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Sequoia National Forest
Sent via e-mail to mtulloa@fs.fed.us

Re: Sequoia National Forest Planning

Dear Forest Service Planning Staff,

American Whitewater would like to thank USFS staff for the opportunity to provide these comments on the assessment-phase of this new Forest planning process for the Sequoia National Forest. We submit these comments in addition to our comments and edits to the Living Assessment Wiki Page.

American Whitewater is a national non-profit organization dedicated to conserving and restoring our country's whitewater resources, and to enhancing opportunities to enjoy them safely. We have over 5,500 members - typically non-commercial kayakers, rafters, and canoeists – many of whom regularly paddle rivers flowing through the Sequoia National Forest. In addition, we are partners in managing the Kern River, where we have invested significant effort into flow restoration and/or management. We look forward to working with the Forest Service and the public in developing a protective and nationally consistent management plan for the Sequoia National Forest, and the others located within the Sierra Bio-region.

Canoeing, kayaking and rafting are likely the oldest forms of travel and exploration aside from walking. Though technological advances have improved safety (as in all outdoor recreation) the core elements of the activity remain; exploring natural areas by paddling a small boat through the landscape on rivers. Each river is a natural trail through the landscape, reflecting the character of the geology and natural beauty. Paddling is human-powered, place-based, low-impact, quiet, non-consumptive, skill-based, and Wilderness-compliant. In short, it is exactly the kind of activity and experience covered under the definition of “sustainable recreation” in the new Forest Planning Rule.

As we understand the assessment phase of the new Forest Planning process, you are now seeking pre-existing information that can help form the factual basis for the remainder of the planning process, as well as some high-level comments on topics we would like the plan to cover. Our comments seek to provide exactly this type of information and context.

1. Whitewater Paddling Across the Forests and Region

The south Sierra mountains of California are not only home to many paddlers, but are also a highly sought after destination for paddlers from across the globe. The Kern River and its tributaries in particular offer paddlers a vast array of unique and high quality whitewater

paddling opportunities in a highly scenic setting. Paddling resources exist in the region on Forest Service, Park Service, State, and private lands. The Sequoia National Forest offers paddlers spectacular rivers and scenery with assured legal access.

Currently, the Wiki pages for the assessment largely overlook whitewater paddling. American Whitewater's National Whitewater Rivers Inventory offers a relatively comprehensive view of paddling in California.¹ This Inventory also has a geospatial Google Earth layer associated with it that can be downloaded at the bottom of the above referenced page.² These resources provide information that can help inform the Forest Planning process.

2. Hydropower's Role in River Recreation on the Forest

The Sierra Mountains have been highly developed for hydropower generation for well over half a century. This development has had significant deleterious effects on aquatic biodiversity and has also had a profound effect on river-based recreation. Many prime whitewater boating opportunities lie beneath reservoirs, and diversions have left some rivers without adequate or predictable flows to support paddling. For over two decades, American Whitewater has worked closely with the Forest Service and other regional stakeholders to remedy or enhance flow regimes on several regional rivers, and we look forward to a continued partnership on each of them. On the Sequoia National Forest, there are two hydropower projects on the Kern River where we expect the new Forest Plan to seek to support, and where possible enhance, these recreational opportunities.

a. Upper Kern: KR 3 Hydropower Project (FERC # 2290)

Southern California Edison's (SCE) KR 3 Hydropower Project diverts the Kern River at Fairview Dam 17 miles downstream to the KR 3 Powerhouse. The Project is capable of diverting up to 600 cfs, and when inflows to Fairview Dam exceed that amount, the dam spills water into the usually de-watered seventeen-mile reach (the Project has no storage capacity). Spill typically occurs during the spring and early summer, coinciding with the Sierra snowmelt. Where there is enough water in the reach, there are Class II to Class V whitewater boating opportunities, depending on where you launch and take-out.³

In the mid-1990's, a FERC license was issued for the KR 3 Project which contained 4(e) conditions from the Forest Service to address impacts to whitewater recreation below Fairview Dam. American Whitewater and Friends of the River believed these conditions did not provide adequate mitigation, and after filing two successful lawsuits, entered into settlement negotiations with SCE to craft a mutually agreeable whitewater flow schedule. In December 2002, American Whitewater, Friends of the River, and SCE signed a Settlement Agreement for whitewater releases from Fairview Dam on the upper Kern River above the community of Kernville. The Agreement and revised USFS 4(e) conditions to require 39 days of whitewater releases a year.

