



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

Dave Steindorf  
California Stewardship Director  
4 Baroni Drive  
Chico, CA 95928  
530-518-2729  
[dave@americanwhitewater.org](mailto:dave@americanwhitewater.org)

October 27, 2014

Melissa Harris,  
Bureau of Reclamation  
2800 Cottage Way  
Sacramento, CA 95825-1893

Sent via electronic mail to: [sha-mpr-usjrbsi@usbr.gov](mailto:sha-mpr-usjrbsi@usbr.gov)

Dear Ms. Harris,

American Whitewater appreciates having the opportunity to provide comment on the Bureau of Reclamation's ("Bureau") Draft Environmental Impact Statement for the Upper San Joaquin River Basin Storage Project ("DEIS"), which proposes to build the Temperance Flat Dam at river mile 274. Constructing and operating the Temperance Flat Dam would have incredibly high economic, environmental and recreational costs while yielding a small amount of water and doing little to address the extreme drought in California. American Whitewater encourages the Bureau to adopt the No Action Alternative.

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954 with a mission to conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely. With over 5,800 members and 100 locally-based affiliate clubs, American Whitewater represents the conservation interests of thousands of whitewater enthusiasts across the nation. A significant percentage of our members reside in and travel to California for its whitewater resources, and enjoy recreating on the San Joaquin River. As a result, American Whitewater has a direct interest in the outcome of the proposal to construct Temperance Flat Dam.

### **The San Joaquin River's Values**

The San Joaquin River between Kerckhoff Dam and Millerton Reservoir is a special place that supports a variety of recreational experiences amidst stunning scenery and a unique geologic background. The river flows through the San Joaquin River Gorge Special Recreation Management Area, managed by the Bureau of Land Management ("BLM").

For our members and other whitewater enthusiasts, the San Joaquin River between Kerckhoff Dam and Millerton Reservoir is a place to experience this area while enjoying Class III to V whitewater. Our members run the "Patterson Bend" and "Millerton Lake Bottom" runs, both of which would be inundated if the Temperance Flat Dam were constructed. The DEIS notes that despite proposed mitigation measures, the project

would have significant and unavoidable impacts to whitewater recreation on these reaches. The whitewater rivers of California have been heavily impacted by hydropower and water supply projects, leaving few rivers freely-flowing. The San Joaquin is no exception. American Whitewater has spent significant time and resources working to restore flows to these rivers in recent decades, and strongly objects to the loss of another river in the region, and loss of another freely-flowing segment on the San Joaquin.

The DEIS does an adequate job of describing the Patterson Bend and Millerton Bottom whitewater runs that would be inundated. The river below Kerckhoff Dam (i.e. “Patterson Bend”),<sup>1</sup> provides Class III-V whitewater opportunities, and is a great run over a wide range of flows. In between rapids, boaters enjoy the stunning scenery and geology of the area. Boaters put in on Kerckhoff Reservoir and portage around the dam to get to the run, and take out at Kerckhoff Powerhouse #1, Powerhouse #2, or further downstream. Flows downstream of Powerhouse #1 on the “Squaw Leap” run are reliable every fall.<sup>2</sup> The river is runnable downstream of Powerhouse #2 when Millerton Reservoir is low, particularly in the late summer and early fall.<sup>3</sup> These runs provide a good day trip for whitewater enthusiasts, and American Whitewater intends to participate in the FERC relicensing proceedings for the Kerckhoff Hydroelectric Project beginning in 2018 to seek improved whitewater recreation opportunities for the area.

American Whitewater rejects the notion that finding a comparable river within a two-hour drive and engineering it to provide a similar whitewater opportunity is proper mitigation.<sup>4</sup> Our members value the San Joaquin not for the class of whitewater that it provides or the length of the run, but because it provides its own unique experiences and has its own unique character, values and scenery.

Similarly, American Whitewater finds inundating the Patterson Bend run for part of the year to be unacceptable. The DEIS states that under Alternative Plans 1 through 3, on average, 4 of the 6 miles of the Patterson Bend run would be exposed between August and December, and in Alternative Plan 5 the run would be exposed between July and January. Flooding a river several months out of the year dramatically changes its character, ecosystem and experience. The DEIS accurately notes that:

“Although whitewater boating opportunities would still be possible on the Patterson Bend run, the setting would be different because the vegetation and rock along the run length would be altered. In addition, remnant trees and other debris could create potential boating hazards along the run. Also, the Squaw Leap run would be exposed infrequently, displacing whitewater boaters to other rivers in the region.”<sup>5</sup>

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<sup>1</sup> <http://www.americanwhitewater.org/content/River/detail/id/288/>

<sup>2</sup> <http://www.americanwhitewater.org/content/River/detail/id/4197/>

<sup>3</sup> <http://www.americanwhitewater.org/content/River/detail/id/4196/>

<sup>4</sup> Bureau of Reclamation, Draft Environmental Impact Statement for the Upper San Joaquin River Basin Storage Project, August 2014, p. 22-72.

<sup>5</sup> *Id.* at 22-59.

Whitewater resources are heavily impacted by numerous hydropower and water resource projects throughout the state, including several on the San Joaquin River. American Whitewater has spent decades working to restore many lost opportunities, often securing 2-6 days of flows per year where there used to be opportunities for many months, or in some cases, all year long. The DEIS states that one of the secondary purposes of building Temperance Flat Dam is to meet the increasing demand for “water-based recreation.” American Whitewater contends that there are plenty of opportunities to recreate on reservoirs. These reservoirs are created by the same projects that have left whitewater rivers either dewatered or with wildly sporadic flows, making them unrunnable. The DEIS recognizes that some recreational activities, such as whitewater boating, will be irreparably lost.<sup>6</sup> On behalf of our members, we find these losses to be unacceptable, and we strongly oppose the construction of Temperance Flat Dam.

