

- **Board of Directors**
Engineering, Operations and Real Property Committee
Water Planning, Quality and Resources Committee

August 20, 2001 Board Meeting

9-3

Subject

Approve boating rules for Diamond Valley Lake

Description

Metropolitan completed construction of Diamond Valley Lake (DVL) to ensure reliable supplies of high-quality water for southern California and provide more dependable water supplies and critical reserves during a drought, earthquake or other emergency. Citing drinking water quality and public health 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 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.

In May and June 2001, the Engineering, Operations and Real Property Committee received an oral report from staff on the boating policy for DVL. The report discussed the future ban of MTBE in fuel, the current accessibility of MTBE-free fuel, the availability of ultra-low-emission engines, and existing boating on Lake Skinner. Boating that complies with the Board's policy should begin July 2003. To implement the boating policy that protects water quality and public health, allows safe boating access and complies with the goals of environmental preservation at DVL, it is recommended that the Board approve the boating rules listed on [Attachment 1](#).

Although boating at DVL will not be available until summer 2003, staff is requesting establishment of DVL boating rules at this time for the following reasons:

1. With the availability of ultra-low-emission engines on the market this calendar year, individuals planning to boat on DVL may use the criteria stated in the boating rules in determining whether or when to replace existing boats and boat engines;
2. Metropolitan anticipates utilizing California Department of Boating and Waterways (DBAW) funds for marina construction. Funding requirements include DBAW approval of the boating rules prior to expending DBAW funds; and
3. This action is intended to result in consistent boating rules for Lake Skinner. Metropolitan is in negotiations with the Riverside County Regional Park and Open Space District (Parks) to renew the Parks' lease at Lake Skinner which expires December 2003. While that is not an action item proposed in this board letter, due to the potential impact on boating, it would be appropriate to notify Parks of possible changes to the existing boating rules at Lake Skinner.

Policy

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

This board letter seeks approval of the proposed action, i.e., approve boating rules for Diamond Valley Lake and authorize the Chief Executive Officer to implement, monitor, and modify such rules, as applicable. Although a supplemental environmental impact report (SEIR) will be prepared to evaluate the recreation plan currently in development, the environmental effects of the proposed action have already been contemplated for 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 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.

Board Options/Fiscal Impacts

Option #1

Adopt the CEQA determination and

- a. Approve the boating rules for DVL; and
- b. Authorize the CEO to take all steps necessary or appropriate to implement, monitor and modify, as needed, the boating rules at DVL.

Fiscal Impact: The cost of implementing and monitoring the boating rules cannot be determined at this time. It is anticipated, however, that implementing and monitoring activities and attendant expenses will be the responsibility of the yet-to-be-selected marina operator at no net cost to Metropolitan.

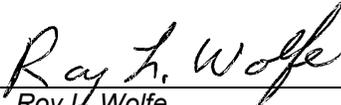
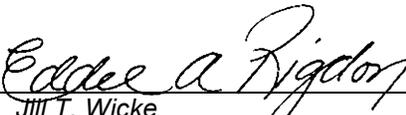
Option #2

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

Fiscal Impact: None

Staff Recommendation

Option #1

 Roy L. Wolfe Manager, Corporate Resources	7/19/2001 Date
for  Jill T. Wicke Manager, Water System Operations	7/20/2001 Date
 Ronald R. Gastelum Chief Executive Officer	7/27/2001 Date

Attachment 1 - Diamond Valley Lake Boating Rules

DIAMOND VALLEY LAKE BOATING RULES

While the primary purpose of Diamond Valley Lake is to ensure reliable supplies of high-quality water for southern California, recreation opportunities for the public are an important component of this project. Metropolitan has planned for and constructed facilities to allow boating access for fishing, sightseeing, nature appreciation and pleasure boating. To protect water quality and guard the health and safety of the boating public, Metropolitan has established the following non-body-contact boating rules for all watercraft:

1. Diamond Valley Lake is a drinking water reservoir and, therefore, “body-contact” with the lake water is prohibited. Watercrafts that may allow routine “body-contact” with the water are not permitted on the lake. Boats shall not pull individuals or any recreational equipment (e.g., inner tubes, skis, boards, etc.). Individuals are prohibited from riding on the bow, gunwale, or transom of a boat under way when such position is not protected by railing or other reasonable deterrent to falling overboard. These provisions shall not apply to boaters in the act of fishing, anchoring, mooring or making fast to a dock or trailer on the boat launch, or in the necessary management of a sail, provided that the boaters make reasonable efforts to avoid contacting the water.
2. Boaters must comply with all applicable federal (including U.S. Coast Guard), state and local laws, rules and regulations governing boats and boating operations. Failure to comply with all laws, rules and regulations, including those herein, may result in removal of individuals and their boats from the lake and/or citation by the appropriate enforcement agency.
3. Only qualified boats powered by humans, sail or electric motor shall be allowed on the lake. Combustion-engine watercraft shall be allowed, provided:
 - a) Engines use “MTBE-free” fuel (this determination is made solely by Metropolitan); or
 - b) Engines are 4-stroke or ultra-low-emission 2-stroke engines equipped, with electronic fuel injection, and labeled with the California Air Resources Board (or federal EPA equivalent) label (see sample below).



