
**Agriculture & Natural Resources
Committee**

ESB 5596

Brief Description: Regarding certain lake management activities on lands owned by the state of Washington.

Sponsors: Senator Carrell.

Brief Summary of Engrossed Bill

- Authorizes a code city to take action to address toxic algae blooms for lakes on state-owned land within the boundaries of the code city.

Hearing Date: 3/27/13

Staff: Cherlyn Walden (786-7296).

Background:

Code Cities.

Municipal governments in Washington are classified according to their population at the time of organization. There are a variety of classifications of cities, including code cities. Any unincorporated area having a population of at least 1,500 may incorporate as an optional municipal code or code city, and any city or town may reorganize as a code city. Code cities with populations over 10,000 may also adopt a charter.

The code provides for flexibility in the administration of municipal government. The code establishes the powers and responsibilities of some officials, such as council members, the mayor, and the city manager; other city officials only have such powers as the city council vest in them.

Lake Management.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Department of Ecology (Department) is responsible for controlling and preventing the pollution of streams, lakes, river, ponds, inland waters, salt waters, water courses, and other surface and underground waters of Washington. The Department has the authority to issue water quality permits, which are required in order to release any pollutant into the state's waters, and to seek enforcement against those that are operating with a permit.

The use of pesticides or herbicides in aquatic environments requires a water quality permit from the state; however, the Department has specific statutory authority to address noxious aquatic weeds and other aquatic plants. This includes special permits, or exemption from permitting requirements, for the treatment of various noxious aquatic species.

Summary of Bill:

A code city may take action to address toxic algae blooms (blue-green algae) for certain lakes entirely on state-owned lands within its boundaries. This authority is limited to lakes with less than 34 acres of surface area and a mean depth of ten feet or less. Any action taken must be consistent with applicable environmental and permitting requirements.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.