In addition to the whitewater values of the San Joaquin River between Kerchoff Dam and Millerton Reservoir, the river through the San Joaquin River Gorge Special Recreation Management Area has incredible biological, cultural, geological, educational and recreational values. The BLM recognized the inherent values of this reach of the San Joaquin in 1997 when it determined that the 5.4-mile reach between Kirchkoff Dam and the Kerckhoff Powerhouse (Segment 1) was eligible for inclusion in the National Wild and Scenic Rivers System for its outstandingly remarkable scenic and cultural values.<sup>7</sup>

In July 2010 the Bakersfield Office of the BLM completed a Wild and Scenic Suitability Report<sup>8</sup> and determined that Segment 1 of the San Joaquin River was also suitable for inclusion in the National Wild and Scenic Rivers System. In the 2012 Final Environmental Impact Statement, the agency determined the river suitable for inclusion in the National Wild and Scenic River System, and recommended it for congressional designation. American Whitewater supports this determination. The agency also stated that its objective is to manage Segment 1 of the San Joaquin so as to maintain its free-flowing nature, water quality, ORVs and tentative classification, pending congressional act or for the duration of the RMP.<sup>9</sup>

The 2010 suitability report notes that numerous recreational activities occur in the area, including fishing, hiking, backpacking, bicycling, swimming, camping, nature studying and horseback riding. The suitability report also notes that the federally threatened vernal pool fairy shrimp and state listed endangered bald eagle inhabit the area, with additional state and federal threatened and endangered plant and animal species likely in the area, and seven special-status species. Habitat is available for numerous more.

In addition to the whitewater values of the San Joaquin River, our members value the scenic, ecosystem and additional recreational values of the area as well. We strongly oppose destroying these resources, particularly because the costs, both economic and in terms of resources lost, are just too high to justify the means.

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<sup>6</sup> *Id.* at ES-91.

<sup>7</sup> Bureau of Land Management, Bakersfield Field Office, Proposed RMP/Final EIS, August 2012, p. 360.

<sup>8</sup> Bureau of Land Management, Bakersfield Field Office, Wild and Scenic River Suitability Report, July 2010; available in Bureau of Land Management, Bakersfield Field Office Draft RMP/Draft EIS, 2011, Appendix J.

<sup>9</sup> Bureau of Land Management, August 2012, at p. 95.

## **Temperance Flat Is Costly, Yet Yields Little**

The DEIS states that one of the primary purposes of building Temperance Flat Dam is to increase water storage from the upper San Joaquin River watershed to improve water supply reliability and operational flexibility.<sup>10</sup> The San Joaquin River is over-allocated, and most of the river's flow is already captured and diverted. At best, the proposed project would only yield 94,000 acre-feet of water on average annually, and would store water in only one out of every three years.

The DEIS states that another primary purpose of building Temperance Flat Dam is to enhance water temperature and flow conditions in the San Joaquin River downstream from Friant Dam for salmon and other native fish.<sup>11</sup> American Whitewater echoes the comments of our partner organizations, noting that the San Joaquin River Restoration Project does not need the support of Temperance to succeed. The economic viability of Temperance Flat Dam relies on taxpayer subsidies, and is mostly done in the name of this "public benefit." However, several of the Alternative Plans actually reduce the salmon populations, and those that do show only minimal gains. These gains come at the expense of numerous other plant, fish and wildlife species and recreational values.

Additionally, the DEIS states that a secondary objective of planning the Temperance Flat Dam is to maintain hydropower attributes of the area.<sup>12</sup> The proposed project would inundate two powerhouses from the Kerckhoff Hydroelectric Project upstream (FERC Project No. 96). The DEIS notes that regardless of the Alternative Plan chosen, there will be an overall reduction in hydropower production, supplying anywhere from 73.4% to 91.2% of the value that Kerckhoff currently provides.<sup>13</sup> The most cost-effective way to maintain hydropower attributes is to not build the project.

## **Conclusion**

California's severe drought is not a problem of storage—it is a problem of reduced precipitation and overallocating and abusing the supply that is present. The Bureau has conducted numerous studies over the last 60 years seeking ways to increase storage on this section of the San Joaquin, and there is nothing new to compel an argument that the project should be built now.

Temperance Flat Dam is a costly project that fails to meet the described purpose and needs for the project, and will not fix the drought. In fact, if this project made sense, its beneficiaries would be willing to fund it. To date there are no private entities willing to take on the cost of building Temperance Flat Dam. We encourage the Bureau and all relevant local, state and federal agencies to redirect their resources towards developing other more viable solutions to the problem. We encourage the Bureau to select the No Action Alternative.

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<sup>10</sup> Bureau of Reclamation, August 2014, at p. ES-9.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* at ES-29.

Sincerely,

A handwritten signature in black ink that reads "Dave Steindorf". The signature is written in a cursive style with a long, sweeping tail on the "f".

Dave Steindorf  
California Stewardship Director

A handwritten signature in black ink that reads "Megan Hooker". The signature is written in a cursive style with a long, sweeping tail on the "r".

Megan Hooker  
Associate Stewardship Director