



[www.americanwhitewater.org](http://www.americanwhitewater.org)

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Re: Revisions to the National Objectives, Principles, and Standards for Water and Related Resources

Dear Council on Environmental Quality

American Whitewater is a national non-profit organization whose mission is to conserve and restore our nation's whitewater resources and to enhance opportunities to enjoy them safely. Our membership is primarily composed of non-commercial, conservation-oriented kayakers, canoeists, and rafters. Our members traverse virtually every headwater river in the country every year, and deeply value free flowing rivers and streams. American Whitewater has participated in the relicensing of over 100 FERC regulated dams, the Tennessee Valley Authority's Reservoir Operations Study, and numerous planning efforts for other new and existing federal dams. We offer the following comments on the document titled: "Proposed National Objectives, Principles and Standards for Water and Related Resources Implementation Studies."

### **1. A Recreation Principle and Planning Standard is Needed.**

The document mentions recreation only as a value of waterways that we depend on, and only in the document's introduction. There is no subsequent principle or planning standard that recognizes or seeks to protect this critical value as part of the planning process.

Water-based recreation is a major contributor to American's quality of life. Local and regional economies are based on paddling, angling, and other forms of water-based tourism. Children have been shown to benefit from outdoor recreation and there is a wide ranging initiative among federal agencies to enhance opportunities to get youth outdoors. Water-based recreation has positive physical and mental health benefits for children and adults alike. Water-based recreation maintains a connection between the nation's citizens and nature that inspires a conservation ethic among the public. In many areas of the country, rivers are the closest and most accessible public open space on which to recreate. As part of the public trust, Americans deeply value rivers for their intrinsic value and the many forms of outdoor recreation that rivers support. The Clean Water Act, the Federal Power Act and other federal legislation explicitly recognizes that nature-based recreation on rivers and lakes is a right of the American public.

We request that another principle and a related planning standard be added that requires the formal consideration of the proposed projects' effects on outdoor recreation occurring on rivers and other natural water resources. We propose that all projects should seek to avoid, minimize, and compensate for impacts to specific pre-existing water-based outdoor recreation activities.

## **2. Timelines for Review are Needed**

We were not able to find a description of how often implementation studies would be conducted or updated under the new planning guidelines. Many water development projects will last several generations before time, economics, and/or physical processes require their removal or reconstruction. Formal and scheduled periodic review of project operations is beneficial to all interests. The Federal Energy Regulatory Commission (FERC) grants licenses for periods of 30 to 50 years with set expiration dates. These timelines are extremely long, though increasingly adaptive management components of the licenses as well as license amendment opportunities allow for interim changes. Periodic deadlines for review are essential to ensuring that the public interest is being maintained as ecological and societal variables change over time. If relevant monitoring data is collected regularly, project operations could easily be addressed on the 10-15 year timeframe similar to plans for units of the National Forest System.

## **3. The FERC Integrated Licensing Process May Serve as a Model**

We suggest that the FERC's Integrated Licensing Process (ILP) may serve as a rough model for the planning process sought for Federal water projects. While not perfect, the ILP contains hard deadlines that encourage public participation and agency accountability, a degree of transparency, opportunities for active negotiation and collaboration, an embedded NEPA framework that provides a legal context for the process, and a process for both agency and judicial review. We feel that each of these elements of the process is critical.

## **4. General Support for Principles and Standards**

We were pleased to see several elements of the proposed planning process. First and foremost the focus on protecting and restoring natural resources for their intrinsic values and their ecosystem services is extremely important to us.

We feel that planning on the watershed scale (and multiple scales both larger and smaller than watersheds) will lead to better decisions than planning focused only on the projects' physical footprint.

We strongly support the language requiring the use of the best available science, collaboration, and transparency. As a stakeholder in many such processes, we have found that the best outcomes result from universal access to high quality scientific information, and a facilitated forum in which to discuss that information.

## Conclusions

Our nation's few remaining free flowing river reaches are extremely important for protecting native biodiversity and nature-based recreation. Decisions to build or maintain water development projects on these rivers will have significant negative ecological and social impacts. It is critical that any decisions that could impact these treasured public trust resources be the result of a fair and robust process that seeks to avoid, minimize, or mitigate the impacts. It is important to recognize that short cuts in process equal delays in implementation, and following a good process results in timely implementation. We are generally supportive of the basic principles proposed by the CEQ, however we feel strongly that a principle and planning standard must be added that addresses river recreation.

Thank you for considering these comments,

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Colburn', with a long horizontal flourish extending to the right.

Kevin Colburn  
National Stewardship Director  
American Whitewater