

RESOLUTION NO. 15324

**RESOLUTION OF FINDINGS AND DETERMINATIONS
FOR
THURSTON COUNTY
LAKE LAWRENCE MANAGEMENT DISTRICT No. 22**

A RESOLUTION adopting findings and determinations consistent with RCW 36.61.070 regarding the establishment of Lake Management District No. 22 for Lake Lawrence, and submitting the establishment of Lake Management District No. 22 to a vote of property owners within the proposed district.

WHEREAS, the current Lake Lawrence Management District (LLMD) No. 20 will sunset on December 31, 2016; and

WHEREAS, property owners within the current District petitioned the Board of County Commissioners for Thurston County to begin the process of establishing a new LLMD; and

WHEREAS, in response to this petition, the Board of County Commissioners for Thurston County adopted Resolution No. 15295 on May 17, 2016, setting out its intention to consider formation of Lake Management District No. 22 for Lake Lawrence (LLMD No. 22); and

WHEREAS, a public hearing was held on June 28, 2016 to consider formation of LLMD No. 22 and the County Commissioners heard comments from persons affected by the formation of LLMD No. 22 and other comments regarding the proposed work program; and

WHEREAS, representatives from the Washington Departments of Ecology, Fish and Wildlife, Natural Resources and Office of Financial Management and members of the general public had the opportunity to make presentations and comments on the proposal.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS FOR THURSTON COUNTY DOES RESOLVE AS FOLLOWS:

Section 1. The Board of County Commissioners adopts the following findings and determinations:

A. The formation of LLMD No. 22 is in the public interest as evidenced by the following proposed plan of lake improvement and maintenance activities, which is approved as part of these findings. The proposed LLMD No. 22 will:

- 1) Maintain a healthy and balanced ecosystem while balancing beneficial uses for humans, fish, and wildlife in the lake.
- 2) Implement the Integrated Aquatic Vegetation Management Plan (IAVMP) for Lake Lawrence according to Thurston County's IPM Policies and Prescriptions.
- 3) Employ best-practice techniques based on environmental safety and efficacy.

- 4) Continue removal of noxious aquatic plants including yellow flag iris, curly pondweed, parrotfeather and fragrant waterlily through hand, mechanical, and chemical treatments. Survey the lake annually for noxious species and respond with control or eradication programs as appropriate.
- 5) Control nuisance levels of aquatic vegetation, while adhering to the County's IPM Policies and Prescriptions developed for Lake Lawrence.
- 6) Maintain an advisory committee of neighborhood representatives to work with the County to develop work plans and budgets for LLMD No. 22.
- 7) Educate and inform the district members on the lake's aquatic plants, water quality and management issues including toxic algal blooms, nutrient levels, and boating safety through an annual newsletter, a website for the district, and monthly District meetings.

B. The financing of the lake improvement and maintenance activities is feasible since the revenues to be raised match the activities set out in the proposed plan for LLMD No. 22.

C. The plan for proposed lake improvement and maintenance activities avoids adverse impacts on fish and wildlife and provides for measures to protect and enhance fish and wildlife.

D. LLMD No. 22 will exist for a period of ten years, from January 1, 2017, through December 31, 2026.

E. Proposed annual rates and charges to property within the proposed LLMD No. 22 are estimated to be \$98,265.00 in 2017, including any new parcel additions. These rates and charges are five percent higher than those in 2016. As proposed by the Petition, rates and charges will increase annually from one to five percent. The increase will be determined through the preparation of annual budgets approved and adopted by the BoCC. This limit may be amended, if allowed, pursuant to any legislative changes to RCW 36.61 that take effect during the ten-year duration of the district.

F. Rates and charges for each year will be based on the land use category of the subject parcel(s) as shown on the parcel map of proposed LLMD No. 22 maintained by the Department of Public Works, Noxious Weed and Lake Management Division. Revenue bonds will not be issued.

G. The proposed annual charges for each category of property within the proposed LLMD No. 22 bear a reasonable relationship to use of the property, services provided by the proposed LLMD No. 22, and benefit to property. The proposed LLMD No. 22 includes the following categories of property:

- (1) Private Residential Lakefront Property: The primary use of residential shoreline property is for single-family residences. Shoreline and lake access are secondary uses which convey significant values to these properties. The proposed LLMD No. 22 will use hand, mechanical, or chemical techniques according to the County's IPM Policies and Prescriptions to manage deleterious nuisance levels of native plants, and remove noxious aquatic plants from the lake and wetlands within the proposed District's

boundaries. Programs to reduce nutrient loading to the lake will improve water quality and preserve lake enjoyment and use. Aquatic weed control will maintain the lake for wildlife, fisheries, boating, and other recreation by shoreline property owners.

