

Completing FERC's Form 80

The Licensed Hydropower Development Recreation Report — known as Form 80 — requests information on recreational use and facilities at Federal Energy Regulatory Commission-licensed projects. Completed forms are due April 1, 2009. Learn about methods of data collection and analyses that licensees can use to comply with this important filing.

By Marty L. Phillips and
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The Licensed Hydropower Development Recreation Report (Form 80) is a reporting tool used by the Federal Energy Regulatory Commission (FERC) to request information on recreational use and facilities. Owners of projects licensed by FERC under the Federal Power Act are required to file a Form 80 every six years. The next Form 80 is due by April 1, 2009; the data collection year is 2008.

Who has to file

A FERC licensee must file a Form 80 for each development of its project if the project began operating before January 1, 2008, and if the licensee has not been granted an exemption for this filing under the Code of Federal Regulations (18 C.F.R. 8.11c). A licensee who files a Form 80 may request an exemption from

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any future filings if the development, as evidenced by the initial Form 80 data, has “no or very minor” existing or potential recreational use. Generally, no use or minor use is defined as fewer than 100 recreation days during the previous calendar year. A licensee must file a request for exemption from the Form 80 filing no later than six months prior to April 1, 2009 (i.e., end of September 2008).

Generally, if you receive a letter from FERC detailing the filing requirements or if you filed a FERC Form 80 for a project in 2003 pursuant to the Code of Federal Regulations Section 18, 8.11, you will need to file a Form 80 in 2009. Licensees who were granted an exemption for prior reporting years and have received a new license since the exemption was granted will need to complete the form for this cycle or request an exemption.

Collecting the data

If you own a FERC-licensed hydro project and haven't started collecting data yet, don't panic! Check your project's FERC license and any monitoring requirement and recreation, land management, or shoreline management plans to see if the Form 80 is mentioned or any consultation requirements are described. If there are specific requirements, you may be able to work with federal and state resource agencies, non-governmental organizations identified in your consultation requirements, or local groups such as concessionaires to collect existing information sufficient to adequately describe recreation at your project and then to use that information to fill out the

form. If there are no requirements for consultation, consider using existing information such as park visitation records. Many licensees consult with their project operators, who frequently have a good feel for the volume of use that occurs at a project, as well as how recreation facilities are used.

Before starting data collection, a licensee should first determine what information is needed to complete the Form 80, and how this data will be collected. Any of the following methods could be used to acquire data to support estimates of recreational use for an entire project or for an individual recreation site. One or more the following data collection methods might apply best to your project:

- Historic use estimates, adjusted by population growth estimates;
- Visitation records maintained by recreation site managers;
- Periodic visitor and/or vehicle counts;
- Visitor/shoreline resident questionnaires;
- Aerial boat counts; and
- Consultations with state and federal agencies, local clubs and organizations, fishing tournament directors, and county/municipal recreation providers that routinely use project resources for recreation and who record visitation data.

Each project is unique and the level of effort toward data collection differs for each project. Some stakeholders in the FERC licensing process have requested that FERC prescribe one particular method of collecting data. FERC staff says it recognizes that projects are unique and therefore does not prescribe one particular method of data collection.

Analyzing the data

Generally, the analysis of data is directly correlated to the data collection method used. For example, when using visitation records from a state park, a licensee should request use numbers by activity, date, and season. If available, this information allows a licensee to present it in accord with the require-



Many hydropower projects provide recreational opportunities. Every six years, the Federal Energy Regulatory Commission collects recreational use data from licensees. Such data can be useful when communicating with policy makers and the public about hydro's many attributes.

ments of Schedule 1 of Form 80, to represent use occurring throughout the season, on normal and peak weekends, and during the daytime and overnight. Similarly, the methods used to collect data via on-site monitoring should be designed such that the data can be analyzed to produce each of these separate use estimates.

