

# SENATE BILL REPORT

## SB 5905

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As of March 3, 1997

**Title:** An act relating to aquatic weed control.

**Brief Description:** Changing lake management provisions.

**Sponsors:** Senators Swecker and Winsley.

**Brief History:**

**Committee Activity:** Agriculture & Environment: 3/5/97.

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### SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

**Staff:** Kari Guy (786-7437)

**Background:** Ten or more property owners abutting a lake may petition the superior court to enter an order to provide for the regulation of outflow of the lake, to maintain a certain water level. The court, after holding hearings on the petition, may direct the Department of Ecology to regulate and control the outflow the lake. If the court finds that fish ladders or other devices should be constructed, the court may apportion the cost of the improvements among property owners. This money is to be paid to the county treasurer and placed in a lake improvement fund, to be used for the construction of fish and game devices.

For lakes that were under a court's jurisdiction prior to 1985, the court may also issue an order requiring certain measures to be taken for the purposes of weed control. The court may apportion the cost among property owners.

Lake management activities may be regulated at both the state and local levels. The Department of Ecology issues short-term water quality modification permits for activities that will temporarily impact water quality, such as pesticide applications. Use of pesticides is also regulated by the Department of Agriculture through the registration of pesticide applicators, and review and registration of pesticides. Local governments may also regulate lake management activities under the Shoreline Management Act.

**Summary of Bill:** Ten or more owners abutting a lake may petition the superior court for an order authorizing other lake management objectives, in addition to regulating outflow. The other objectives may include aquatic vegetation control, storm water diversion and treatment, agricultural waste control, cleaning of ditches entering the lake, water safety, and planning and administration.

If the court issues an order defining lake management objectives, accomplishment of those objectives is exempt from all permits. The treatment of lakes with federally registered pesticides in accordance with federal label requirements is exempt from the short-term water quality modification permit requirements, and any applicable local shoreline management requirements.

The provisions of the act expire December 31, 1999.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.