



## CITY OF AUGUSTA CITY COUNCIL AGENDA REPORT

Meeting Date:           September 21, 2020

Department:           Community Development

Submitted By:         Susie Geiger, Assistant to the City Manager

Prepared By:         Susie Geiger, Assistant to the City Manager

Agenda Title:         **Matters From/For Horsepower Restrictions on Augusta City Lake  
Pilot Program Follow-up and Survey Report**

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### **RECOMMENDED ACTION:**

Receive and file a report on the feedback survey about the boat motor restriction pilot program at Augusta City Lake.

### **BACKGROUND:**

At the March 18<sup>th</sup> City Council Meeting, a contingent of fisherman spoke during the visitor’s section of the agenda regarding a request to amend the motor restrictions on Augusta City Lake. They currently live within the community and have boats, but the engines on their boats exceed the 10 horsepower (HP) limit for boats on City Lake, taking away their ability to fish in their community lake except along the shoreline.

On Tuesday, June 11<sup>th</sup>, the City Council and Park Advisory Board held a joint meeting to gather public input.

Below is a summary of the major takeaways from the public meeting:

- Augusta residents take a lot of personal ownership in the lake, whether they own adjacent land or simply place a boat on its surface;
- Augusta residents value the lake primarily as a “local amenity” and want limitations on access to non-residents [especially for boats];
- All parties expressed a desire to prevent overdevelopment and excessive traffic that interferes with neighbors’ quiet enjoyment of their property or takes away from the lake’s natural beauty;
- Regarding power boat activity, adjacent property owners are most concerned about noise, wave action/erosion, litter, security and enforcement of lake regulations;
- Power boat owners have not asked to change any other lake regulations pertaining to speed, personal watercraft, etc.

On September 3, 2019, the Augusta City Council approved Ordinance No. 2155 and Resolution No. 2019-15 to have the City undergo a one year trial of removing the >9.9 horsepower restriction for motor boats on Augusta City Lake. All other restrictions, including the speed limit of 5 mph, remained in place. The Council instructed staff to collect feedback from the public following the year trial and reintroduce the issue to the governing body.

Due to the current COVID-19 pandemic, staff did not hold another in-person input meeting but rather created a virtual survey for residents to fill out. Those who owned property surrounding the lake were sent a letter informing them of how to complete the survey. As of September 3, 2020, the survey had received 84 responses, the results of which are shown in the attached report.

### **ANALYSIS:**

The full survey results are available in the attached report. The first section of the survey asks for demographic information related to City Lake Staff. The next section asks respondents about specific concerns expressed during the public input process last summer (traffic, noise, litter). The last portion of the survey asks respondents for feedback on how the City should move forward with this issue.

Survey responses were fairly balanced between residents who do and do not own property or live adjacent to the City Lake, with 44.6% saying they do and 55.4% saying they do not. Respondents who said they do own property/live around City Lake were prompted to provide specific comments about whether they felt the change in restrictions had changed their experience of City Lake. 32 of the 36 comments reported no negative change. Three of the four negative comments reported increased boating activity and noise, and the fourth specifically mentioned issues with loading and unloading at the boating ramp.

Staff identified increased traffic, noise, and litter as the three main concerns expressed during the initial feedback process last summer. A majority of respondents said they did not notice a significant increase in traffic (66.3%), noise (86.3%), and litter (77.5%). One respondent specifically noted that the increase in traffic may be for reasons other than >9.9 permits being available.

A majority of respondents (71.3%) said they would support the City continuing to allow permits for >9.9 horsepower motorboats for Augusta residents only limited to 25 permits, and with a \$100 fee. 18.8% said they would not support keeping the restriction change, and 10% said they were not sure. A majority of respondents (56.3%) also supported increasing the number of >9.9 horsepower permits available (with 35% opposing and 8.8% not sure). However, a large majority of respondents (76.3%) opposed making the >9.9 horsepower permits available to non-Augusta residents.

Staff did breakout analysis using only the responses of residents who owned property or lived adjacent to Augusta City Lake. There was not a significant difference from the results described above.

**Department Head Approval Date:**

**City Manager Approval Date:**       9/18/20

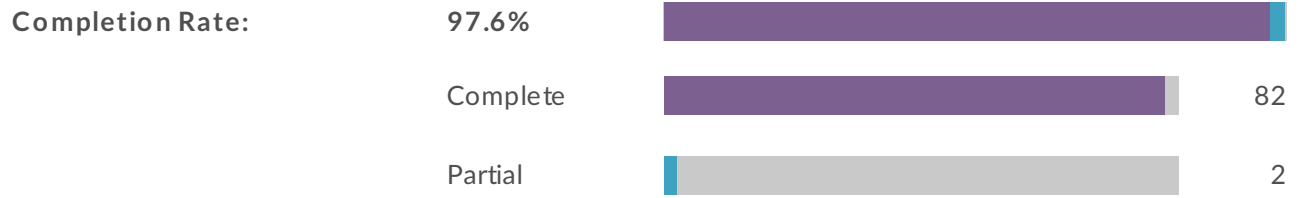
**City Attorney Approval Date:**

**Attachments** (*list in packet assembly order*):

1. *Augusta City Lake Horsepower Restrictions Trail Program – One Year Survey Report*
2. *Individual Comments from Horsepower Restrictions Survey Results*
3. *Adjacent Property Owner Survey Breakout*