To meet the requirements laid out on Schedule 2 of Form 80, licensees must estimate the percent capacity at which recreation facilities are typically used. This is defined by FERC on the Form 80 as a percentage that indicates the overall level of use for each resource type (e.g., boat lanes, picnic areas, etc.) at the project. A licensee can use one of a variety of methods to estimate the percent capacity. A simple method is to estimate the parking capacity for each facility listed and monitor the number of vehicles in the lot during the 2008 data collection year. Using that data, a licensee would calculate the percent parking capacity typically used during non-peak recreation periods (i.e., average number of vehicles in the parking lot over a typical use period divided by the number of parking spaces and multiplied by 100 to achieve a percent).

For less structured sites, such as swimming beaches, licensees can use state health codes or other readily available sources to determine total capacity. Then, to determine the percent capacity at which sites are being used, licensees could use visitation records or use counts. Licensees should avoid using data collected during high use periods, peak weekends, or special events for this effort. This is because recreation sites are generally designed to accommodate normal use levels, not peak levels that might occur during special events and when capacity is expected to be exceeded.

What if 2008 data differs significantly from 2002 data?

During the data analysis process, licensees may want to compare 2008 data to the 2002 data reported on Form 80 in 2003. If the data differs significantly, take time to investigate why the estimates might be so different before you file. There could be a very simple explanation, such as a change in methodology, a change in the population around the project, closure or opening of a recreation site, or even a mathematical error in the analysis.

There are many factors that influence participation in outdoor recreation and, therefore, affect recreational use estimates over time. Population growth is the No. 1 factor influencing increasing participation in outdoor recreation. If the population around a project has grown, chances are recreational use has also increased.

Recreation is considered a leisure pursuit dependent on the availability of disposable income and time. High fuel prices may influence vehicle travel, personal boat use, and the rental market. An economic recession may exacerbate these factors and their influence on recreational use.

Weather also plays an important role as seen in the case of severe weather, unusually hot weather, or a rainy season. For example, during drought conditions, as boat ramps and other facilities become inaccessible, people may seek substitute sites for their recreational pursuits. Likewise, people may seek substitute activities during severe prolonged heat. A person might, for example, elect to take his or her children to an indoor playground rather than a public park.

Depending on what is occurring in your region in 2008 (your data collection

year), the use estimates you report to FERC in 2009 may look markedly similar or vastly dissimilar to those filed in 2003.

Filing the form

Form 80 can be filed in two ways: paper and electronically through FERC's efile program. Filing the form using either of these two methods should take less than 15 minutes of your time. FERC is also investigating a web-based filing system, which may be operational in time for the 2009 filing deadline. Updates on the web-based filing system may be found on the Internet at: www.ferc.gov/docs-filing/eforms/form-80/intr-fil-instr.asp.

Estimating effort, costs of completing Form 80

FERC states the average time to fill out the form "is three hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the collection of information." In anticipation of this low level of effort, Federal Code 18 C.F.R. 8.11b also dictates that once an initial form has been filed for a development, subsequent filings shall be completed only to the extent necessary to update the information supplied on the previously filed form. However, for many licensees, the burden is greater than three hours.

The level of effort for each licensee is dependent on a few key factors:

- Anticipated use of the data by the licensee for managing recreation facilities or compliance with license conditions;
- Licensee's 2008 and 2009 budgets for recreation use monitoring and data collection;
- Project area involved (acres of land and water, linear shoreline, number of recreational facilities) and past recreational use;
- Presence or absence of federal or state lands;
- Management of recreation facilities by state or federal agencies, private concessionaires, contractors or directly by the licensee;
- Consultation requirements or study requirements expressly laid out in license articles; and
- Availability of existing information.

Some licenses include recreation monitoring articles and associated recreation or shoreline management plans that require consultation with agencies and other stakeholders prior to collecting data for the FERC Form 80; others require

How and When Does FERC Use the Data it Collects?

