

RESOLUTION NO. 15295

RESOLUTION OF INTENTION TO ESTABLISH

THURSTON COUNTY
LAKE LAWRENCE MANAGEMENT DISTRICT No. 22

A RESOLUTION declaring the intention of the Thurston County Board of County Commissioners to establish Lake Management District No. 22 for Lake Lawrence pursuant to RCW Chapter 36.61.030; and setting the public hearing on formation of the same.

The Board of Thurston County Commissioners makes the following findings of fact:

1. The current Lake Lawrence Management District (LLMD) will sunset on December 31, 2016, requiring that a new District be established if the programs that have been implemented are to continue.
2. The current LLMD's Citizen Advisory Committee, comprised of volunteers from property owners, developed a Petition that was mailed to all property owners in the current LLMD. Owners have shown support for formation of a new Lake Lawrence Management District (LLMD No. 22) as evidenced by submittal of 107 Petition signatures, representing approximately 17% of property owners within the existing LLMD. A minimum of 15% is required. The Petition proposes a ten-year term, activities that LLMD No. 22 will undertake, and new rates and charges for properties within LLMD No. 22's boundaries.
3. Thurston County established Lake Management District No. 1 for Lake Lawrence in 1986; an LLMD has been in place ever since. Forming a new LLMD to protect Lake Lawrence water quality and beneficial uses will serve the interests of the public and property owners. The Thurston County Board of County Commissioners adopted a Lake Management Plan in 1995 as recommended by County staff and the LLMD's Citizen Advisory Committee; an Integrated Aquatic Vegetation Management Plan (IAVMP) was subsequently adopted in 2004. The IAVMP continues to be the basis for annual and multi-year work plans, emphasizing restoration and maintenance of the aquatic ecosystem to support fish and wildlife habitat, while allowing continued human use and enjoyment.
4. Lake Lawrence's beneficial uses are sensitive to water quality. The lake supports significant public recreational uses including swimming, water skiing, and recreational boating. District-funded work programs are intended to protect all beneficial uses of the lake, including fish and wildlife habitat. It is a popular fishing destination and home to several sport fisheries. The lake supports wildlife including bald eagles, blue herons, cormorants, otters, beaver, and other important species. The LLMDs adhere to Thurston County's Integrated Pest Management Policies and Prescriptions, using appropriate hand, mechanical, or chemical techniques to manage nuisance levels of native plants, and remove noxious plants from the lake and wetlands within its proposed boundaries. The noxious species to be addressed include yellow flag iris, curly pondweed, fragrant waterlilies, parrotfeather, Eurasian watermilfoil, and others that may invade the lake. Native species that can reach deleterious and nuisance levels include water

nymph, water celery, and pondweed species. High densities of plants support dense colonies of green algae, creating low oxygen conditions while growing and as they decompose, rendering those areas unfit for wildlife and fish.

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

A. 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 boundary. 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 for shoreline property owners.

B. 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 and nuisance levels of native plants, and remove noxious aquatic plants from the lake and wetlands within its 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 for 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 level of benefit is less than parcels with direct access to the lake.

C. 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 and nuisance levels of native plants, and remove noxious aquatic plants from the lake and wetlands within its proposed boundaries. The level of benefit is less than that of parcels with direct lakefront access or canal frontage.

D. 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.

The proposed LLMD No. 22 will use hand, mechanical, or chemical techniques according to the County's IPM Policies and Prescriptions to manage deleterious and 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. The proposed LLMD No. 22 will provide aquatic weed control, which 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. 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 species by trailers and boat livewells.

E. 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. LLMD No. 22 will provide aquatic weed control, which will support mixed recreational uses of the lake. Higher charges for year-round public access parcels compared to residential lakefront parcels are appropriate, given the higher number of people accessing the lake through these sites

F. 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 LLMD No. 22 charges. 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.

