

# BOAT REGISTRATION FEE

Effective March 1, 2024, Lake Limerick CC will require all non-exempt boat owners to register their boat(s) and pay an annual registration fee per boat to utilize that boat on Lake Limerick for that year. Boat owners will pay the annual registration fee in full no later than June 30<sup>th</sup> of each year.

Lake Limerick CC shall specifically reserve the funds from these annual registration fees to the HOA Reserve Account for use in replacing community assets such as, but not limited to, docks, swim floats, and island bridge.

The annual boat registration fee may increase year-over-year at the direction of Lake Limerick CC's Board of Directors, not to exceed the area's annual inflation or 5%, whichever is greater.

The registration fee for 2024 will be \$100.

Lake Limerick CC will apply an assessment equal to 50% of the annual registration fee to the owner of any boat that has not registered nor paid-in-full by the June 30<sup>th</sup> deadline.

## Exempt boats (as per Washington State Registration rules)

- Canoes, kayaks, or boats that don't have a motor or sail (strictly human-powered)
- Boats with propulsion machinery that draw 250 watts or less, propel the boat no faster than 10 miles per hour *and* are not used on waters subject to the jurisdiction of the United States or the high seas beyond the territorial seas for boats owned in the United States.
- Boats less than 16 feet long with a motor of 10 horsepower or less which are only used on non-federal waters

## LLCC Lake Usage Fee Analysis

A request was made to the L/D committee to consider instituting an annual \$90 boater's fee which would allow individual boat use on Lake Limerick. Proceeds would go into the LLCC general fund and support Lake projects. The L/D committee subsequently chartered its Rules/Regulations subcommittee to review previous work on this issue, to study and identify additional, relative findings on the request, and to bring a documented recommendation to the full L/D committee with supporting rationale.

### **Section 1: Lake Fee Study Summary**

The fee proposal put forward recommends that Lake Limerick members be charged a yearly lake usage/boaters fee of \$90 (see section 5). After study, the subcommittee believes this proposal is not in the best interest of our membership and recommends against its implementation.

The rationale provided in the request letter contains numerous assertions and assumptions that are not accurate. It is hoped this document can provide some background, information, and clarity.

A detailed synopsis of team findings, observations and opinions is provided in Section 2, 3 and 4 of this report. Since this issue continues to be raised by a small set of individuals, it is expected that this document will immortalize the discussion and rationale on this topic. A summary of key factors associated with this recommendation follows.

1. There is no relationship between boating and its impact on the health and vitality of our lakes. A variety of factors impact lake water quality and maintenance, with the most significant being the introduction of nutrients to the water, not boating.
2. Fairness of the proposed boating fee is questionable as all users of the lake would not be required to pay the fee. The Lake, like our parks and sport courts, is a common amenity for the use and enjoyment of all LLCC members. Member and non-member boats engaged in fishing and non-registered boats (canoes, kayaks, paddleboards, smaller watercraft, etc.) would also have to be exempt. It would be difficult to justify requiring a specific subset of Lake users to pay a usage fee.
3. Exclusivity of use is not provided for boating. Unlike other fee-based activities at LLCC (restaurants and golf), when one pays a fee, there is an expectation of exclusive use during the time in play or while sitting at a table, the lakes simply cannot and do not offer this ability.
4. Public access to the lake is granted for the purpose of fishing and there is no way to assess the public a fee.
5. Annual fee collection and lake usage monitoring would represent considerable extra work, cost, and complexity for our staff. Currently, members are only required to register their boat on a one-time basis at no cost. It is also not clear how compliance could be enforced.
6. There is concern about the legality of selectively assessing a fee for access to a common area. There are also concerns about the legality of assessing a fee for waters under State jurisdiction.
7. Initiating usage fees for common amenities is a slippery slope that will open the door to discussion of fees for all amenities.

## **Section 2; Previous LLCC Studies**

In past years, several different LLCC members have asked why the community does not charge a fee for boat use on the lake. In 2017, this question was put to the L/D committee for consideration. A committee member survey was undertaken on the topic and discussion subsequently ensued with the Board.

The current Rules/Regulations subcommittee reviewed all available correspondence from the 2017 study. This data amounted to a variety of emails from Board, L/D and community members. The responses reflected thought and perspective from a broad cross section of community members including those with and without powered boats, fishermen, and those with unpowered watercraft including kayaks, canoes, row boats, paddle boards, sail boats and sail boards. The general tone of responses was against implementing a “boat fee” in that it was perceived as being divisive, unfair, and unbalanced as well as being difficult to administer and enforce. After reviewing all feedback and research, the Board at that time decided not to take any further action on the request. No summary documentation on this issue was discovered.

## **Section 3: Detailed Observations/Findings**

The following summarizes subcommittee conclusions on some of the issues associated with this proposal.

