



3628 South 35th Street
Tacoma, Washington 98409-3192

TACOMA PUBLIC UTILITIES

September 17, 2007

Pat Sumption
Friends of the Green River
10510 11th Avenue NE
Seattle, WA 98125

RE: Recreation Access to the Green River
1995 Settlement Agreement - City of Tacoma, King County, and Friends of Green River

Dear Pat:

I am writing to document the arrangement Friends of the Green River and Tacoma Water have made for implementing Section 8 (Recreation Access) of the 1995 Settlement Agreement Between the City of Tacoma, King County, and Friends of Green River. For your convenience, the text of Section 8 is included at the end of this letter.

When the agreement was signed in 1995, river recreationists accessed the Green River at a location west of the Tacoma Water watershed gate in the vicinity of the USGS Palmer gage. Rafters, kayakers, and canoeists carried their floatation down an embankment and along a primitive trail through the wooded riparian area between the Headworks Road and Green River.

In 2003, the US Army Corps of Engineers developed a gravel spur road from the Headworks Road to the river at a location very close to the old access trail as a location for spawning gravel placement. Beginning in 2003, gravel has been deposited at this location annually in the late summer for recruitment into the river as salmonid spawning substrate. This access is currently gated to prevent people from driving private vehicles to the river.

Following the September 11, 2001, terrorist attacks on New York City, municipal water suppliers throughout the country increased security measures to protect their water supplies. One of the measures Tacoma Water implemented was to increase its level of watershed protection. One measure to be implemented in 2007 is to move the entrance to the closed area of the watershed to a point west of the existing watershed entrance as shown on the enclosed aerial map.

When the gate is moved, the gate to the river access spur road will be left open to facilitate river access; however, boaters will have to pass through the new watershed gate to get to the access

point. Since the river access will be within the closed area of Tacoma Water's municipal water supply watershed, we have developed a number of rules in collaboration with the Friends of the Green River and other local boating clubs¹ to facilitate watershed protection while providing boater access to the river. These rules are listed below.

Rules for the use of the River Recreation Access at the Tacoma Water Headworks

- A. Recreational boaters will need to provide the Tacoma Water gate guard with the identification of each boater and proof of auto insurance for each vehicle that enters the enclosure.
- B. Each person using the river access will need to verify he/she will be traveling in a boat. Anyone requesting access without a boat, or who cannot verify that they will be traveling in someone else's boat, will not be allowed into the closed area of the watershed.
- C. The gate guard will issue a permit to each vehicle. The permit will need to be prominently displayed in the vehicle while the vehicle is within the watershed enclosure.
- D. Boaters are to travel directly from the watershed gate to the recreational access. Boaters found elsewhere within the watershed enclosure will be escorted out of the watershed and not allowed back.
- E. Boats are to be off-loaded from their respective vehicles in a timely manner. Vehicles are to be parked along the access road west of the portable toilet to be provided for the use of recreational boaters.
- F. Boaters are to keep the area clean of debris as stated in section 8.ii) of the agreement.
- G. The recreation access will be closed to boaters after sunset and until sunrise, except that boaters will be allowed to re-enter the closed watershed to recover their parked vehicles.
- H. The recreation access location and nearby features are shown on the enclosed figure titled "Tacoma Water Headworks Green River Recreational Access."
- I. Should it become necessary to revise any part of these rules, Tacoma Water will inform Friends of the Green River, and shall make such revisions using a good faith effort to work together with Friends of the Green River to provide a mutually agreeable outcome.

¹ Other local boating clubs include American Whitewater, League of Northwest Whitewater Racers, Paddle Trails Canoe Club, The Mountaineers, Washington Kayak Club, University Kayak Club, Washington Recreational River Runners.

Excerpt from the 1995 Settlement Agreement Between City of Tacoma, King County and Friends of Green River

8. Recreation Access¹ - Tacoma agrees to construct and maintain a river access point for river recreationists, including recreational and commercial whitewater boaters (rafters, kayakers and canoeists), on Tacoma's property immediately downstream of (and along the same side of the river as) Tacoma's treatment buildings and Palmer U.S.G.S. Gauge, in the following manner:
- i) River recreation interests shall have substantial involvement in the design of the access site and the manner in which it is operated;
 - ii) FOG and other River Recreation interest groups will periodically clear the site of litter and debris, and provide volunteer workers as may be occasionally necessary for care and maintenance of vegetation and habitat;
 - iii) Tacoma shall maintain any mechanical and physical aspects of the access site until Tacoma and the River Recreation interests agree in writing that maintenance of the site is no longer necessary or desirable;
 - iv) Tacoma shall exert good faith efforts to obtain an easement to allow members of the general public to access the road to the above-described site by road from 292nd Avenue S.E. or the nearest public road. In the event Tacoma is not successful in obtaining an appropriate easement, Tacoma will defend (if necessary) any litigation contesting public access rights to use this said roadway. No prior notice or user or access fee shall be required;
 - v) Tacoma shall provide and maintain adequate parking (to be defined and mutually agreed upon by the parties) and portable sanitation facilities in the vicinity of the access site;
 - vi) Tacoma shall provide adequate signage identifying the access site and encouraging users to respect their surroundings. Signage shall be designed and placed in consultation with the River Recreation Interests.

¹For purposes of this section, the term "River Recreation Interests" includes but is not limited to the Friends of the Green River, the Paddle Trails Canoe Club, the Rivers Council of Washington, the Washington Kayak Club, the Washington Recreational River Runners and other river recreational clubs or organizations including commercial river outfitter organizations.

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We appreciate the opportunity to work with the Friends of the Green River to provide continued access to Green River whitewater recreational opportunities while providing increased protection to the City of Tacoma's municipal water supply.

Sincerely,



John C. Kirner
Water Superintendent

JCK:PLH:nd
Enclosure

cc: Linda McCrea, Tacoma Water
Jane Evancho, Tacoma Water
Chris McMeen, Tacoma Water
Bryan King, Tacoma Water
Paul Hickey, Tacoma Water
Tom O'Keefe, American Whitewater