

# SENATE BILL REPORT

## SHB 1744

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As Reported By Senate Committee On:  
Environmental Quality & Water Resources, April 1, 1999

**Title:** An act relating to regulation of outflow of lakes.

**Brief Description:** Changing lake outflow regulation.

**Sponsors:** House Committee on Agriculture & Ecology (originally sponsored by Representatives Schoesler and G. Chandler).

**Brief History:**

**Committee Activity:** Environmental Quality & Water Resources: 3/23/99, 4/1/99 [DP].

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### SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

**Majority Report:** Do pass.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Honeyford, Jacobsen, McAuliffe, Morton and Swecker.

**Staff:** Richard Ramsey (786-7412)

**Background:** Ten or more landowners abutting on a lake may petition the superior court of the county in which the lake is situated for an order to provide for the regulation of the outflow of the lake in order to maintain a specified lake level. The court is required to hold a hearing and to hear any testimony provided on the issue. If the order is granted, the court shall also direct the Department of Ecology to regulate and control the outflow of the lake so as to maintain the lake level.

Orders to control lake levels may be requested only on meandered lakes. A "meander line" is a term used when lands in Washington were originally surveyed. Lands were sold in blocks of 40 acres, but when a lake or other water body was situated on the land, the block would be short of 40 acres and would extend to the meander line.

**Summary of Bill:** When there are fewer than ten owners abutting on a lake (i.e., nine or fewer), a majority of the owners are authorized to petition a superior court for an order fixing the water level. The court must notify the Department of Fish and Wildlife before issuing an order fixing the lake level. The term "meander" is deleted.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** This bill enables equitable treatment of lake property owners. Ecology expects between six and eight lakes each year would petition a court, not the 304 anticipated by the Administrator for the Courts.

**Testimony Against:** None.

**Testified:** Representative Mark Schoesler, prime sponsor (pro); Terry Hunt, Washington State Grange (pro); Karla Kay Fullerton, Washington Cattlemen's Association (pro); Ken Slattery, Department of Ecology (pro).