# Report for Augusta City Lake Horsepower Restrictions Trial Program - One Year Survey

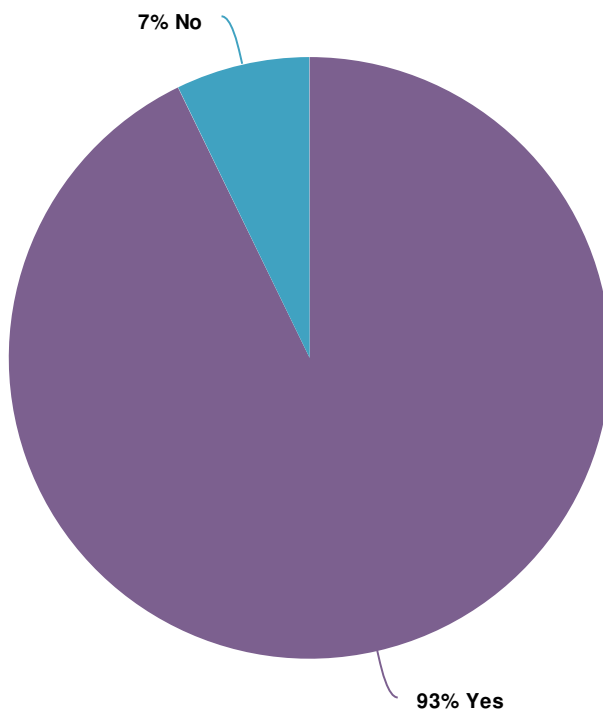
## Response Counts





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Totals: 84

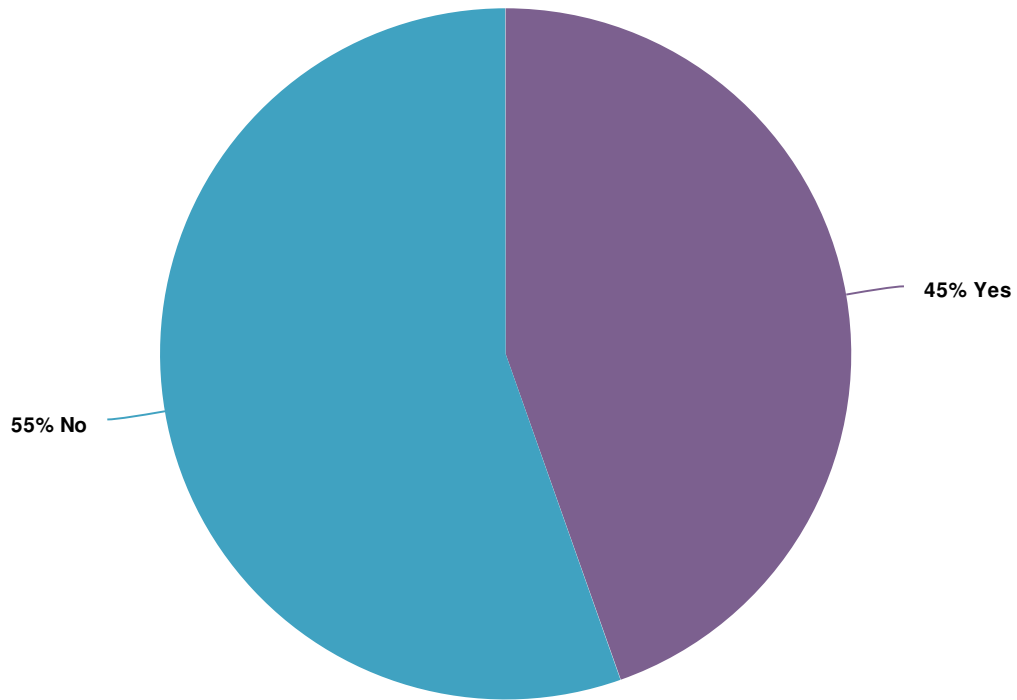
# 1. Are you a resident of the City of Augusta?



Value		Percent	Responses
Yes		92.8%	77
No		7.2%	6

Totals: 83

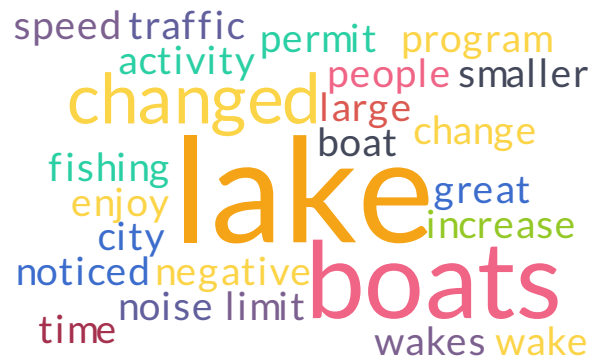
## 2. Do you own property or live directly adjacent to Augusta City Lake?



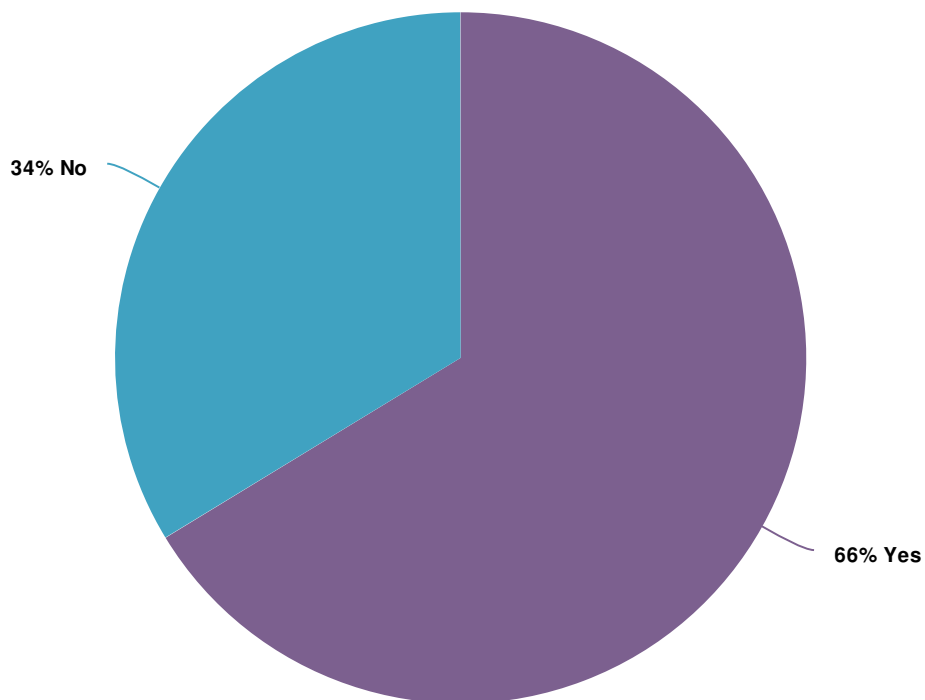
Value	Percent	Responses
Yes	44.6%	37
No	55.4%	46

**Totals: 83**

3. As a resident living around Augusta City Lake, has your experience living next to the lake changed significantly during the trial run allowing the larger boat motors? If so, how?