6. The LLMD No. 22 formation process provides opportunities for property owners, resource agencies and the County to consider whether to form a new LLMD No. 22, and appropriate purposes, rates and charges, boundaries, and other details. Following the adoption of this Resolution, it will be mailed to all property owners, along with a formal Notice of a Public Hearing to consider comments from affected parties and the public. The estimated charges for each parcel owned by any given owner will be clearly stated on the Notice, and an information letter will be included with the above materials. The Notice will further be published in the County paper of record at least twice before the Hearing.

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

Section 1. Pursuant to RCW 36.61.030, the Thurston County Board of County Commissioners hereby designates proposed Thurston County Lake Management District No. 22 for Lake Lawrence.

Section 2. The purpose of the proposed Lake Lawrence Management District No. 22 is to protect the water quality, fish and wildlife habitat, recreation, and aesthetic values of Lake Lawrence through the implementation of appropriate lake management activities intended to:

- a) Maintain a healthy and balanced ecosystem while balancing beneficial uses for humans, fish, and wildlife in the lake.
- b) Implement the Integrated Aquatic Vegetation Management Plan (IAVMP) for Lake Lawrence according to Thurston County's IPM Policies and Prescriptions.
- c) Employ best-practice techniques based on environmental safety and efficacy.
- d) 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.
- e) Control nuisance levels of aquatic vegetation, while adhering to the County's IPM Policies and Prescriptions developed for Lake Lawrence.
- f) Harvest aquatic weeds through a commercial contractor to improve passage of watercraft through defined areas of the lake when necessary.
- g) Maintain an advisory committee of neighborhood representatives to work with the County to develop work plans and budgets for LLMD No. 22.
- h) 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 meetings.

Section 3. The proposed duration of LLMD No. 22 is ten years, beginning January 1, 2017 through December 31, 2026.

Section 4. The proposed annual rates and charges to property for 2017 are set out below. The term "parcel" is defined as a lot of legal size and dimension under applicable land use law.

- a. Private Lakefront Property:
 - \$263.09 per parcel

- b. Private Canalfront Property:
 - \$130.01 per parcel
- c. Private Upland Property with Community Lake Access:
 - \$65.53 per parcel
- d. Improved WDFW Public Boat Launch Property:
 - \$16,128.01
- e. Other Public Access (Thurston County Park):
 - \$8,190.01
- f. 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 5. Proposed annual rates and charges to property within the proposed LLMD No. 22 in 2017 are estimated to be \$98,265.00. These proposed rates are five percent higher than those applied in 2016. Based on the Petition submitted by the property owners, charges will increase annually by one percent to a maximum of five percent until December 31, 2026, when LLMD No. 22 sunsets. The actual increase will be determined through the preparation of the annual budget approved by the Board of County Commissioners. This limit may be amended pursuant to any legislative changes to RCW 36.61 that may take effect during the ten-year duration of the district. The maximum revenue generated over ten years according to this formula is estimated to be \$1,235,966.00.

Section 6. The boundary of LLMD No. 22 is all property with lake and canal frontage or community access to Lake Lawrence, as depicted on the map maintained by the Public Works Department, Division of Noxious Weed and Lake Management. This boundary will automatically expand when new parcels gain community or private access to the lake.

Section 7. If the proposed LLMD No. 22 is formed, the Citizen Advisory Committee, comprised of LLMD No. 22 property owners, will continue to review the programs, and assist in developing budgets and work plans for the new District.

Section 8. A public hearing on the formation of proposed LLMD No. 22 shall be held on Tuesday, June 28, 2016 at Thurston County Courthouse, Building 1, Room 280, 5:30 p.m., to consider establishing the proposed LLMD No. 22 in Thurston County, Washington.

ADOPTED: May 17, 2016

ATTEST:

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

L. Bonita V. Bowman
Clerk of the Board

Janice Foxler
CHAIR

APPROVED AS TO FORM:

Garth Stoltz
COMMISSIONER

JON TUNHEIM
PROSECUTING ATTORNEY

Bud Blake
COMMISSIONER

By: [Signature]
Rick Peters
Deputy Prosecuting Attorney