



City first to sign agreement with water alliance

Auburn Reporter News reporter

By Robert Whale

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The Auburn City Council on Tuesday evening authorized Mayor Pete Lewis to sign an agreement with the Cascade Water Alliance to address the city's various concerns with CWA's intended use of Lake Tapps as a municipal water source.

By authorizing the mayor to sign, Auburn became just the first of the four cities in proximity to the lake — the others are Bonney Lake, Sumner and Buckley — that has agreed to be a party to the proposed Lake Tapps Area Water Resources Agreement. The remaining three cities and Cascade now will consider the agreement.

One of the principal concerns of the four cities has been procuring water for their residents.

"The problem it addresses is supplying enough water at a reasonable enough price to our citizens in the future," said Auburn Deputy Mayor Sue Singer. "Without this agreement, we could be paying many times over this price for water. This gives us everything we need."

Cascade, a non-profit corporation, is made up of the cities of Bellevue, Issaquah, Kirkland, Redmond and Tukwila, plus the Covington Water District, the Sammamish Plateau Water and Sewer District, and the Skyway Water and Sewer District. All of these entities have joined together to provide water to 370,000 residents and 22,000 businesses.

In 2005, Cascade entered into an agreement with Puget Sound Energy to purchase PSE's White River Project, including the Lake Tapps Reservoir and its hydroelectric plant, which PSE had owned for about 100 years. PSE had closed the plant in 2004 because of the high cost of acquiring a hydroelectric license.

According to the Maple Valley Reporter, in 1997 PSE found the Federal Energy Regulatory Commission re-

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quirements and the related costs for a license to expensive to continue to operate. In 2003, the Department of Ecology issued PSE the drinking water rights. Shortly after those rights were issued, the Puyallup Tribe of Indians, the Muckleshoot Indian Tribe, the four cities and private citizen Robert Cook appealed.

The cities of Auburn, Bonney Lake and Sumner made an offer to buy the lake in 2007, but Cascade closed a \$39 million deal with PSE in February of 200, agreeing to pay \$25 million for the lake and \$5 million once the water rights cleared any tribal challenges. The remaining \$9 million is for operational costs.

CWA obligations

In April of 2009, Cascade entered into a definitive agreement with the Lake Tapps Community Council that obligates Cascade to maintain water levels in the lake at “normal full pool,” during the summer months. On Dec. 19, 2009, Cascade became the owner of the lake.

The four cities have maintained that they would suffer if the state Department of Ecology grants Cascade’s permit application to use the lake as municipal water supply, as this would convert its existing hydroelectric water right from non consumptive to consumptive, resulting in water being removed from the basin.

All of the cities are also in close proximity to the White River, an important water resource. Each city argues it has a duty and responsibility to provide water to serve its growing communities, and that if the basin is closed to new water withdrawals, it will be more difficult to secure what they need.

The cities also claim that Cascade’s conversion and removal of water from the watershed of origin, without addressing the needs of the communities in the watershed, is inconsistent with growth management, watershed planning, water resource management and environmental policy.

Lawsuit pending

Auburn has a lawsuit pending in King County Superior Court contesting the water right application with the Department of Ecology.

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Among its many provisions, the Lake Tapps Area Water Resources Agreement:

- Authorizes the formation of a Lake Tapps Municipal Advisory group. The group would consist of the mayors of each of four cities and three members of CWA's board of directors. As a non-voting entity, the group would advise the four cities of Cascade's decisions and keep it abreast of any concerns the cities might have with respect to its management of Lake Tapps. The group would meet at least twice every year, in April and October.
- Sets up remedies for any negative impact on water supply. The four cities must give Cascade 60-days notice to resolve the claimed impact, and if the problem is not resolved, the agreement authorizes them to pursue legal remedies.
- Cascade agrees to help the four cities in their efforts to meet their respective, projected, 50-year water needs by one or more the following measures; making available to the cities Cascade's agreement for the sale of wholesale water with the City of Tacoma, allowing them to purchase individually or together up to 10 million gallons per day, subject to various conditions; providing Lake Tapps Region Reserved Water; providing mitigation water from the Lake Tapps project tailrace to the White River; and supporting the efforts of any of the four cities to acquire new water rights or transfer existing water rights.

For their part, the four cities:

- Agree to purchase Tacoma Wholesale Water under Cascade's agreement with the City of Tacoma
- Agree to support Cascade's application for the water right
- Participate on the Municipal Advisory Group

Within 15 business days of the finalized agreement, the City of Auburn would withdraw and dismiss its pending lawsuit against Cascade and agree never to pursue it again.

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