#### 4. Do you have a fishing permit for Augusta City Lake?

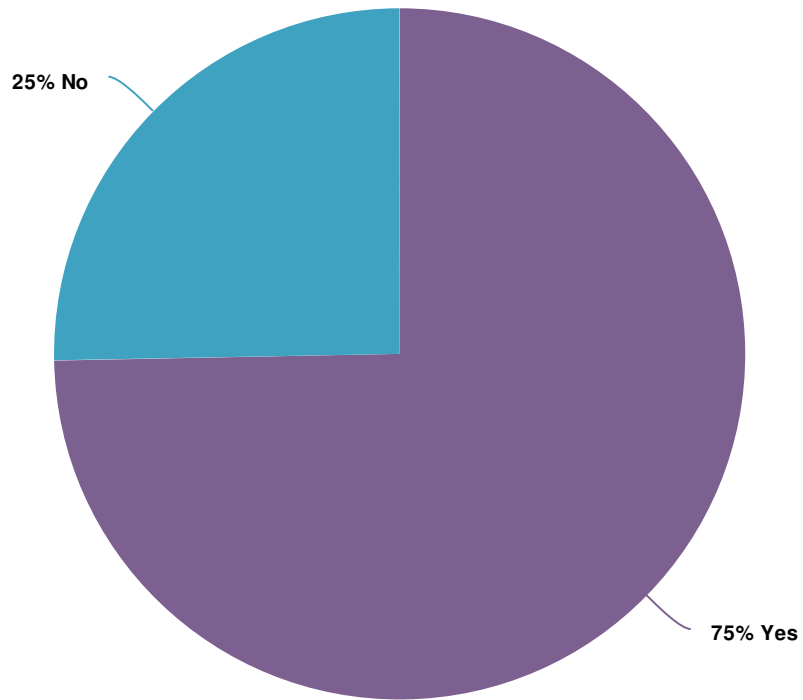




Value		Percent	Responses
Yes		66.3%	55
No		33.7%	28

Totals: 83

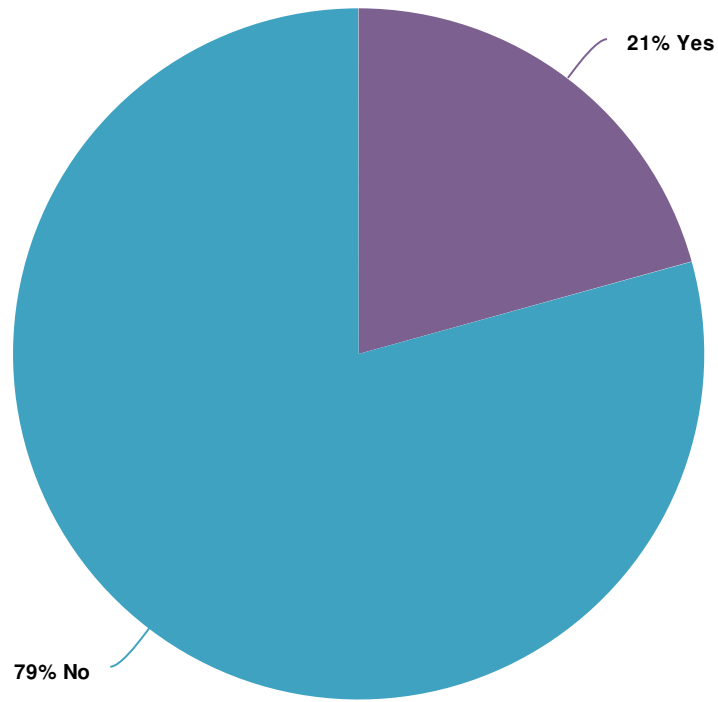


5. Do you participate in boating or fishing activities regularly on Augusta City Lake?



Value		Percent	Responses
Yes		74.7%	62
No		25.3%	21
			Totals: 83

6. Are you one of the 25 residents that was granted a permit to operate a boat with a large motor on Augusta City Lake during this trial program?



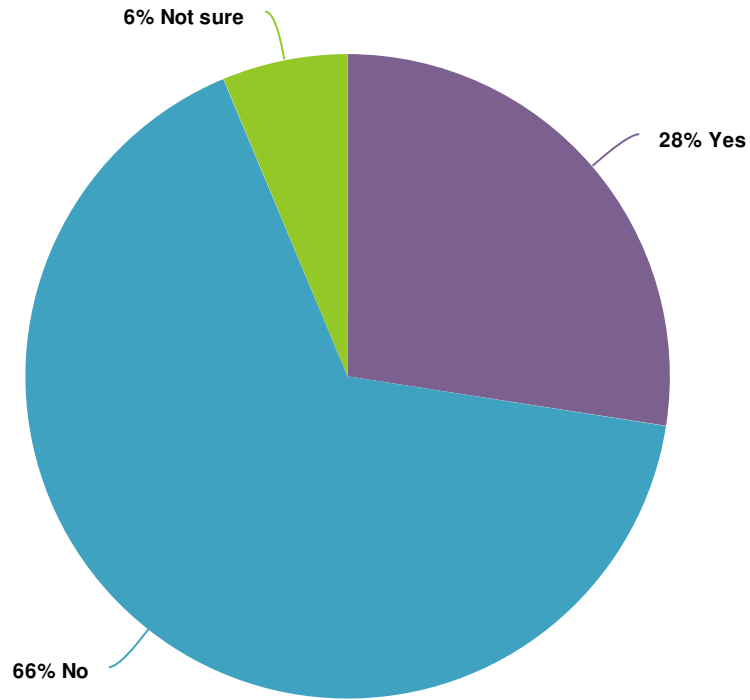
Value		Percent	Responses
Yes		20.7%	17
No		79.3%	65




Totals: 82

7. How has your experience of Augusta City Lake changed as a result of being allowed to use your boat with a larger motor?