(2) Private Residential Canalfront Property: The primary use of residential canalfront property is for single-family residences. Lake access through canals or sloughs is a secondary use conveying value to these properties, which have restricted access to the lake. The proposed LLMD No. 22 will use hand, mechanical, or chemical techniques according to the County's IPM Policies and Prescriptions to manage deleterious nuisance levels of native plants, and remove noxious aquatic plants from the lake and wetlands within the proposed District's boundaries. Programs to reduce nutrient loading to the lake will help preserve lake enjoyment and use. Aquatic weed control will preserve the utility of the lake for wildlife habitat, boating, and other recreation by canalfront property owners. Although these properties benefit from the removal of noxious species like yellow flag iris which can completely block their access to the lake, their benefit is less than parcels with direct access to the lake.

(3) Private Upland Property with Community Lake Access: The primary intended use of upland property is residential. While having no direct lake frontage, these properties share ownership of one or more community lake access parcels, including exclusive access to private boat launches. Through common ownership of community lakefront parcels, upland properties benefit from the proposed IPM programs that address nutrient loading, manage deleterious nuisance levels of native plants, and remove noxious aquatic plants from the lake and wetlands within the proposed LLMD No. 22's boundaries. The level of benefit is less than that of parcels with direct lakefront access or canal frontage.

(4) Improved Public Boat Launch Property: The primary use of this property is to provide public access to the lake and lakeshore for recreational activities. Recreational activities include boating, fishing, water skiing, swimming, and wake-boarding. The Washington Department of Fish and Wildlife's boat launch allows year-round boat access to the lake, and informal use of the shoreline for fishing. This access is entirely dependent on lake water quality and density of aquatic vegetation. Declines in water quality will reduce all beneficial uses of the lake, including aquatic habitat and public access. Public health and safety concerns can increase due to limited lake visibility and algae blooms.

Programs to reduce nutrient loading to the lake will help preserve lake enjoyment and use. Aquatic weed control will support mixed recreational uses of the lake. Navigation areas will be maintained to benefit all boaters, and habitat areas preserved to serve fish and wildlife the utility of the lake for wildlife habitat, boating, and other recreation.

Higher charges for year-round public access properties compared to residential lakefront parcels are appropriate, given the higher number of people accessing the lake through these sites, and the greatly increased risk for introduction of invasive or noxious aquatic plant and animal species by trailers and boat livewells.

(5) Other Public Access: Primary uses of this property are low-intensity recreation uses and habitat preservation. Recreational uses are limited to those which do not threaten sensitive habitat values, such as passive nature enjoyment and shoreline fishing. These year-round uses are provided by the existing parcels owned by Thurston County.

(6) Exempt Property: Exemptions are appropriate for properties used exclusively for private roads or utilities. Community open space or lake access areas are also reasonably exempted, as the benefited property owners are each subject to an LLMD No. 22 charge. Parcels currently designated and exclusively used as Agricultural or Forestry Use are exempt from rates and charges. Lake-bottom property is exempt from rates and charges pursuant to RCW 36.61.010.

H. Annual Charge per Parcel: The proposed formula for annual rates and charges to property is set out below. The term "parcel" is defined as a lot of legal size and dimension under applicable land use law.

- (1) Private Lakefront Property:
 - \$263.09 per parcel
- (2) Private Canalfront Property:
 - \$130.01 per parcel
- (3) Private Upland Property with Community Lake Access:
 - \$65.53 per parcel
- (4) Improved WDFW Public Boat Launch Property:
 - \$16,128.01
- (5) Other Public Access (Thurston County Park):
 - \$8,190.01
- (6) Exempt Property:
 - Lake-bottom property;
 - Land designated as Agricultural or Forestry Use;
 - Parcels used exclusively for private roads or utilities; and
 - Community open space or lake access areas.

Section 2. The question of whether to form Lake Management District No. 22 for Lake Lawrence shall be submitted to the property owners within the proposed district. The Department of Resource Stewardship, Water Resources Division, shall prepare the ballots for submittal to the property owners. Ballots must be received by the Office of the County Commissioners, Room 269, Building 1, 2000 Lakeridge Dr. SW, Olympia, WA 98502 no later than 5:00 pm, August 15, 2016.

Section 3. Property owners and other interested parties may observe the ballot count at Office of the County Commissioners, Room 269, Building 1, 2000 Lakeridge Dr. SW, Room 152, on August 16, 2016, at 9:00 a.m.

ADOPTED: July 12, 2016

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

ATTEST:

Laborita J. Bowman
Clerk of the Board

James Jones
CHAIR

APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY

Cathy O'Keefe
VICE CHAIR

By: [Signature]
Rick Peters
Deputy Prosecuting Attorney

Bud Blake
COMMISSIONER