miami, OK 74354  
[dlankford@miamination.com](mailto:dlankford@miamination.com)

Modoc Tribe of Oklahoma  
Chief Bill Follis  
22 N Eight Tribes Trail  
Miami, OK 74354  
[modoctribe@cableone.net](mailto:modoctribe@cableone.net)

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

Osage Nation  
Chief Geoffrey Standing Bear  
627 Grandview Avenue  
Pawhuska, OK 74056  
[gdstandingbear@osagenation-nsn.gov](mailto:gdstandingbear@osagenation-nsn.gov)

Otoe-Missouria Tribe of Indians  
Chairman John Shotton  
8151 Hwy 177  
Red Rock, OK 74651  
[jshotton@omtribe.org](mailto:jshotton@omtribe.org)

Ottawa Tribe of Oklahoma  
Chief Ethel Cook  
PO Box 110  
Miami, OK 74354  
[cethel.oto@gmail.com](mailto:cethel.oto@gmail.com)



Peoria Tribe of Oklahoma  
Chief Craig Harper  
118 South Eight Tribes Trail  
Miami, OK 74354  
[chiefharper@peoriatrIBE.com](mailto:chiefharper@peoriatrIBE.com)

Chairman Joseph T. Byrd  
Quapaw Tribe of Oklahoma  
PO Box 765  
Quapaw, OK 74363  
[joseph.byrd@quapawnation.com](mailto: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](mailto:justinwood@sacandfoxnation-nsn.gov)

Seneca-Cayuga Nation  
Chief Charlie Diebold  
PO Box 453220  
Grove, OK 74345-3220  
[cdiebold@sctrIBE.com](mailto:cdiebold@sctrIBE.com)

Shawnee Tribe of Oklahoma  
Chief Ben Barnes  
PO Box 189  
Miami, OK 74354  
[chief@shawnee-tribe.com](mailto:chief@shawnee-tribe.com)

Tonkawa Tribe of Oklahoma  
President Russell Martin  
1 Rush Buffalo Road  
Tonkawa OK 74653  
[rmartin@tpmlawatrIBE.com](mailto:rmartin@tpmlawatrIBE.com)

United Keetoowah Band of Cherokees  
Chief Joe Bunch  
PO Box 746  
Tahlequah, OK 74465  
[jbunch@ukb-nsn.gov](mailto:jbunch@ukb-nsn.gov)

Wichita and Affiliated Tribes  
President Terri Parton  
PO Box 729  
Anadarko, OK 73005  
[terri.parton@wichtatrIBE.com](mailto:terri.parton@wichtatrIBE.com)

Wyandotte Tribe of Oklahoma  
Chief Billy Friend  
64700 East Highway 60  
Wyandotte, OK 74370  
[bfriend@wyandotte-nation.org](mailto: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: \_\_\_\_\_