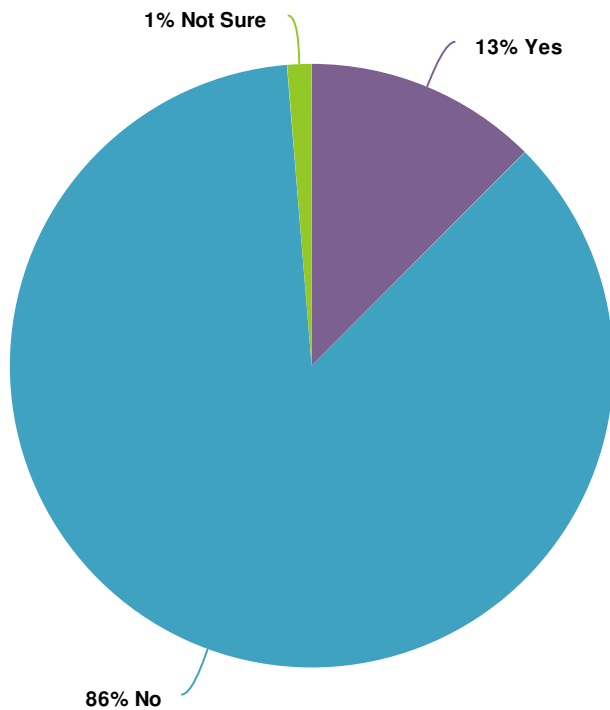
8. Did you notice a significant increase in the amount of boat traffic on Augusta City Lake after the boat motor horsepower restrictions were changed in September of 2019?



Value		Percent	Responses
Yes		27.5%	22
No		66.3%	53
Not sure		6.3%	5

Totals: 80

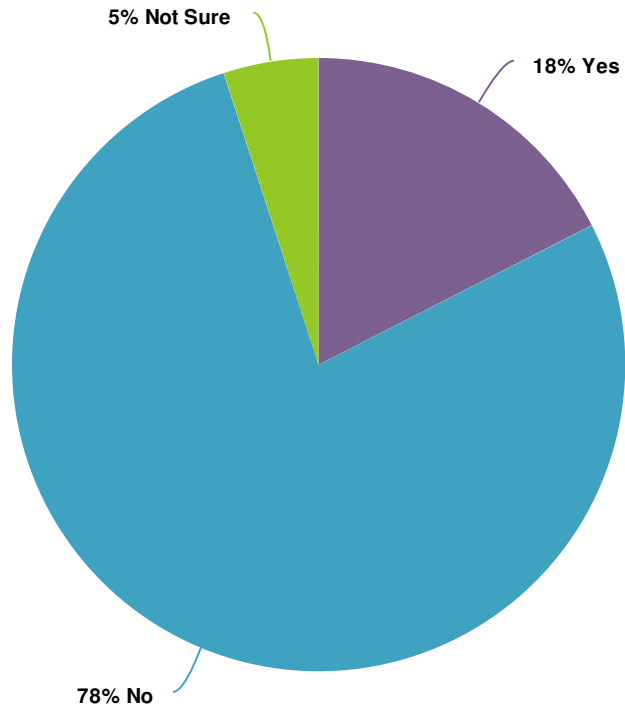
9. Did you notice a significant increase in the noise level around Augusta City Lake after the boat motor horsepower restrictions were changed in September of 2019?



Value	Percent	Responses
Yes	12.5%	10
No	86.3%	69
Not Sure	1.3%	1

Totals: 80

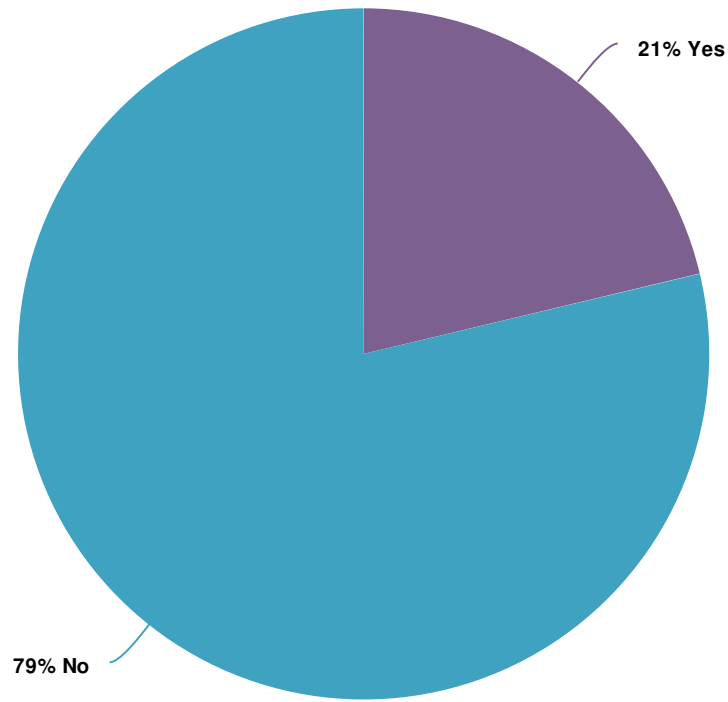
10. Did you notice a significant increase in the amount of litter surrounding Augusta City Lake after the boat motor horsepower restrictions were changed in September of 2019?



Value		Percent	Responses
Yes		17.5%	14
No		77.5%	62
Not Sure		5.0%	4

Totals: 80

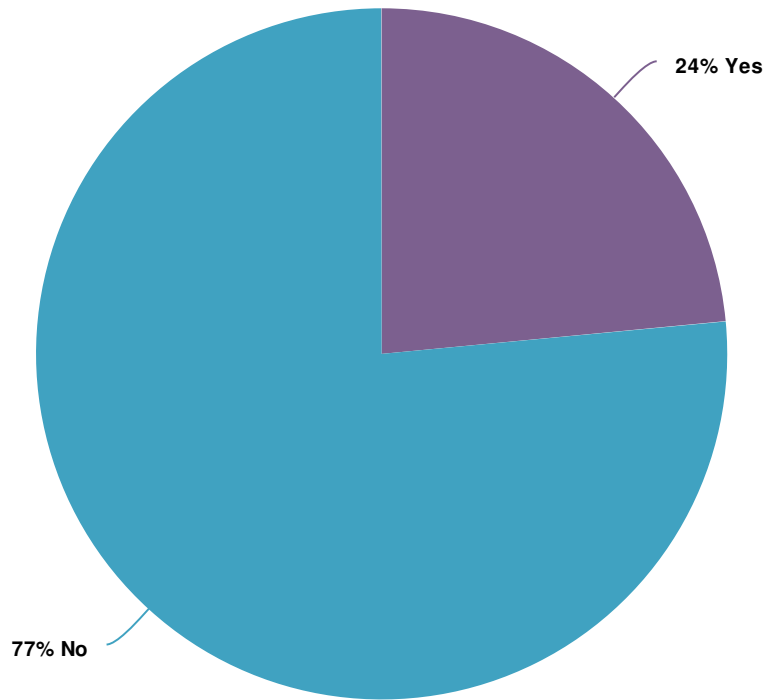
11. Did you observe any violations of Augusta City Lake's speed restrictions or instances of non-permitted boats with large motors on Augusta City Lake?



