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July 20, 2022

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

Electronic Filing

Re: Southern California Edison's Revised Study Plan; Kern River No. 3 Hydroelectric Project, FERC Project No. 2290-122.

Dear Secretary Bose,

Enclosed for filing in the above-referenced proceeding is **AMERICAN WHITEWATER'S COMMENTS FOR SOUTHERN CALIFORNIA EDISON'S REVISED STUDY PLAN FOR THE KERN RIVER NO. 3 HYDROELECTRIC PROJECT (FERC PROJECT NO. 2290-122)**.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeff Venturino', with a stylized flourish at the end.

Jeff Venturino  
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707-845-3499

UNITED STATES OF AMERICA

**BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

| **Southern California Edison** | **Project Name Project No. P-2290-122** |

**AMERICAN WHITEWATER'S COMMENTS FOR SOUTHERN CALIFORNIA  
EDISON'S REVISED STUDY PLAN FOR THE KERN RIVER NO. 3  
HYDROELECTRIC PROJECT (FERC PROJECT NO. 2290-122).**

**I. Introduction**

American Whitewater offers the following comments Southern California Edison's Proposed Study Plans and Response to FERC's Additional Information Request.

**II. Interest of American Whitewater**

American Whitewater is a national non-profit 501 (c)(3) river conservation organization founded in 1954 with over 6,500 members and 100 locally based affiliate clubs, representing whitewater enthusiasts across the nation. American Whitewater's mission is to conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely. A significant percentage of our members reside in and travel to California for its whitewater resources. As an organization that represents the conservation interests of whitewater enthusiasts, American Whitewater has an interest in the impacts of the Project on the North Fork Kern River

### **III. Comments**

American Whitewater supports the comments made by the US Forest Service, National Parks Service, and US Fish & Wildlife Service regarding WR-1 Water Quality, WR-2 Hydrology, BIO-1 Foothill Yellow-Legged Frog, BIO-2 Special-status Salamanders, BIO-3 General Wildlife Resources, BIO-4 Benthic Macroinvertebrate, BIO-5 Western Pond Turtle, BIO-6 Stream Habitat Typing, BOT-1 General Botanical Reserves, CUL-1 Cultural Reserves, TR1-Tribal Reserves, and GEO-1 Erosion and Sedimentation. American Whitewater also supports each agency's specific comments on Recreation-related studies, and will provide specific comments on these below.

American Whitewater appreciates SCE's cooperation on revising certain aspects of the Proposed Study Plans through direct consultation. The following comments capture additional items either not addressed or resolved during that consultation.

#### **2.2.10 Summary of SCE's Revised Studies – REC-1 Whitewater Boating**

In SCE's responses to comments described in the Summary of Revised Studies, the RSP cites a number of drownings on the Kern River as a reason for incorporation of public safety concerns in REC-1. The number cited does not refer specifically to the North Fork Kern, nor to the project area, and incorporating that figure is misleading at best. American Whitewater does not object to analysis of public safety concerns related to recreation within the project area and related to project operations and whitewater recreation. However, mischaracterizing the public safety risk of whitewater recreation releases within the project reach is not productive in this proceeding.

Public safety analysis within REC-1 should clearly attribute safety concerns and other user conflicts, including specific incidents, to modification of instream flows as a result of whitewater releases in the diverted reach. American Whitewater hosts a database of accidents on whitewater rivers, including specific information about flow, conditions, skill level, reach, accident reports, and news articles that might prove useful in this analysis. If there are additional concerns about public safety not captured through this analysis, they should be treated separately in another study regarding safety of project operations, and not spuriously conflated with whitewater recreation.

## **WR-2 Hydrology**

The method for estimation of flow travel-time described WR-2 would be markedly improved with the incorporation of either gage information within the project reach or gage information at the powerhouse, within the conveyance system. Travel times between the dewatered reach and conveyance system are likely to be somewhat disparate. The conveyance system is a different length, with a different instream profile than the diverted reach. As described, the WR-2 travel time assessment may not accurately predict the amount of flow within the reach at any given time, at various river stages, and under various diversion regimes.

The USACE gage at Kernville represents both diverted and instream flow. Without incorporating a gage that represents either diverted or instream flow separately, the calculation of travel-time may not be accurate during periods where the diversion amount is changing. Similarly, using the combined flow might not accurately predict travel time within the reach if diurnal or other upstream fluctuations are smoothed or altered by the addition of powerhouse water. SCE should

include an additional metric of either diverted or instream water, in order to more clearly define the amount of water within the diverted reach.

SCE's revised study of flow travel-time should present a more thorough assessment of travel time within the dewatered reach that will accurately calculate travel time through the dewatered reach through a range of river stages, diversion regimes, and seasonal/diurnal patterns.

