



March 3, 2008

Jay Manning, Director
Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

RE: Response to CWA letter of February 25th, 2008

Dear Mr. Manning:

Pierce County Councilman Shawn Bunney and I had an opportunity to review the attached letter of February 25th from Cascade Water Alliance to Liz Thomas, who represents the citizens of Lake Tapps. Furthermore, we have discussed the matter with leaders of the homeowners groups, as well as the mayors from the surrounding cities.

The letter, on its face, attempts to appear collaborative, but in fact, the actions of the Cascade Water Alliance have been anything but that. It is our opinion that this letter demonstrates Cascade's unwillingness to deal with the underlying issues on a collaborative basis and is further evidence of ignoring the interests of the citizens of the lake, as well as the surrounding communities and the public at large.

Cascade Water Alliance mentions that they anticipate completing multi-year negotiations with the Tribes in regards to Lake Tapps and the White River. We cannot emphasize strongly enough that the Lake Tapps Community has been barred by the Cascade Water Alliance from participating in this process. This includes being informed of any of the elements of the discussion, or terms Cascade is seeking to have imposed on the community at large.

Cascade goes on to state that they are committed to working with the Lake Tapps Community Council to accommodate what Cascade calls the "legitimate" concerns of the Lake Tapps community and region. There is no way to know if efforts have been taken to address these concerns in the secret negotiations being carried out by Cascade. We also question whether Cascade is in position to determine what is, or is not, a legitimate concern on behalf of the citizens.

Cascade states that these negotiations are nearing completion. With local residents and the general public being excluded from the process, we find it difficult to believe that

Cascade can represent an intent to be a good neighbor and accommodate the interests of the region.

Cascade goes on to infer that the citizens and public at large should not be concerned about the conditions of the Department of Ecology permit, as a significant period of time will pass prior to extracting water from the lake at the full capacity provided. They go on to argue that there will be ample opportunity to develop flexible management approaches to address impacts on lake levels. As a general principle, this is illogical, as once the permit is issued, there will be no legal way to change conditions that weren't included in the permit at the time of issuance.

Cascade goes on to list four ways in which they believe the community and public's interests would be protected. None of these provide any legal certainty regarding lake levels. In item number two, Cascade mentions their 2006 resolution referencing Cascade's Shortage Management Plan. We would like to point out that this is nothing more than Cascade asking their customers to use less water, and once again provides no certainty or assurance of adequate lake levels. The other suggestions are equally hollow in regards to lake level protection.

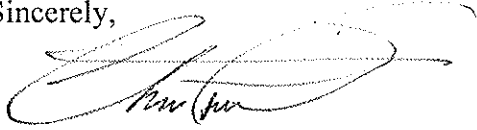
To be blunt, Cascade has largely ignored nearly a decade's worth of work by the Lake Tapps Task Force, which in fact was an intense, collaborative process which began long before Cascade was even in the picture. Now that Cascade is in the process of concluding their exclusive negotiations, they are attempting to appear caring about the lake, the citizens, the surrounding cities, and the public at large, when in fact they seem to see the community as nothing more than a necessary annoyance.

At a recent press conference, a representative of Cascade confirmed that their purchase agreement with Puget Sound Energy would be concluded only if the Tribes did not litigate the terms of the Department of Ecology permit. However, an appeal taken by the citizens on the lake, or the community at large would not be seen as a negative impact or preclude the conclusion of the agreement. This is simply the latest in a long string of comments and actions by Cascade showing a disregard for the citizen's concerns about lake levels, recreation, waterfront management, water quality, and public access.

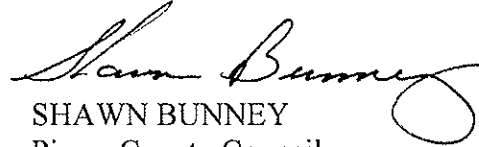
On behalf of the tens of thousands of citizens that we represent who will be directly impacted by the terms of Cascade's secret negotiations, we urge you to consider the more balanced, objective, and scientifically supported collaborative agreement which came from the Lake Tapps Task Force. We would also point out that the Department of Ecology, along with all other interested entities, both state and federal, were part this truly collaborative process of for many years. The issuance of a permit based upon that flow regimen, as well as taking into consideration our request that Ecology also deal with the MIF, return flows, and the tolerance issues previously mentioned is a preferable approach.

Although Cascade states that they would like to have a positive, long term relationship with the community, at this juncture their actions appear to indicate a general disregard for the public's interest.

Sincerely,



State Representative Christopher Hurst
31st Legislative District



SHAWN BUNNEY
Pierce County Council
District 1

cc: Governor Christine Gregoire
Keith Phillips
Tom Lorenger