

SENATE BILL REPORT

SB 6263

As of January 16, 1998

Title: An act relating to lake management.

Brief Description: Changing lake management provisions.

Sponsors: Senators Swecker, Rasmussen and Winsley.

Brief History:

Committee Activity: Agriculture & Environment: 1/22/98.

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Staff: Kari Guy (786-7437)

Background: Ten or more lakefront property owners can petition the local superior court to enter an order to regulate the outflow of a lake. After a hearing, the court may order the water level fixed, and apportion the costs for any fish protection devices among lakefront property owners. The Department of Ecology must then regulate the lake at the determined level.

Lakes that were under a court's jurisdiction prior to July 28, 1985, may also petition the superior court for weed control purposes. For those lakes, the court may determine the measures that should be taken to control aquatic weeds, and apportion the costs among lakefront property owners. The court then appoints a suitable person to undertake the weed control activities.

It has been suggested that petitioning the superior court provides a fast and efficient method of collecting funds for weed control, and that this authority should be expanded to allow other lake management activities.

Summary of Bill: Ten or more property owners, or an organization representing ten or more owners, may petition the local superior court for an order to provide lake management activities. A petition must include the name and address of the owner of each lake front parcel; a statement of the need for the application; and a description of the lake management activities and facilities that are desired. The lake management activities may include the following:

- facilities to maintain the water level of the lake;
- fish ladders or other fish protection devices;
- weed control and removal;
- water quality improvement;
- storm water diversion and treatment;
- control of agricultural wastes;
- study of lake water quality;

- cleaning and maintenance of ditches and streams entering the lake; and
- payment to a city or county to regulate water safety.

Notice of a hearing on the petition must be mailed to each property owner and to the resident of the property, if different. Notice also must be mailed to the directors of the Departments of Fish and Wildlife and Ecology. After hearing, the court may make findings authorizing the lake management activities, and imposing the costs to finance the activities. Costs for the lake management activities are imposed on each tract abutting the lake, based on the lineal feet of waterfront.

Appropriation: None.

Fiscal Note: Requested on January 14, 1998.

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