¹ <http://www.americanwhitewater.org/content/River/state-summary/state/CA/>

² <http://www.americanwhitewater.org/content/River/state-summary/state/CA/.kml>

² <http://www.americanwhitewater.org/content/River/state-summary/state/CA/.kml>

³ <http://www.americanwhitewater.org/content/River/detail/id/218/>

In July 2013, SCE proposed license amendments to the whitewater boating schedule without consulting interested stakeholders, including the Forest Service. Additionally, all parties are unclear about whether SCE has been complying with the settlement agreement. American Whitewater is reviewing the hydrologic record to determine whether SCE has been releasing water according to the agreement.

Ensuring compliance with this agreement will provide important recreational benefits for the many paddlers that come to the Kern River to recreate. The FERC license agreement requires that the Forest Service hold an annual meeting with SCE. We have found that license implementation goes more smoothly when all interested stakeholders are invited to the table, and request that the Forest Service invite whitewater boating interests, and other interested stakeholders, to these meetings.

b. Lower Kern: Lake Isabella and Borel Powerhouse

The Kern River below Lake Isabella provides 40 miles of a diverse range of opportunities for whitewater recreation.⁴ The Sandy Flat to Democrat run is the most popular commercial rafting run in the region and is where many Southern California residents get their first taste of whitewater paddling. Flows below Isabella Dam are influenced by a number of entities. The Army Corps of Engineers (USACE) operates Isabella Dam, while SCE operates the Borel Powerhouse (FERC #382) downstream, and the Kern Watermaster, who is an agent of the Kern Water Users, is in charge of releases from Isabella for agricultural and other consumptive needs. Additionally, the Forest Service manages recreation on the Lake and below the dam.

Currently, there is no established flow schedule for the Kern River below Isabella Dam. A reliable flow schedule is one of the most important factors related to whitewater recreation on this section of the river, enabling both private boaters and commercial outfitters to know when flows will be available.

The USACE is currently in the process of upgrading Isabella Dam for safety improvements, and is working with the Forest Service regarding mitigating lost recreational opportunities. We believe that there is an opportunity for the Forest Service to improve conditions by working with all stakeholders to develop a process whereby a release schedule can be developed at the beginning of each season.

3. Wild and Scenic Suitability

The BioRegional Wiki page states that completing suitability in the land management planning process is the “preferred approach” recommended in the Forest Service Handbook. Suitability determinations are relatively resource intensive analyses most often conducted in response to a

⁴ See <https://www.americanwhitewater.org/content/River/detail/id/220/>
<https://www.americanwhitewater.org/content/River/detail/id/221/>
<https://www.americanwhitewater.org/content/River/detail/id/222/>
<https://www.americanwhitewater.org/content/River/detail/id/223/>
<https://www.americanwhitewater.org/content/River/detail/id/6148/>

proposed water resource or other natural resource development. These determinations, which include ever changing factors like politics, economics, and recreation, offer a snapshot of conditions at the time of the analysis, whereas eligibility is based on the free flowing nature and outstanding value of the river.

In our experience, it has long been USFS practice to defer suitability, and we find this to be environmentally responsible, consistent with the Wild and Scenic Rivers Act, and fiscally conservative. As a matter of policy, we have asked that the draft Forest Service Handbook and Manual be modified to clearly state that suitability determinations are optional and best deferred until they are needed.

The BioRegional Wiki states that the North Fork and North Fork Middle Fork Tule, and Lower Kern and Little Kern Rivers are eligible rivers with incomplete suitability studies within Sierra National Forest. There are no active hydropower proposals that would conflict with eligible river status for these streams. Suitability determinations are not timely or necessary on the Sequoia National Forest and the others in the region. We request that the Forest Service not pursue suitability determinations for any streams found eligible at this time. Suitability should be deferred until triggered by a conservation or development proposal, because suitability involves an economic and political snapshot that is irrelevant to the stream's long-term merit for inclusion in the system.