Value		Percent	Responses
Yes		21.3%	17
No		78.8%	63

Totals: 80

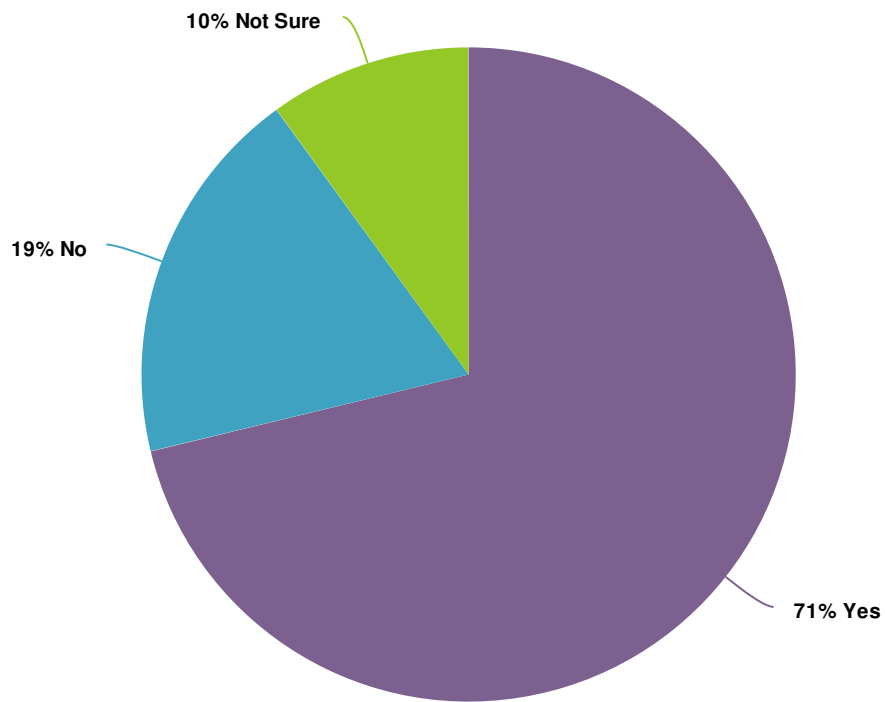
## 12. Did you report the violation to the Augusta Public Safety Department?



Value	Percent	Responses
Yes	23.5%	4
No	76.5%	13
<b>Totals: 17</b>		



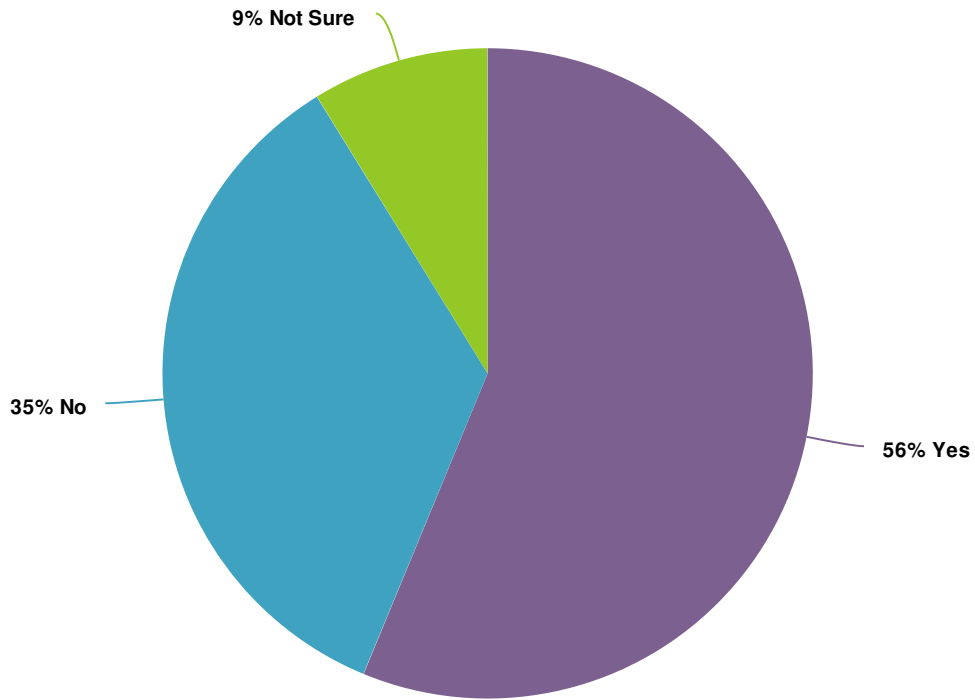
13. Would you support the City continuing to allow permits for >9.9 horsepower motor boats for Augusta residents only, limited to 25 total permits, and with a \$100 fee?



