



Kevin Colburn
National Stewardship Director
329 North Jefferson Street
Moscow, ID 83843
208-882-2711
kevin@amwhitewater.org

Public Affairs Office
Merv Brokke, CENAP-PA
U.S. Army Corps of Engineers
Wanamaker Bldg., Rm 600
Phila., PA 19107-3390

Re: Comments, F.E. Walter Reservoir Operation Technical Study (CENAP-PL-E-05-03).

Dear Mr. Brokke,

I am writing you on behalf of American Whitewater, a national nonprofit organization with the mission of protecting and restoring our nation's whitewater resources while enhancing opportunities to enjoy them safely. Many of our members live and/or recreate in Pennsylvania and specifically on the Lehigh River. American Whitewater therefore has a direct interest in the flow regime of the Lehigh River, and any proposals to change that flow regime.

The February 24th 2005 proposal to enhance the recreational benefits of the Lehigh River's flow regime followed years of discussion between the paddling community and the Army Corps of Engineers (ACE). We were, and remain, very pleased that the ACE initiated a public process aimed at enhancing paddling and other recreational benefits. Shortly after the release of the proposed plan, we shared the plan with the paddling community through our website and encouraged paddlers to comment on the proposal and to attend the public meeting. We fully supported the proposal to provide 30 days of recreational releases, to increase the reservoir pool, and to increase the continuous base flow throughout 2005 as a means of testing the ability of the F.E. Walter project to better meet multiple objectives.

Unfortunately, before we even filed official comments and prior to the recommended comment deadline, the proposal was radically changed through negotiations between a small subset of stakeholders. On March 9, the public notice was issued for CENAP-PL-E-05-03, which recommended fewer releases than the original proposal and no releases guaranteed for the months of May and June. The Kayak and Canoe Club of New York (KCCNY) sought clarification from ACE, and were notified by e-mail on March 28 that the study proposed releases on May 14-15, May 28-29, June 11-12, June 25-26, July 2-3, July 23-24, August 6-7, August 20-21, September 3-4, September 17-18, and October 1-2, for a total of 22 releases.

We have never experienced a federal agency changing a recommended action during a public comment period – without even alerting the public that what they were commenting on had become moot. Certainly this constituted a breach of trust, if not a breach of process. American Whitewater would like the paddling community to be considered a respected and responsible stakeholder group with the same access to information and negotiations that the ACE grants other stakeholder groups. We hope that we can move forward in such a capacity, and welcome future dialog with the ACE.

With this being said, we would like to reiterate our support for the concept of testing the ACE's ability to increase the public benefits of the F.E. Walter Dam in 2005 and in subsequent years. While the flow regime as defined in CENAP-PL-E-05-03 does not meet our interests to the extent that the original proposal did, we still support testing the CENAP-PL-E-05-03 flow regime this year, with the understanding that there may be opportunities discovered through this trial that will provide additional recreational benefits in future years. It is our interest to see the dam managed in such a way that maximizes ecological and recreational values of the Lehigh River, and feel that this process does have the potential to meet our interests.

We sincerely appreciate the ACE responding to our requests to improve the recreational benefits of the F.E. Walter Dam. The fact that a new flow regime will be tested this year and that we have the opportunity to write this letter is a testament to the ACE's flexibility and desire to meet the public's interests on the Lehigh River. We look forward to reviewing the results of this year's trial flow regime, and working with the ACE and other stakeholders to further enhance the ecological and recreational values of the Lehigh River.

Please feel free to contact me any time regarding these comments or any related issue that may arise.

Sincerely,

Mr. Kevin R. Colburn
National Stewardship Director
American Whitewater

Cc:

Dr. Minas Arabatzis
Chief, Planning Division
ATTN: Environmental Resources Branch
U. S. Army Corps of Engineers
Wannamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390