4. All engines shall be “stock” (unmodified, standard manufacturer equipment). No glasspacks, cut-outs or open headers are permitted. No engine shall emit noise louder than 60 decibels measured at the point of exhaust at idle speed.
5. To avoid drinking water contamination, personal watercrafts of any type are prohibited. "Personal watercraft" means a vessel less than 12 feet in length, propelled by machinery, that is designed to be

operated by one or more persons sitting, standing, or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel.

6. All boats must be a minimum of 12 feet in length, minimum of 42 inches wide and must have at least 12 inches of freeboard at idle speed. All boats of standard class design and exceeding minimum specifications shall be allowed on the lake; however, multi-hulled boats without solid and fixed decking shall be restricted from the lake. Kayaks and canoes must be certified as stable by lake personnel prior to being allowed on the lake.
7. Boats equipped with sink drains or flush toilets are barred from the lake unless said drains and toilets are sealed or otherwise rendered inoperable or designed so that no waste can be discharged therefrom into the lake. Lake personnel may add a dye marker to each boat containing such facilities to test for leaks. Portable toilets shall not be allowed in boats on the lake.
8. Prior to being launched, each boat shall be inspected by lake personnel and deemed in a safe, seaworthy, clean condition, meeting all standards as specified herein these Diamond Valley Lake Boating Rules.
9. Boats shall be launched at designated launching areas only.
10. Boat landings shall be made at designated docks and ramps only. There shall be no shore landings in any areas.
11. Boats shall not be left on shore or in the water overnight except in dry storage or designated slips in the Marina Areas.
12. The maximum speed limit for all watercraft is twenty-five (25) miles per hour (mph). Boats within 200 feet of the shore, dams, other operational structures and in marina areas must operate at a speed that creates no wake. The speed limit in no-wake areas is idle engine speed, but shall not exceed 5 mph.
13. In the interest of public safety, all traffic control for boat operations shall be by the use of colored flags and/or lights as follows:
 - a) Operation - Green: Wind speed less than 15 mph. All boats may operate.
 - b) Operation - Amber: Wind speeds between 15 and 25 mph. All boats operate with due caution.
 - c) Operation - Red: Wind speed in excess of 25 mph. Operation of all boats prohibited, immediately remove all boats from the water or return to marina boat slips, if applicable.
14. No boat repairs of any kind (except emergency repairs necessary to return to the dock or boat launch ramp) may be made while the boat is in the water. Absolutely no refueling will be allowed on the water except in designated fueling areas.
15. No cleaning of the boat in any manner is allowed while the boat is in the water. Boats may be washed only in the designated boat wash area near the launch ramp.
16. Operating hours:
 - a) The lake is open at sunrise and closes at sunset as determined by the chart posted at various locations at the lake. Boats cannot be launched before sunrise and must be retrieved before sunset.
 - b) Metropolitan may, at its sole discretion, close the entire lake, or portions thereof, for operational or for any other reason.

- c) Metropolitan may, at its sole discretion, adjust opening and closing time for special events or for any other reason.
17. No overnight stays aboard any boat, at any location are permitted.
18. The maximum number of boats allowed on the lake may vary to meet water quality objectives, depending on lake elevation and public safety considerations, and shall be determined solely by Metropolitan.
19. Miscellaneous:
- a) There shall be no shoreline access in any areas of Diamond Valley Lake.
 - b) No person shall moor or fasten any boat to or willfully damage, tamper, remove, obstruct, destroy or interfere with any dam, operational facility, buoy, buoy line waterway marker or regulatory markers.
 - c) No boats shall be tied or fastened together except in an emergency or when launching and retrieving a boat.
 - d) No pets shall be allowed on boats at Diamond Valley Lake.
 - e) No alcoholic beverages of any type shall be allowed on boats (or in any areas at Diamond Valley Lake except at a facility authorized to sell alcoholic beverages).
 - f) Boat rental charges and fees charged boaters at Diamond Valley Lake shall be regulated by the California Department of Boating and Waterways and Concession Agreements approved by Metropolitan.
 - g) Fish shall be cleaned in designated areas only and the remains shall be placed within a watertight plastic bag and deposited in a trash receptacle.
20. Lake personnel will patrol the lake during open hours to enforce these regulations.