Value		Percent	Responses
Yes		71.3%	57
No		18.8%	15
Not Sure		10.0%	8

Totals: 80

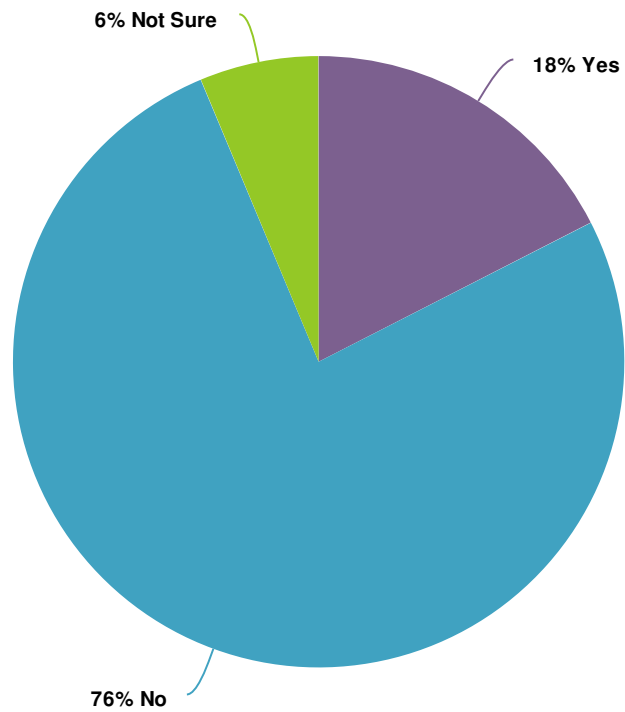
14. Would you support increasing the number of available permits for boats with a motor larger than 9.9 horsepower?






Value	Percent	Responses
Yes	56.3%	45
No	35.0%	28
Not Sure	8.8%	7

Totals: 80

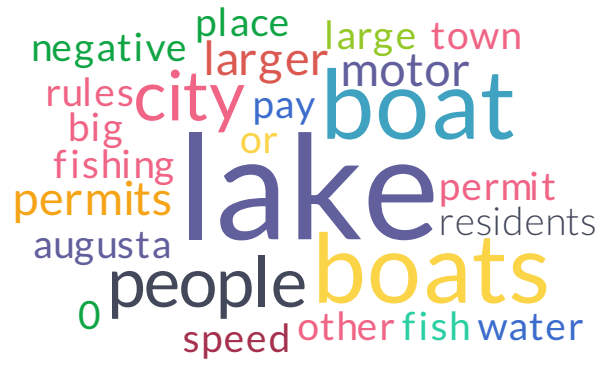
15. Should the larger horsepower boat permits be made available to non-City of Augusta residents if the program continues?



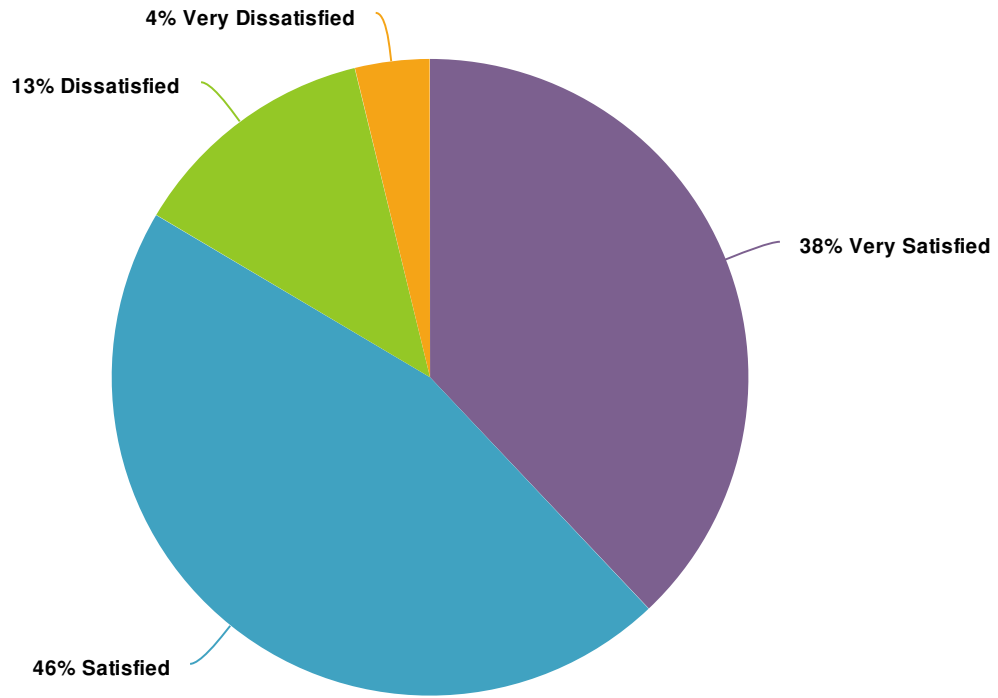
Value		Percent	Responses
Yes		17.5%	14
No		76.3%	61
Not Sure		6.3%	5





Totals: 80

16. What suggestions/solutions do you have for the City to address any negative outcomes that you observed during the trial program?



17. How satisfied are you with the enforcement of boating regulations on Augusta City Lake?



Value		Percent	Responses
Very Satisfied		38.0%	30
Satisfied		45.6%	36
Dissatisfied		12.7%	10
Very Dissatisfied		3.8%	3

Totals: 79

## Individual Comments from Horsepower Restrictions Feedback Survey

### **As a resident living around Augusta City Lake, has your experience living next to the lake changed significantly during the trail run allowing the larger boat motors? If so, how?**

Absolutely not! No issues!

No hasn't changed. Seeing more people enjoying the lake is awesome! All of them are very respectful.

Not at all can't even hear them

No

Yes, so much loader and unfortunately boats are causing large wakes.

Not at all

Not at all.

It's Loud, people act stupid, more traffic, and ect. Definitely not what our little city lake was made for. Plus if there was an accident on the lake do we have the equipment and means Necessary to help people involved.

No

No

No

No!!!! It's no different then the smaller boats running up and down on the lake!

Not at all

No

No

No not that could be directly connected to boating. there was a large increase in all traffic at the lake. In answer to the next question NO permit is required

No, not noticeably

I see no problem.

No

I think has been a great program. I see many people using big boats to take kids fishing and i have not noticed any boat breaking the rule of 5 mph on the lake.

Yes it has been great taking my boat on the lake this year. I have spent alot of time on the water this year with my family and friends on the lake and not having to leave town to enjoy my boat.

NO

No, my initial concern was an increase in noise level but most boaters have kept their speed in check and have not generated significant noise levels. I have noticed a few boaters making a large wake while in transit to change location but this should only be a concern to kayak operations.

No change at all

Have seen some bigger boats out on the lake, but no negative effects.

Not significantly although there is more activity but that is probably due to the restrictions of Covid.