4. Wild and Scenic Eligibility Inventory

American Whitewater provided comment and additions in the Living Assessment Wiki regarding rivers and streams that should be inventoried for Wild and Scenic eligibility. Our comments are also included below.

The Forest Planning Rule requires an updated inventory be included as an appendix in all new forest plans. Where past inventories have been completed, new information and/or changed conditions should trigger updates to the inventory. Many factors have changed since the last Forest Plan was finalized over two decades ago, including recreational changes and increased understanding regarding climate change. As a result an updated inventory is timely.

The following reaches are free-flowing and all offer spectacular and remote paddling adventures that are extremely rare in the lower 48 states of the U.S., and warrant serious consideration for their eligibility.

a. **Middle Fork Tule** - The Middle Fork Tule offers a spectacular Class IV-V whitewater run from Camp Nelson to Springville/Globe (Lake Success). With scenic waterfalls that provide clean lines, the Middle Fork Tule is an excellent creek run for skilled whitewater kayakers.⁵

b. **Mill Flat Creek:** Mill Flat Creek is a tributary of Kings River, providing a 2-mile, Class IV-V run from Crabtree (FS Road 12S01) to its confluence with the Kings. The creek has recreational value for whitewater boaters, with fun bedrock slides and ledges.⁶

⁵ <https://www.americanwhitewater.org/content/River/detail/id/5091/http://www.awetstate.com/MTule.html>

⁶ <https://www.americanwhitewater.org/content/River/detail/id/251/>

c. **Kern:** The Kern River below Lake Isabella to Kern Powerhouse #1 provides an outstanding whitewater boating resource. The whitewater run provides a pool and drop run with scenic granite cliffs, and a section that Holbeck and Stanley describe as “paradise” for skilled whitewater kayakers.⁷ The reach is also listed in the National Park Service’s Nationwide Rivers Inventory from Borel Powerhouse to Democrat Dam for its diversity of recreation opportunities, scenery and habitat for unique species of slender salamander.⁸

d. **Brush Creek:** Brush Creek is a tributary of the Kern. From Rincon Camp to the Kern, it’s a 1.5 mile Class IV(V) run. It provides outstanding whitewater boating and has stunning scenery. This run is considered to be one of the best introductions to waterfall running anywhere. Intermediate boaters flock to this run every year. While more challenging at higher flows, at lower flows it is appropriate for Class III+ boaters and it can be run as low as 50 cfs.⁹

e. **Dry Meadow Creek:** Dry Meadow Creek is a tributary of the North Fork Kern that is 1.5 miles from Dry Meadow to its confluence with the North Fork Kern. This run provides spectacular whitewater boating opportunities, and scenic and geologic values. The “Teacups” section is a series of waterfalls that have been carved out of solid granite slab. More difficult than Brush Creek, this run is very popular with more skilled boaters. The reach is featured on the Annual Park Pass this year, and has also been used in advertisements and outreach material.¹⁰

f. **King’s River:** The Kings River forms the boundary between the Sequoia National Forest and the Sierra National Forest. It is Wild and Scenic for 5 miles from confluence of the Middle Fork and South Fork Kings to Garlic Meadow Creek. From Garlic Creek downstream to Kirch Flat Campground, the river provides outstanding whitewater opportunities and stunningly scenic granite cliffs and dependable flows in the early spring through summer.¹¹

The final eligibility inventory should seek the type of information envisioned in the proposed Forest Service Handbook. Specifically, each stream should have information on what makes it special, potential Outstanding Remarkable Values, and if possible, a photograph. We request that the Forest Service consult the National Whitewater Rivers Inventory,¹² (specific river reaches and whitewater runs were referenced directly in the Wiki), a Wet State and California Creeks websites,¹³ and The Best Whitewater In California¹⁴ to gain a better perspective of the

⁷ <https://www.americanwhitewater.org/content/River/detail/id/220/>
<https://www.americanwhitewater.org/content/River/detail/id/221/>
<https://www.americanwhitewater.org/content/River/detail/id/222/>

⁸ <http://www.nps.gov/nrc/programs/rtca/nri/states/ca.html>. “The NRI is a source of information for statewide river assessments and federal agencies involved with stream-related projects. For any group concerned with ecosystem management, the inventory can provide the location of the nearest naturally- functioning system which might serve as a reference for monitoring activities. It also serves as a listing of plant and animal species for restoration efforts on a similar section of river. For the recreationalist, it provides a listing of free-flowing, relatively undisturbed river segments.”