### **REC-1 Whitewater Boating**

SCE's Revised Study Plan continues to incorporate a firm cap on participants in Level 1 and Level 2 of the study, citing "logistical and safety reasons". American Whitewater strongly supports revision of the firm cap to a minimum number of participants, with participation being uncapped and without a maximum number of participants. The project reach hosts myriad opportunities for whitewater recreation in both different craft and also different skill levels; hard-shell plastic kayaks, soft inflatable kayaks, commercial rafts, private rafts, stand-up paddleboards, packrafts, riverboards, whitewater tubes, and other craft. Even if each user group were represented by the participant of best fit, and thoroughly vetted or nominated by the whitewater community, if a separate participant were selected that enjoyed recreating on Class 3, 4, and 5 whitewater respectively, the number of participants would greatly exceed the maximum participants allowed in REC-1 as written. A more inclusive and productive approach would be to guarantee a minimum number of participants be included at each level, and allow the level of interest dictate the overall number past that. An open process, not requiring presently undefined community nomination process (as is currently described), with a minimum number of

participants to create a specific endpoint, with temporal constraints, would be much more tenable and likely to yield useful information.

Given that Level 3 of the study will not include an on-water controlled flow study, we believe the logistical and safety reasons cited are likely to be immaterial in the study as described. For the same reason, study cost should not dramatically increase if more users participate than the current maximums, since Level 1/2 participation would be much more straightforward and efficient.

In the RSP, SCE specifically identified lower ranges as the knowledge gaps resultant from the project diversion. We would like to reserve judgment on specific knowledge gaps of flow preferences until Level 1 study is conducted.

American Whitewater lauds SCE for including the possibility of flow enhancements to investigate potential knowledge gaps identified in Levels 1 and 2. This is a productive compromise to concerns about a controlled flow study while still increasing the likelihood that the study will yield robust information about flow preferences within the project reach.

American Whitewater recognizes that SCE does not support inclusion of a Generation Value Assessment as part of REC-1. We acknowledge that such an assessment is not an included factor in Whittaker et al. (2005). However, we believe that the correlation of hydropower pricing and dam operators' ability to provide recreational flows without undue financial burden is inescapable and not accurately captured in the current standard for New License Application

statement on Project costs and financing. Hourly pricing data directly affects the magnitude, timing, and frequency of economically feasible whitewater releases. If power pricing and Generation Value is lower at certain times than others, the possible magnitude and overall feasibility of whitewater releases changes. Therefore, Generation Value at the hourly resolution is inextricably linked to whitewater recreation and cannot be wholly divorced from Study consideration.

### **REC-2 Recreation Facilities Use Assessment**

REC-2 (and other user intercept studies) should include surveyors who are bilingual and capable of fluently speaking both English and Spanish. Modification of the written materials to incorporate Spanish is a modest step forward but more needs to be done to include the diverse group of users that recreate within the project reach.

Any of SCE's revisions of the REC-2 survey following Study Determination should include opportunity for stakeholder input before study conduct. Interested stakeholders include individual recreationists, American Whitewater, US Forest Service, the US National Parks Service, Kern River Boaters, commercial outfitters operating in the region, and others.

The REC-2 study should incorporate a year-round study period, not just April-September. Recreation in the project reach is year-round, and different temporal periods capture different types of user groups. Targeting "peak" recreation by number does not necessarily capture peak recreation by user group.

SCE should consider incentivizing the study in a manner commensurate with the level of effort required for survey participants to complete it. Given that it has increased in scope and length since the PSP, incorporating additional socioeconomic questions, angling questions, and others, the burden imposed on study participants is greater.

### **SOCIO-1 Socioeconomic Analysis**

SCE's inclusion of SOCIO-1 continues to conflate the socioeconomic landscape requirements for License Application with the types of socioeconomic information needed to determine project impacts and prospective mitigations later in the relicensing process. The study should quantify the socioeconomic impacts of operations, flow, or other discrete variables, in order to yield actionable information. Specifically, the study should attempt to characterize rural economic value of river related recreation and how and to what magnitude that value is or could be impacted through changes to project operations. SOCIO-1 should incorporate quantitative elements from the current license term and attempt to equate them to hydrologic conditions in the river.

The goals and objectives of SOCIO-1 as described seem more in line with expansion of the Socioeconomic Landscape elements of the PAD required by the CFR, which should be treated separately. SCE's citation of the CFR in response to requests for expansion of SOCIO-1 supports this interpretation.



## **OPS-1 Water Conveyance Assessment**

American Whitewater appreciates SCE for including an independent evaluation of the tunnel conveyance system in study OPS-1. The study remains overly constrained and focused on evaluating safety of the current project operations and flow constraint, rather than evaluating the physical limitations of the conveyance system and possibilities for operational modifications in the future.

The study goals and objectives do not thoroughly describe the engineering review of current conditions. They should include specific operational parameters as endpoints, such as timing, magnitude and frequency of changes to diversion. The study should also clearly separate the impact of natural dewatering and routine cycling of the conveyance system as a result of project operations from prospective impacts to changes in that flow regime. Study questions to answer might include “How often can the tunnel be safely dewatered? What is the minimum maintenance flow that must be maintained? How quickly can the tunnel be safely ramped up and down?”. Given that SCE has resolved not to investigate potential materials or changes to the tunnel conveyance system within this study, we anticipate a high likelihood that the likely outcomes of OPS-1 will yield information detailing a high level of safety and flexibility with a relatively low maintenance level. If this is not the case, materials solutions to engineering constraints of the conveyance system will prove more important and their omission will be more impactful.

Respectfully submitted,

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