No

From what we can determine the trial program has had no negative impact on activities at the lake. The operators of boats exceeding 9.9 horsepower have not abused their rights under ordinance No. 2155. At the same time we believe that the city has reached an excellent compromise and that the 25 permit limit should remain in force along with the \$100.00 permit fee.

have trouble with boats using handicap docks for loading and unloading you need a sign on the docks and enforce it and watch for speeding

I have not witnessed anyone not complying by the no wake speed limit

Increased boat activity on the lake as well as at the launch ramp, traveling at higher speeds and producing more frequent and larger wakes. Sometimes generate a little more noise. Takes away some of the "peacefulness" of the lake. Negative affect on smaller vessels, such as fishing boats, kayaks, paddle boats, etc. that typically enjoy the lake as well.

It has not changed

No

No significant changes. Fishing boats are moving quietly, slowly.

No!!! There hasn't been that many big boats out there at one time. They are no louder then the small boats with the smaller motors!

## **How has your experience of Augusta City Lake changed as a result of being allowed to use your boat with a larger motor?**

Can actually use my boat to enjoy my local lake! Can't go wrong and it brought boats in that wouldn't normally come.

It's been a wonderful experience for u children and my husband. They are able to drive 3 mins and able to fish

Stay closer to home

I use the lake more often, I don't have to unpack my boat to go fishing. It has been a very pleasant experience. Please consider this long term for residents. It would also be nice to have both city owned lakes (Augusta and Santa Fe) on one permit for fishing and boats.

Im allowed to put my boat in the water close to home without driving to another location

We are now able to fish the lake as a family and enjoy spending days on the water. I have been able to take my wife and children all fishing at the same time in our boat. It was very nice to be able to enjoy the lake together.

We have been able to enjoy our time. Our small boat only has a 25hp motor but because of the 9.9 we were not able to use it before. We have taken many kiddos out to experience fishing on a boat.

It's been wonderful being able to take my kids close to home to go fishing. Love it so much.

It has allowed my family to enjoy the lake by using the bigger boat. This has allowed me to take younger kids fishing that felt more comfortable in the bigger boat. It has also made me think of starting a program to put more fish cubes in the lake ( fish attractors) This will help with spacing of the fish and help generate more fish for the lake.

it has been great. I enjoyed taking my kids fishing and enjoying the lake.

Loved it

I has let me fish iron. Places I couldn't get to before. It's enabled me to take kids and teach them how to fish from a boat.

Great

All positive . I love being able to safely take my young kids out on the water without fear of them falling out of a little boat.... I love being able to use a bigger boat.

My experience is far better now fishing and enjoying the lake with my wife and friends. I own a small boat and it does not have a large motor but it still is not the 9.9 or smaller so I think it is awesome that I am able to use my boat without having to drive so far on a round trip.



**What suggestions/solutions do you have for the City to address any negative outcomes that you observed during the trial program?**

I think it's fine with smaller numbers of people with this access. Too many and that will change things I'm afraid.

We only saw 1 boater that didn't have permit. They fished for 3 hours and cops were called and tix wasn't given to this boat by cop. Dont understand that, that is the case why have a permit

I was on furlough from my job from March to June and it was great to see all the boats and activities at the lake. I didn't notice any negatives from allowing larger motor boats on the water. He one negative I noticed was the lack of sophisticated boat ramp for unloading and loading boats into the water.

Believe more people using the boat ramp could use to make bigger and designated parking spots. Overall in my opinion everyone was very respectful to all the rules

My suggestion would be to allow 50 permits and lower the price of the permit. People won't want to continue to pay \$100 a year. Keep the big boats on the city lake!

Most anglers with large boats are not the cause for litter. They are also catch and release for the most part. The city needs to regulate catch limits, as well as police those on land with no permits from out of town. This really needs to be addressed and enforced. Maybe start a volunteer park ranger program? We have an extremely lake that provides fun and enjoyable times for families. The boats are not the issue, it's traffic and litter by those that don't appreciate what we have here. Please look at those issues as well.

I think the city did what they could to enforce the current regulations, but without someone constantly patrolling the lake it is impossible to catch those in the act or ticket violations. Our lake is small and provides our town with outdoor recreation but it's a battle between faster boats with unreasonable drivers and kayakers or shore fishermen.

Allow outsiders to have access to permits

Honestly I did not observe any negative instances in regards to the boats or their owners. The negative instances I observe on an almost daily basis is related to the trash left behind by people fishing from the bank.

Have a dedicated official at the lake to monitor the goings on, and assist in possible issues that may arise. Like a park officer like Eldo lake has and city of Winfield lake.

A swimming Beach would be nice. Maybe some permitted camping sight's along the west end. The water speed limit seems a bit low for large motor boats. The price for the permit seems a bit high.

We didn't observe anything negative from the motor restrictions being lifted. More families were able to enjoy a day out fishing together on the water. The only negative I could provide is the \$100 fee is a little steep for the size of our lake.

Please keep allowing the larger boat motors for Augusta residents only.

None

I saw no negative. People doing work on their property or weed eaters and mowers were louder than the boats on the lake.

Every boat with a big motor that I ever saw was always following speed and other rules

Put in a small beach for swimming. Let people pay fees to camp, fish, boat out at our lake. Like Santa Fe. Make some money for our lil town. Make people want to actually come here instead of turn there noses up.

Return the hp limitation. The increased hp is creating larger wake that carries across a large portion of the lake disrupting other lake visitors and potentially wildlife as well. The lake is seeing an increase in non-motorized activities such as kayaking and fishing and the the increased hp is disruptive

100.00 dollars for a Resident to put a boat on the lake with a bigger motor is plum Ridiculous!!! I fill for a Augusta resident the fee should be reduce to around 25.00 dollars and non-residents pay the 100.00 dollars. We all do pay personal property tax and city tax. Who's every ideal it was to put a 100.00 dollar fee on larger boats is plum stupid!!!! You could of open it up to who ever wanted a permit could pay 25.00 and sale more. Your not going to have a 100 boats on the lake at one time. The fee kept me from buying one for more boat. Went to other lakes to fish. Would love to support but not paying a outrageous price to put my boat on the city lake!

None

\$100 permit is steep. Too much. We are all ready having to buy dis Hong permits when we all ready have a state permit.