1. Lake Usage - The Lake, like our parks and sport courts, is a common amenity for the use and enjoyment of all LLCC members as specified in our LLCC Bylaws and Rules & Regulations. To selectively ask a small subset of users to pay an additional fee for lake use privileges seems unjustified and significantly divisive. Boats engaged in fishing would be exempt from the fee because any LLCC member or any non-resident with a WDFW fishing license is permitted to fish on the lake. Watercraft which do not require Washington State or LLCC registration (canoes, kayaks, paddleboards, etc.) would also need to be exempt.
2. Relationship between boating and lake health - Boating does not have a negative impact to the overall health and wellness of our lake. Rather per the science and active lake management provided by our nationally recognized limnologist, the major contributors to our lake quality issues are silting from incoming streams and the introduction of nutrients like phosphorus and nitrogen because of natural runoff from upstream tributaries, septic system seepage and fertilizers (yards and golf course).
3. Fairness - Over the past decades LLCC has historically expended \$300-\$400K annually on maintenance of the Golf Course while only expending approximately \$30-\$40K annually on maintenance of the Lake. Therefore, until a reasonable equilibrium is reached in the maintenance funding of these major assets, consideration of any additional fees by a particular group would not be fair or in the best interest of the Members. Also, LLCC families use the Lake to differing degrees and in various ways. Some families are heavy users (skiing, tubing), others occasional users (boat rides around the lake, fishing) and others are very limited users. A fee

placed on only one type of lake usage (boating based watersports) is not fair. Furthermore, occasional and limited users might be unwilling to pay.

4. Fee Collection - Fee collection would require another set of rules and would represent an added burden for our LLCC staff. Currently, boats must register with Lake Limerick if they require State registration (vessels over 16 feet or have a motor 10 HP or greater). There is currently no LLCC registration fee nor is there a requirement that boats be re-registered annually. LLCC has had one re-registration event in the last 20 years, and it took 3 years to complete.
5. Compliance Monitoring - Managing/controlling Lake usage to those who are not fishing and have paid a yearly usage fee would be an extra burden on the association. By requiring boaters to pay an annual fee, it would also place added importance on verifying boats on the Lake are not fishing and have up-to-date annual permits. There is currently no staff available to support the excessive level of monitoring likely required to ensure compliance. Given there are multiple access points to the lake along with a large variety of concurrent and harmonious activities occurring from June through August, interjecting a potentially complicated compliance activity would be disruptive and potentially unsafe to the user community.
6. Revenue Stream - Considering that fishermen and certain types of watercraft would be exempt from the usage fee and that others who use the lake on a limited basis might be unwilling to pay, it is unlikely that this initiative would generate a significant revenue stream. Additionally, any revenue that was generated would have to be offset by added costs required for fee collection and management. Current estimates at the number of vessels that are exclusive water sporting enthusiasts is roughly 40. One would suspect that number to decrease as the number of vessels with fishing licenses (and arguably an exemption to the fee) would increase.

#### **Section 4: Response to Specific Proposal Concerns**

The following summarizes subcommittee thoughts on other specific concerns identified in the fee proposal relative to the impacts from boating on our lake that have not already been discussed above.

1. Boats Erode Our Beaches - It is true that beach erosion from waves (whether boat generated or from wind action) is a perceived issue around the Lake. This is common in any fluctuating reservoir. In actuality, the vast majority of beaches are not eroding. The most significant beach erosion occurs on our Inn Island. To control further erosion LLCC recently replaced the log boom that had been previously damaged (through member vandalism without club knowledge or support). Our other community and most member beaches do not suffer from significant erosion. Also, LLCC cannot be responsible for maintaining beaches of individual homeowners. Remember, there is a reservoir and every reservoir deals with the vagaries of shoreline fluctuations, by design.
2. Boats Drop Salt Water and Weed Seeds in our Lake - It is true that boats coming into the lake that have been in salt water or lakes outside the state could introduce invasive species into our waters. WDFW has an aggressive program requiring boat owners to pressure wash their boats if either of the above is true. Based on fishing derby experience, where we are required to verify that boats coming into our Lake for the derby do not violate WDFW rules, we have not found a single instance where WDFW invasive species rules have been violated. Most derby boats

belong to LLCC residents and are maintained at their residence. Finally, the vast majority of vessels on our lake are owned by members that keep their vessels exclusively on the lake.

3. Boat Engines Leave Oil and Gas Shine on the Lake - With the advent of 4 cycle motors, the issue of oil and gas pollution in our waterways has largely been eliminated. The majority of motors today are 4 cycle inboard, inboard/outboard or outboard engines. Pollution from them is minimal and does not create any problems that require mitigation. To our knowledge, there remains only a few 2-cycle motors on registered boats left on the lake, and one is owned by LLCC.

## **Section 5: Proposal Submitted to L/D Committee (provided as reference)**

### *Lake Dam Committee Members*

*Hello I am a resident of Lake Limerick since 1997. It has been brought to my attention by several people the issue of the boat owners only paying a one-time registration fee to use their boat on our lake. I have thought about this for a long time and have talked to many members. I have gotten a lot of support on my proposal. I am a golfer but this has nothing to do with what golfers pay.*

*Our lakes are in serious trouble and we will be paying a lot of money to fix our problems after years of not taking adequate care, 20 or so years ago. I am proposing that boat owners pay an annual fee every year when they register their boats with the office. I am proposing an annual fee of \$90 per boat. Each boat will have an annual pass to display on their boats each year showing they have registered with the office. I am not including row boats, canoes, kayaks and trolling motors.*

*Reasons?*

- 1. Boat wakes erode the beaches and personal properties with their waves*
- 2. Boats come in from other water venues and drop salt water and weed seeds in our lake*
- 3. Boat engines leave oil and gas shine on the lake*

*To fix the lake it will take us all working together and the monies collected from boats owners will help offset some of the cost. The monies will go into the general fund as does the \$90 trail fee golfers pay for upkeep on the cart/walking paths. I would however like to see the fees paid to be a separate line item on the budget so members can see how much money is paid by members to use these amenities.*

*Thank you for listening and I look forward to more discussion in the future when we have more time.*