

SENATE BILL REPORT

ESB 5596

As Passed Senate, March 12, 2013

Title: An act relating to certain lake management activities on lands owned by the state of Washington.

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

Sponsors: Senator Carrell.

Brief History:

Committee Activity: Natural Resources & Parks: 2/19/13, 2/21/13 [DP].

Passed Senate: 3/12/13, 49-0.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Pearson, Chair; Smith, Vice Chair; Rolfes, Ranking Member; Hargrove, Hewitt, Kline and Parlette.

Staff: Curt Gavigan (786-7437)

Background: Code Cities Generally. There are 281 cities in Washington that provide services relating to matters including health, safety, and economic activity. Municipal governments in Washington are classified according to their population at the time of organization – usually incorporation, or reorganization. There are a variety of classifications of cities, including code cities.

Any unincorporated area having a population of at least 1500 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 have only such powers as the city council vest in them. The result is significant administrative choices available to code cities and as well as organizational flexibility.

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.

Lake Management Generally. Washington has almost 8000 lakes located throughout the state. Over the lifetime of a lake, the water body generally progresses from more nutrient poor to more nutrient rich. When nutrients wash or are deposited into a lake, they act as a fertilizer that encourages algae and plant growth. Additionally, as plants and animals in the lake die they accumulate on the bottom as organic sediment. There are a number of potential treatments for lakes with excessive nutrient levels including aeration, removing nutrient-rich water, artificial circulation, dilution, dredging, and inactivation of nutrients through aluminum sulfate treatments.

Summary of Engrossed Bill: Specifically authorizes a code city to take action on certain state-owned lakes within its boundaries in order to address toxic algae blooms. The authority applies to lakes with less than 34 acres of surface area and a mean depth of ten feet or less. Actions taken under the authority must be consistent with applicable environmental and permitting requirements.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: The purpose of this bill is to help address toxic algae in Lake Waughop in the city of Lakewood, which is so toxic that even touching the water can be dangerous. The lake has been impacted by its location near an area of Western State Hospital historically used for farm operations. Other impacts come from parking lots at a nearby college and from area homes.

Persons Testifying: PRO: Senator Carrell, prime sponsor.