Offer more trash cans around the lake. The littler is really bad. I have 4 kayaks and a canoe. There is no place to really launch from that doesn't tear up the bottom of those boat's. It would be nice to have something similar to the dock's that we, as in those of us who have canoes, kayaks, and paddles boats, to have a specific place we can drop our boats in and launch from. Having a single place for all boats to launch from is a bit ridiculous..

I don't have any negative outcomes. However I don't think it would be fair to have people from out of town be able to get a permit to bring their boat on the lake since Augusta residents pay taxes to upkeep the lake and stock fish and out of town people shouldn't have the privilege of boating. Augusta residents only. That is all.

Increased fishing pressure resulting in lower catch rates..let the big boats go to big lakes and keep the small city lake a place for kids and families not the serious big boat bass fishermen..they go elsewhere anyway..let them

Go back to the old rules

Nothing to add

Permits should also be available to Augusta township residents. Or possibly make available at higher price for them.

None

I have a small boat and a 9.8 motor also have another boat with a larger motor..But I could not in my right mind pay more money then what a small boat cost!! I would pay the same amount you do have a speed restriction. The fishing is poor I don't think they restocking it. And additional boat ramp are needed you have one place to launch from now.

Really glad you chose to do the trial

Lower the cost to put a boat on the lake no matter how big the motor is Don't limit the number of boat registrations

Corona caused an increase in lake use from all of the public. .A large number of out of county, and out of state tags were at the lake I never saw anyone this year check a single person for a permit . I am sure that the virus had something to do with that. and influences some of the responses here

None

none

Josh Shaw did not take any consideration of the opinion people that live on had when the meeting took place before big motors were approved. The vast majority of residents did not want big boats on the lake due to the noise, pollution, and litter but big motor boats are now on the lake. The lake water level is down so these motors are going to churn mud and debris from the bottom. Augusta city lake is shallow even when full so consider what damage will occur by propellers dragging close to the bottom. It's a shame such a beautiful body of water will soon be just another Kansas mudhole.

Keep the number of 25 and only for the citizens of Augusta.

There were no suggestions concerning the larger boat operations. The only concern I have is some of the civil fisherman littering the lake and not respecting the length limits. May be more patrol on length limits to keep the fish population high.

none keep it

None! I think the city has done a fantastic job with the Augusta lake.

My observations were that while on my boat or even larger boats the noise level was actually more quiet than the smaller boats. They were also far more quiet than the mowers and weed eaters the residents used that live around the lake. As well the smaller boats tend to exceed the 5mph speed limit and make a much larger wake. None the less I don't think that the larger boats have had a large impact on the lake and the people who use it.

Enforcement of speed/wake restrictions,

No issues

No negative outcomes

I would like for the program to continue on a year to year basis as is without additional permits or non-City permits issued.

I haven't noted any negative effects. I feel like the cap on permits is necessary.

the city needs to patrol and enforce the rules we already have you enforce town laws the lake should be the same since it is in town

enforcement of licenses for boats and other water craft (kayaks ,canoes and other craft).Also fishing licenses.Also the handicap and elder fishing docks should be labeled as such. They were not meant to be boat docks.People using the boat ramp should park leaving room for the next boat trailer to use the ramp. All Boats should be more aware of how they impact the people fishing from shore. All (shore and boat fishers and casual lake user) should be more mindful the trash they leave we have trash cans use them . Its a good lake.

I think the city should check fishing and boating permits daily. Is it possible to stop so many people surrounding counties from fishing and boating without permits? Most kayaker's do not buy permits for boating. It's unfair that most of us buy permits and have for years and live and pay taxes.

Rules be enforced.

I believe the guidelines/restrictions were fine as they were in years past. It seems as though an overwhelming majority of residents were against the change so we never really understood why it took affect anyway.

None

I am concerned that more larger boats may keep away some of the migratory waterfowl. We enjoy seeing so many species. The pelicans will be coming soon hopefully.

I have a boat but would not buy a permit for use for \$100 for city lake. I find more litter on the outside of the lake. From people on land use. We have a beautiful lake but doesn't seem the city of augusta wants us to use it !! Guess the people making the rules don't use the lake. Thanks jesse ybarra. [Jmybar@gmail.com](mailto:Jmybar@gmail.com)

I don't know of any negative outcomes. On the north end where I live I have not noticed any bigger horsepower boats. For #15, I am not aware of enforcement that goes on.

Leave it the way it was

The \$100.00 fee is ridiculous for residents of Augusta to pay! We pay enough personal and city tax as it is now. The fee should be around \$25.00 for people that live in the city! It's good to be able to take your family fishing at the lake and they are much safer in a bigger boat than a small boat.

I think this must be for Augusta residents only. I think you will get more boat riding than fishing.

Horsepower Restrictions Survey Results (Lake Property Owners/Residents Only)

**Did you notice a significant increase in the amount of boat traffic on Augusta City Lake after the boat motor horsepower restrictions were changed in September of 2019?**

Yes	10	27.8%
No	21	58.3%
Not Sure	5	13.9%
Total	36	

**Did you notice a significant increase in the noise level around Augusta City Lake after the boat motor horsepower restrictions were changed in September of 2019?**

Yes	5	13.9%
No	31	86.1%
Not Sure	0	0.0%
Total	36	

**Did you notice a significant increase in the amount of litter surrounding Augusta City Lake after the boat motor horsepower restrictions were changed in September of 2019?**

Yes	5	13.9%
No	28	77.8%
Not Sure	3	8.3%
Total	36	

**Would you support the City continuing to allow permits for >9.9 horsepower motor boats for Augusta residents only, limited to 25 total permits, and with a \$100 fee?**

Yes	25	69.4%
No	5	13.9%
Not Sure	6	16.7%
Total	36	

**Would you support increasing the number of available permits for boats with a motor larger than 9.9 horsepower?**

Yes	17	47.2%
No	15	41.7%
Not Sure	4	11.1%
Total	36	

**Should the larger horsepower boat permits be made available to non-City of Augusta residents if the program continues? Å**

Yes	4	11.1%
No	29	80.6%
Not Sure	3	8.3%
Total	36	

**Did you observe any violations of Augusta City Lake's speed restrictions or instances of non-permitted boats with large motors on Augusta City Lake?**

Yes	8	22.2%
No	28	77.8%
Total	36	