⁹ <http://www.americanwhitewater.org/content/River/detail/id/2297>

¹⁰ <http://www.awetstate.com/DryMeadowCreek.html>

¹¹ <http://www.americanwhitewater.org/content/River/detail/id/224/>
<http://www.americanwhitewater.org/content/River/detail/id/225/>

¹² <http://www.americanwhitewater.org/content/River/state-summary/state/CA/>

¹³ <http://awetstate.com>; <http://www.cacreeks.com>

recreational opportunity these rivers offer, and update their Wild and Scenic River eligibility inventory based on this new recreational information.

The rivers and streams listed above provide a foundation for an eligibility inventory within the Sequoia National Forest. There are more rivers and streams in the Forest that are freely flowing and possess outstandingly remarkable values, and we look forward to contributing to and reviewing this inventory.

5. Management of Wild and Scenic Rivers on the Forests

American Whitewater provided comment and edits to the Living Assessment Wiki regarding management of Wild and Scenic Rivers on the Sequoia National Forest. Our comments are also included below.

The Sequoia National Forest manages several Wild and Scenic Rivers that are of vital importance to paddlers: the King's River and its South Fork, and the North and South Forks of the Kern. These rivers are managed under Comprehensive River Management Plans (CRMPs) that were written 25 years ago. Given the changes in river management practices, demographics, recreational preferences, and other management issues it is likely that these plans are out of date. We request that these plans be updated concurrently with Forest Planning. Doing so offers both the Forest Service and the public significant efficiencies in participation (e.g. one set of meetings, one NEPA analysis, and one integrated planning framework.)

One particular management anomaly indicates a potential need for updating the plans. The Forks of the Kern is managed in a way that limits private boating to 15 people per day (one of the most restrictive direct limits on non-commercial paddling in the United States), while hikers, anglers, horseback riders, and any other visitors are subject to no direct limits. Paddling is only targeted for unique direct limits when it has been shown to exceed a river's capacity while other visitors have minimal contributions to capacity. This does not appear to be the case on the Forks of the Kern, however monitoring data should be able to inform a fresh hard look at this issue to assess and if justified adjust this management policy.

In addition, the Wiki states that "rafting does not occur [on the Kings River from the confluence of the Middle and South Forks to Garlic Meadow Creek] due to the hazards involved and the lack of access (USDA 1988b)," This is not the case. This section of river has been run by kayakers and rafters for at least the past 20 years and is described as "a great run."¹⁵ We suspect that the CRMPs from the late eighties consistently fail to recognize the outstanding and remarkable paddling opportunities provided by the Wild and Scenic Rivers. We encourage the Forest Service to consult our Nationwide Whitewater Rivers Inventory relating to the Kings River, South Fork Kings,¹⁶ South Fork Kern,¹⁷ and North Fork Kern.¹⁸

¹⁴ Holbeck, Lars and Stanley, Chuck, *The Best Whitewater in California: The Guide to 180 Runs*, 3rd edition. Watershed Books, 1998.

¹⁵ <http://www.americanwhitewater.org/content/River/detail/id/224/>

¹⁶ <http://www.americanwhitewater.org/content/River/detail/id/231/>,
<http://www.americanwhitewater.org/content/River/detail/id/230/>

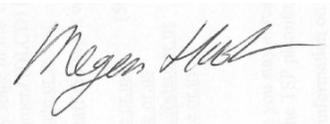
¹⁷ <http://www.americanwhitewater.org/content/River/detail/id/2607/>,

We look forward to continuing to work with the Sequoia National Forest on developing a comprehensive list of rivers that have whitewater recreational value. Thank you for considering these comments.

Sincerely,



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Megan Hooker
Associate Stewardship Director

<http://www.americanwhitewater.org/content/River/detail/id/2604/>
¹⁸ <http://www.americanwhitewater.org/content/River/detail/id/216/>,
<http://www.americanwhitewater.org/content/River/detail/id/217/>