

## KRB STUDY REQUEST 9: Comparative Whitewater Opportunities

### RESPONSE TO COMMENTS

**EDISON:** *The request to study other recreational opportunities outside of the Project Area/region is not likely to help inform the development of a license condition. Conducting research about whitewater opportunities outside of the Kern River will not add to the understanding of potential project effects of Project operations on the NFKR. (PSP at 30.)*

**KRB:** We disagree with this assertion. Elsewhere, Edison proposes to “contextualize” the economic contribution of recreation in the dewatered reach by comparing it with the overall contribution of recreation from the Kern River Valley down to Bakersfield some 40 miles away. (PSP SOCIO-1 at 1 [study area includes “the main stem of the Kern River”].) Such contextualization is improper because it is not measuring project effects. We seek to properly contextualize the project’s effect on whitewater recreation — *i.e.*, to fully capture that impact — through a comparison of boating opportunities available to boaters in Southern California with those available to boaters in the Bay Area, including the amount of hydro disruption accepted to obtain those opportunities. The results of this study would pinpoint exactly how important the NFKR is to the Southern California boating community and what standard contemporary social values have set for whitewater boating opportunities a half-dozen hours to the north. This contextualization will increase the likelihood that rec flow license conditions for any new license issued here strike an informed balance between developmental and non-developmental values that is appropriate — *i.e.*, that places a contemporary valuation on each. For these reasons, we ask that the Commission direct Edison to implement our updated comparative whitewater study proposal.

### KRB SR-9: COMPARATIVE WHITEWATER OPPORTUNITIES UPDATED STUDY PROPOSAL

*Criterion (1) – Describe the goals and objectives of each study proposal and the information to be obtained.*

The goal of this study is to compare and contrast available whitewater recreational opportunities for people from Southern California with those from the Bay Area. It will reveal the inventory of whitewater opportunities afforded to residents of each area and identify whether any differences are due to natural or regulatory differences.

*Criterion (2) – If applicable, explain the relevant resource management goals of the agencies or Indian tribes with jurisdiction over the resource to be studied.*

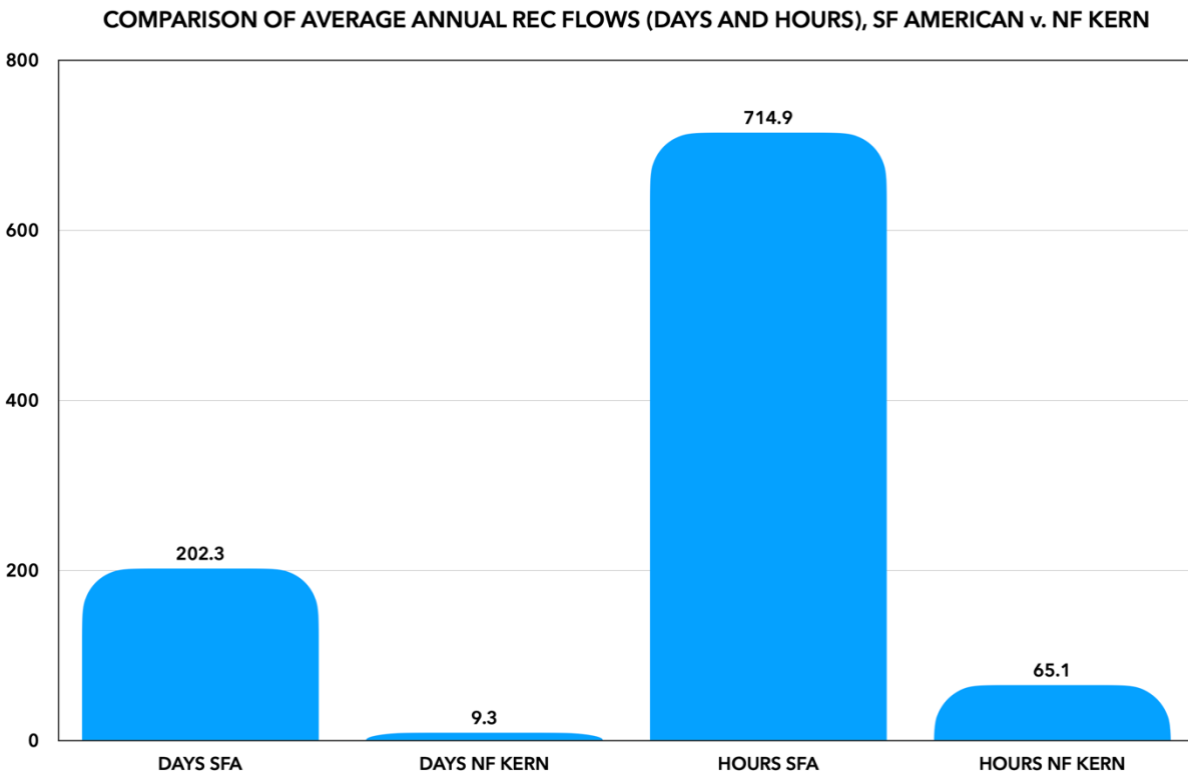
Not applicable.

