

- **Board of Directors**

October 16, 2001 Board Meeting

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**9-3**

**Subject**

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Approve boating policy for Diamond Valley Lake and Lake Skinner

**Description**

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In September 2001, the Engineering, Operations and Real Property Committee considered a request to establish a uniform boating policy for DVL and Lake Skinner to be effective immediately at DVL and no later than December 31, 2003 at Lake Skinner. After much discussion, the Committee voted to recommend to the full Board that gasoline-powered boating, with restrictions regarding gasoline additives and engine types, be allowed on the lakes. The Board deferred action on this matter until October and requested additional information.

The Board has an existing boating policy for DVL. Citing drinking water quality and public health and safety concerns, Metropolitan's Board of Directors voted on October 13, 1998 to prohibit water skiing, personal watercraft and other body contact activities on DVL. In February 1999, the Board approved a policy that allows boats powered by humans, sail, or electric motor on DVL for fishing and pleasure boating. The policy also states that until such time as methyl tertiary butyl ether (MTBE) is eliminated from the fuel supply, or non-polluting marine engines are available, no gasoline-powered boating will be permitted on DVL. Since the February 1999 Board decision, information has been collected from water utilities that have implemented boating restrictions to reduce MTBE levels and other gasoline additive contamination as well as enhance public safety. These programs have been successful in protecting water quality while maintaining gasoline-powered motorized boating recreation.

In response to the questions and discussion at the Engineering, Operations and Real Property Committee September meeting, staff has gathered additional information regarding boating fuel and additives, engine types, speed restrictions, horsepower, noise and sanitation issues. This Board letter transmits that information along with a proposed boating policy.

Fuel and Additives

Gasoline is a complex mixture of chemicals, many of which have been monitored for in Metropolitan's source and treated waters for many years. In 1996 MTBE was detected in water from reservoirs having heavy boating activity, while the other components of gasoline such as benzene, toluene, ethylbenzene, and xylenes were generally non-detect below the water surface. To date, MTBE is detected in Southern California reservoirs because little to no corrective actions have been taken to limit MTBE contamination. Other agencies such as the East Bay Municipal Utility District, Santa Clara Valley Water District, and the Tahoe Regional Planning Agency have all taken successful action to control MTBE contamination by limiting the type of fuel and restricting the gasoline engine types used on their reservoirs. Future gasoline additives will have to be monitored and control measures taken if Metropolitan or the California Department of Health Services determines these gasoline additives contribute to adverse human health effects in drinking water or if they are responsible for increased water treatment costs. Therefore, similar to actions taken by other utilities, Metropolitan proposes to limit the type and amount of gasoline entering the lakes to reduce the potential for MTBE and other additives to contaminate the water supply.

### Engine types

Research indicates that older two-stroke engines burn fuel inefficiently. To reduce the amounts of emissions entering the air and water at the lakes, staff recommends that only four-stroke, two-stroke equipped with direct fuel injection, or two-stroke engines that comply with the California Air Resources Control Board 2001 or later model year spark-ignition marine engine standard (or US Environmental Protection Agency equivalent) be allowed at DVL and Lake Skinner. All other two-stroke engines will be prohibited. To enhance boating opportunities for the recreation community, staff will develop a boating access plan for Board approval with such mechanisms as the provision during a transition period until boat owners replace the older prohibited engine types of an affordable rental fleet (minimum of 100 boats at DVL and additional number as necessary at Lake Skinner) to ensure boating access consistent with an approved boating policy.

### Speed restrictions

An early draft of proposed boating rules at DVL had proposed a maximum speed limit of 25 miles per hour. The current maximum speed limit at Lake Skinner is 10 miles per hour because of its smaller size. Based on the research, staff recommends a maximum speed limit of 25 miles per hour at DVL beyond 200 feet of the shore, dams, other operational structures and outside defined marina areas. The maximum speed limit in marina areas and near shore should be 5 miles per hour. The speed limit will still allow the lake to be traversed from one end to the other in less than 15 minutes.

### Horsepower

The issue of horsepower of boat engines was raised as a possible means of restricting the speed of boats. Staff has researched the issue of horsepower and its practical relationship to speed. Given other variables such as boat length, weight and design, a direct relationship cannot be reliably established. The most effective means of restricting speed at recreational lakes in California has been proven to be dedicated enforcement personnel and equipment to patrol and issue citations for violators.