Section 8.11 of the Federal Energy Regulatory Commission's regulations requires licensees to prepare a Form 80 report for each development within their projects. The Form 80 is used to gather information for use by the commission and other federal and state agencies to determine what recreational facilities are located at licensed projects, and to examine whether public recreational needs are being accommodated and where additional efforts may be needed to meet future needs.

We use the information to assess visitation levels and recreational facility capacity levels to determine whether the facilities are sufficient to accommodate the demand for them or whether the number or scope of facilities at a project should be modified — especially if stakeholders have requested changes to the recreation plans for the project. We also may use the data as a tool for evaluating recreational use trends regionally and throughout the U.S.

The Form 80 also provides a ready reference for environmental assessments and environmental impact statements, as well as background information during environmental compliance inspections by FERC staff. During our environmental inspections, we use the Form 80 data to verify the information provided and to assess license compliance.

The form itself has been updated since the 2003 filing; it now includes a "Data Collection Methods" field and a "FERC Approved Resources" field. The "Data Collection Methods" field details how the information in the Form 80 was collected. The "FERC Approved Resources" include amenities, facilities, or sites as required by the license.

FERC-licensed hydropower projects provide a vast number of outstanding recreational opportunities throughout the U.S. The information in the 2009 Form 80 will be used to update the "Recreational Opportunities at Federal Energy Regulatory Commission Licensed Hydroelectric Projects" map that was last produced using 1990 data. Once FERC staff compiles the 2009 data, a new map with updated information will be produced. This map will be available to the public to showcase the many well-managed and outstanding recreational facilities that exist at FERC-licensed projects.

— *By Shana C. High, Outdoor Recreation Planner and Coordinator of the 2009 Form 80 reporting cycle, Federal Energy Regulatory Commission*

detailed surveys to accompany data collection at a specific recreation site, at a selection of recreation sites, or sometimes at all recreation sites at a project.

Costs for licensees to complete the form are project specific and generally dependent on license requirements, existing recreation-related development and popularity of the project, and availability of existing information. Licensees with specific research and consultation needs detailed in license articles or management plans and with popular, well-developed projects will likely expend greater effort than licensees with small, undeveloped projects with no specific license requirements relating to Form 80. Likewise, a lack of existing information will contribute to overall costs, as

updated information will need to be collected in support of completing the form.

In general, costs for completion of the form may range from as little as \$500 to \$20,000 or more.

How can the Form 80 be used to benefit a licensee?

The information provided on Form 80 is a potential tool that can aid licensees in several ways. First, the information can be factored in when making decisions about how to optimally manage and budget for recreation facilities to meet the needs of the recreating public and when measuring the effectiveness of managing recreational resources. Licensees may rely on this information when responding to agency or public

requests for additional facilities.

Second, the data can be helpful in efforts to monitor project-specific trends that may aid in preparing to meet future recreation-related needs. This monitoring is especially important in some regions of the U.S., such as in southern states, where the population is growing rapidly and is exerting new demands on existing resources. In this way, the Form 80 may serve as a monitoring point for license conditions and triggers for recreation plan adjustments.

Third, the process of collecting data for Form 80 can be useful tool to bridge the nexus between shoreline planning and recreation management. In other words, the process is a great opportunity to get in touch with what is really happening at your project from a recreation management and shoreline planning perspective. For example, one FERC licensee in the southeastern U.S. uses the data collection process to identify popular boating areas. That information is then considered in permitting decisions.

Finally, for the industry as a whole, accurate recreational use data is vital in efforts to communicate with policy makers and the public about the many attributes of hydropower. In addition to generating electricity, hydropower projects create opportunities for boating, whitewater rafting, kayaking, water skiing, fishing, camping, hiking, and biking. Many have picnic areas and boat launch facilities. But how often are these facilities used? How much of the public is really benefitting?

Collecting accurate, up-to-date information about recreation use at hydro facilities can provide answers to such questions. And, the information obtained from the data collection for various audiences can be especially effective in objectively presenting to the public, Congress, and ratepayers hydro's contributions beyond electricity generation. ■

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