Criterion (3) – if the requester is not a resource agency, explain any relevant public interest considerations in regards to the proposed study.

The Commission is charged by the Federal Power Act to balance developmental values with nondevelopment values, including recreational and environmental values, in its formation of hydropower licenses in a manner best adapted for the affected resource, its user groups, and the goals of existing management plans. The United States Forest Service is charged with establishing conditions in hydropower licenses that are necessary for the public’s utilization and enjoyment of the affected resource, including whitewater recreation. The results of this study will further the managing agencies’ goals by providing solid data about the differences in whitewater recreational opportunities between people in Southern California in comparison with those living in the greater Bay Area.

Criterion (4) – Describe existing information concerning the subject of the study proposal, and the need for additional information.

We are not aware of any information in the FERC record comparing available whitewater recreation opportunities of a resident of Southern California with a resident of Northern California. We are aware that the amount of hydro disruption tolerated in the northern section for recreational flows is much greater than that to the south<sup>260</sup>:



<sup>260</sup> KRB SD1 at 68

*Criterion (5) – Explain any nexus between project operations and effects (direct, indirect, and/or cumulative) on the resource to be studied, and how the study results would inform the development of license requirements.*

By taking the first 605 cfs out of the river at Fairview Dam once MIF requirements are met, project operations significantly decrease water levels on the dewatered stretch below. Study results could underline the importance of the NFKR to Southern California whitewater recreation, reveal contemporary social expectations with regard to whitewater recreation, and inform the agencies on the scope to which other mitigation schemes impose curtailments and disruptions to hydropower operations in the public interest.

This study seeks to properly contextualize the project’s effect on whitewater recreation — *i.e.*, to fully capture that impact — through a comparison of boating opportunities available to boaters in Southern California with those available to boaters in the Bay Area, including the amount of hydro disruption accepted to obtain those opportunities. The results of this study would pinpoint exactly how important the NFKR is to the Southern California boating community and what standard contemporary social values have set for whitewater boating opportunities a half-dozen hours to the north. This contextualization will increase the likelihood that rec flow license conditions for any new license issued here strike an informed balance between developmental and non-developmental values that is appropriate — *i.e.*, that places a contemporary valuation on each.

*Criterion (6) – Explain how any proposed study methodology (including any preferred data collection and analysis techniques, or objectively quantified information, and a schedule including appropriate field season(s) and the duration) is consistent with generally accepted practice in the scientific community or, as appropriate, considers relevant tribal values and knowledge.*

The methodology would be desktop study with written public input. The study would evaluate the current opportunities for whitewater recreation afforded both interested persons and enthusiasts in Southern California, and to compare them with the same opportunities for interested persons and enthusiasts living in the Northern part of the state — specifically, what options are seasonally available to persons of different whitewater skills/crafts/interests who live in, for instance, Los Angeles, San Diego, and Orange and Riverside Counties compared with persons who live in San Francisco, Sacramento, and the greater Silicon Valley.

*Criterion (7) – Describe considerations of level of effort and cost, as applicable, and why any proposed alternative studies would not be sufficient to meet the stated information needs.*

Since this would be a desktop-only study with solicited written input, the cost would be an estimated \$10,000. The effort and cost are justified given the vast inventory of days project operations remove all opportunity for whitewater recreation on this river<sup>261</sup>, the protected nature of this river given its outstanding recreational values, the visceral importance of this river to Southern California, and the statutory duty of the managing agencies to balance and adapt the proposed license to mitigate the effects of the project on this outstanding recreational public resource in the public interest in line with contemporary social values. There are no proposed alternative studies.

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<sup>261</sup> KRB SD1 at 23-30 & 48-69