### Noise

With regard to noise, a concern was expressed that the noise associated with gasoline-powered boating would create an undesirable environment for recreation at DVL. In 1994, Metropolitan commissioned a noise study of projected boating at DVL. Based on noise monitoring at Lake Perris and Lake Skinner, the consultants concluded that the anticipated noise levels would be the same as those expected in an active recreation setting, the levels would not exceed Riverside County noise standards, and the noise levels would not significantly impact inhabitants of the bordering Multi-species Reserve. Additionally, it is expected that further environmental review will be conducted on the actual recreation use at DVL and noise impacts. Finally, California boating law has maximum noise levels based on when the boat engine was manufactured (e.g., 82 decibels for engines manufactured on or after January 1, 1978). Since the type of engines recommended to be allowed on the lakes are newer and typically less noisy, staff is recommending a maximum engine noise level of 75 decibels at a distance of 50 feet with the engine running at 80% of redline RPM. This level is well within the maximum noise standards set by California boating law.

### Sanitation plan

A specific sanitation plan for DVL will require additional time to prepare and coordinate with other agencies such as the State Department of Health Services. However, staff has established that public restrooms can be feasibly located at the marinas and adjacent to the high water road, have double-walled storage tanks, placed on permanent foundations and be pumped out regularly. This approach will be fully protective of water quality and meet the public's needs, while using the lake for boating and fishing recreation. Sanitation facilities will be placed at public access points at DVL with adequate provision for handicap access. The sanitation facilities will also be available to hikers and bicycle riders using proposed dedicated hiking trails and bike paths. A specific sanitation plan for DVL will be presented to the Board for approval prior to summer 2003.

## Policy

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By Minute Item 43238 (October 13, 1998), the Board of Directors approved a policy allowing recreational activities that involve no body contact with the water in DVL. Additionally, by Minute Item 43403 (February 9, 1999), the Board approved a policy allowing certain recreational boating activities on DVL.

## CEQA

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### Boating Policy for Diamond Valley Lake

This board letter seeks approval of the proposed action, i.e., approve a boating policy for Diamond Valley Lake and authorize the Chief Executive Officer to prepare boating rules and regulations, consistent with Board-adopted policy for approval by the Board as soon as feasible. Although further environmental review of the recreation plan currently in development is planned, the environmental effects of the proposed action have already been contemplated in the previous recreation analysis presented in the Final EIR (FEIR) for the DVL Project (formerly the Eastside Reservoir Project). The FEIR was certified by the Board in October 1991. During that same meeting, the Board also approved the Findings of Fact, the Mitigation Monitoring and Reporting Program, the Statement of Overriding Considerations, and the Project. Subsequent to those actions, additional documentation has been prepared and processed (i.e., Supplemental EIR and Addendum Nos. 1 through 6 to the FEIR). These documents and the previous actions taken by the Board fully comply with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines and, as such, no further CEQA documentation is necessary for the Board to act on the proposed action.

The CEQA determination for both Options #1 and #2 is: Determine that the proposed action has been previously addressed in the certified 1991 FEIR and subsequent environmental documentation for the DVL Project and that no further environmental analysis is required.

### Boating Policy for Lake Skinner

This board letter seeks approval of the proposed action, i.e., approve a boating policy for Lake Skinner and authorize the Chief Executive Officer to prepare boating rules and regulations, consistent with Board-adopted policy as necessary. This proposed action is categorically exempt under the provisions of the California Environmental Quality Act (CEQA). The proposed activity involves boating policies consistent with the normal operations of existing facilities for public gatherings (i.e., recreational uses) for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. As such, the proposed project qualifies under a Class 23 Categorical Exemption (Section 15323 of the State CEQA Guidelines).

The CEQA determination for both Options #1 and #2 is: Determine that pursuant to CEQA, the proposed action qualifies under a Categorical Exemption (Class 23, Section 15323 of the State CEQA Guidelines).

## Board Options/Fiscal Impacts

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### Option #1

Adopt the CEQA determination and

- a. Approve the boating policy on **Attachment 1** for DVL and Lake Skinner to be effective immediately at DVL and no later than December 31, 2003 at Lake Skinner.
- b. Authorize the CEO to take all steps necessary or appropriate to prepare boating rules and regulations for DVL and Lake Skinner, consistent with the Board approved boating policy. A boating access plan and a sanitation plan for DVL will also be presented to the Board for approval prior to summer 2003.

