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Boulder Creek Hydroelectric Project
Project No 13855-000

In Response to the
Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments,
Motions to Intervene, and Competing Applications
for the Proposed Boulder Creek Hydroelectric Project, FERC Project Number 13855-000

American Whitewater is a national nonprofit organization dedicated to protecting and restoring our nation's whitewater resources while enhancing opportunities to enjoy them safely. American Whitewater has roughly 6,000 members and over 100 affiliate clubs. Members of American Whitewater live near, and recreate on, Boulder Creek in a reach that would be subject to significant impacts (i.e. dewatering) from the proposed project. As a conservation-oriented paddling organization whose members enjoy the waters of Boulder Creek, we have a direct interest in changes to flows, river access, flow information, land management, and other topics that will arise in the consideration of a hydropower project on Boulder Creek, and that could greatly impact our enjoyment of Boulder Creek.

MOTION TO INTERVENE

COMMENTS

The proposed project would create a new dam, a small reservoir, a 2-mile long pipe, a powerhouse, transmission lines, and a 2-mile long diversion reach on Boulder Creek. The proposed impact on the flow regime of Boulder Creek would have significant impacts on paddling opportunities and fisheries resources. The proposed diversion would remove an estimated 93cfs from the Boulder Creek gorge. Based on USGS estimates, during all months except the three months of peak spring runoff there is far less water in Boulder Creek than 93cfs, and any small amount of potential diversion during the remaining nine low-flow months would have major impacts to this small flashy stream. Thus, the project could only operate in April, May, and June, a timeframe when there is relatively low power demand and a glut of relatively cheap power available across the region. Thus, the math presented by the project proponent assuming annual generation with 93cfs is not accurate or reasonable, and should instead be based on three spring months of operation.

1. River Ecology

The proposed project would divert significant flows from at least two miles of Boulder Creek, thereby significantly impacting the in-stream and riparian ecology. Elimination of slowly receding spring flows could significantly impact fish spawning and other ecological values linked to those predictable flows (see Section 2 below).¹ Potential elimination or reduction of summer, fall, and winter base flows would also have significant aquatic impacts. The project would include a dam that would fragment aquatic habitat. It would include a small reservoir which would inundate terrestrial land and change aquatic communities. It would include transmission lines, access roads, and other construction that may contribute sediment to Boulder Creek and/or the Kootenai River. It would include the construction of a dam and powerhouse that will have temporary and permanent impacts to aquatic habitat in the area. All told, this project would have a high impact on an otherwise virtually pristine creek.

Over one mile of the proposed diversion reach on Boulder Creek is designated Critical Habitat for the federally threatened bull trout, including the powerhouse location.² As the Final Critical Habitat Rule finds, “Most bull trout are migratory, spawning in tributary streams [like Boulder Creek] where juvenile fish usually rear from one to four years before migrating to either a larger river (fluvial) or lake (adfluvial) where they spend their adult life, returning to the tributary stream to spawn (Fraley and Shepard 1989, p. 133).”³ As critical habitat for bull trout, reductions in flow on this already flashy mountain stream would almost certainly impact spawning success during fall when instream flows are estimated at 15-20cfs, would impact egg incubation during other low flow periods,

¹ Yarnell et al., Ecology and Management of the Spring Snowmelt Recession. 114 BioScience • February 2010 / Vol. 60 No. 2

² See the “Final Critical Habitat Rule” **64062 Federal Register** / Vol. 75, No. 200 / Monday, October 18, 2010 / Rules and Regulations. :<http://www.fws.gov/pacific/bulltrout/FinalCH2010.html#FinalCH>

³ id

and would impact juvenile bull trout as they mature in Boulder Creek throughout the year.

Sedimentation caused by road building and maintenance associated with the dam, the powerhouse, the pipe/penstock, and the transmission lines all threaten to supply sediment into Boulder Creek that could impact bull trout eggs, juveniles, and adults. The detrimental connection between roads, sedimentation, and salmonids is well documented in the scientific literature. Exposing bare soil and introducing industrial vehicles to this area also creates risk of facilitating infestations by exotic plant species.

In addition to bull trout, Boulder Creek is host to a suite of other native species, and likely provides spatial and/or thermal refugia for Kootenai River species during certain times of the year. Alterations of the flow regime and sediment regime would also impact these species.

2. Whitewater Boating

The section of Boulder Creek on which the project is proposed is a unique and beautiful whitewater boating resource. Boulder Creek offers paddlers a road-accessible steep creek boating experience that boasts one of the few – and certainly one of the two best medium sized waterfalls in the region – Magnolia Falls.⁴ The run is an ideal length, is highly scenic, and is situated near other paddling opportunities of similar difficulty but with very different characteristics. Boulder Creek is an easy drive from the recreationally-popular population centers of Coeur d’Alene (ID), Sandpoint (ID), Spokane (WA), Whitefish (MT), Moscow (ID), Kalispell (MT), and Missoula (MT). The American Whitewater National Rivers Database page for Boulder Creek can be found at: <http://www.americanwhitewater.org/content/River/detail/id/10359/>. It offers several photos and a reach description of this high quality Class IV/V creek.

Boulder Creek offers whitewater boating experiences only on the lower ends of the ascending and descending limbs of the spring hydrograph. Optimal paddling flows are likely in the range of 250cfs. As FERC is well aware, spring flows drop off dramatically from their peak, and the recession rate slows significantly as the flows approach base flows. This tail end of the spring snowmelt recession is the primary period during which paddling opportunities are available, predictable, and relatively stable. On Boulder Creek, the United States Geological Survey (USGS) estimates this slow recession rate to occur between 300cfs and the baseflow of around 20cfs, while higher flows drop off sharply. If the project were to eliminate 93cfs, the flow regime would recede dramatically more steeply through the recreationally important slow recession timeframe. Based on USGS data we estimate that this effect would eliminate 50% of paddling opportunities each year, and make the remaining opportunities harder to predict and enjoy. This effect is painfully evident on the nearby Smith Creek Hydroelectric Project: once *the* classic Idaho steep creek, Smith Creek is now virtually impossible to paddle.

⁴ With the exception of Kootenai Falls, a nearby waterfall on a huge open river, paddlers would have to drive hundreds of miles to find a waterfall comparable in quality to Magnolia Falls.

3. Aesthetics

The proposed project would create a dam, reservoir, pipe, penstock, powerhouse, and transmission lines in the Boulder Creek corridor. A new and/or improved road would need to be constructed to the dam site and powerhouse site, which would require and continue to attract industrial vehicles to this otherwise remote fishing, camping, hiking, and paddling area. In addition the proposed project would divert significant water out of an otherwise impressive whitewater stream on public lands. All of these impacts would detract from the scenery of the river and the experience of visitors.

CONCLUSIONS:

The proposed project would have significant negative impacts on recreational, aesthetic, water quality, and threatened ecological values, as well as the free flowing nature of Boulder Creek. The proposed project would supply a very small amount of power for a short portion of the year when there is ample and affordable hydropower on the BPA market. For these reasons, we do not believe that the project is in the public interest.

Thank you for considering these comments submitted the 7th day of December 2010.

Sincerely,

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

Kevin Colburn
National Stewardship Director
American Whitewater

CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of December 2010, served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.



Carla R. Miner
Stewardship Assistant
American Whitewater

Service List for P-13855-000 NorthHydro, LLC

Contacts marked ** must be postal served

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
NorthHydro, LLC	Darius Ruen Managing Member of LLC 3201 N Huetter Road, Suite 102 Coeur d Alene, IDAHO 83814 UNITED STATES dlr@ruenyeager.com	