**Fiscal Impact:** To the extent that the boating policy restricts the number of boats utilizing DVL and Lake Skinner, revenue associated with boating could be diminished by an undetermined amount. The cost of applying and monitoring the boating rules cannot be determined at this time. It is anticipated, however, that applying and monitoring activities and attendant expenses will be the responsibility of the yet-to-be-selected marina operator at DVL and the County of Riverside at Lake Skinner at no net cost to Metropolitan. The cost of providing, operating and maintaining an affordable rental fleet for five years cannot be determined at this

time, but the one-time capital cost is estimated to be \$1-2 million. The cost of providing sanitation facilities at DVL and changes, if any, at Lake Skinner have not been determined at this time.

**Option #2**

Adopt the CEQA determination and

- a. Approve a boating policy for DVL and Lake Skinner that allows boats powered by humans, sail, or electric motor only, but no gasoline-powered watercraft of any type; and
- b. Authorize the CEO to take all steps necessary or appropriate to prepare boating rules and regulations for DVL and Lake Skinner, consistent with the approved boating policy. A boating access plan and a sanitation plan for DVL will also be presented to the Board for approval prior to summer 2003.

**Fiscal Impact:** To the extent that the boating policy restricts the number of boats utilizing DVL and Lake Skinner, revenue associated with boating could be diminished by an undetermined amount. It is anticipated that revenue under this option would be less than under Option #1. The cost of applying and monitoring the boating rules cannot be determined at this time. It is anticipated, however, that applying and monitoring activities and attendant expenses will be the responsibility of the yet-to-be-selected marina operator marina operator at DVL and the County of Riverside at Lake Skinner no net cost to Metropolitan.

**Option #3**

Take no action on the boating policy at this time and direct staff to return to the Board with a proposed boating policy closer to the anticipated summer 2003 opening of DVL for boating.

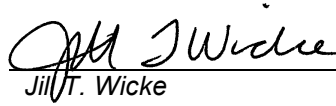
**Fiscal Impact:** None

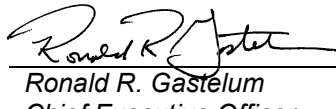
**Staff Recommendation**

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Option #1

	10/9/2001
Roy E. Wolfe Manager, Corporate Resources	Date

	10/9/2001
Jill T. Wicke Manager, Water System Operations	Date

	10/9/2001
Ronald R. Gastelum Chief Executive Officer	Date

**Attachment 1 - Boating Policy for Diamond Valley Lake and Lake Skinner**

BLA #1237

**Attachment 1****Boating Policy for Diamond Valley Lake and Lake Skinner**

1. Eligible boats powered by humans, sail, acceptable gasoline engine, or electric motor will be allowed.
2. Only MTBE-free fuel shall be used for gasoline engines.
3. All gasoline engines must meet State of California approved low emission standards and include:
  - a. Gasoline four stroke engines or diesel compression ignition engines
  - b. Gasoline engines that are low emission two-stroke engines incorporating direct fuel injection
  - c. Gasoline outboard engines that have California Air Resources Board 2001 model year or later certification (or U.S Environmental Protection Agency equivalent)
4. Engine Types Not Permitted:
  - a. Carbureted two stroke engines
  - b. Other engines not specified above
5. No personal watercraft or other watercraft that result in body contact
6. A maximum speed limit of 5 miles per hour in restricted areas, 25 miles per hour in unrestricted areas of DVL and 10 miles per hour at Lake Skinner. Restricted areas include within 200 feet of the shore, dams, other operational structures and within defined marina areas. No boating access permitted next to dams and other operational areas designated by the CEO.
7. Maximum noise level of 75 decibels at a distance of 50 feet with the engine running at 80% of redline RPM.
8. Public fishing opportunities:
  - a. Metropolitan will provide a rental fleet of a minimum of 100 boats for at least five years at DVL and an additional number at Lake Skinner as necessary.
  - b. Rental boats are fuel-powered engines that meet emission and other requirements of the District's boating policies and rules.
  - c. Rental boat engines limited to no more than 50 horsepower, suitable for bass fishing and equipped with electric trolling motors.

