

- **Board of Directors**
Diamond Valley Recreation Special Committee

August 20, 2002 Board Meeting

9-1

Subject

Approve boating rules and regulations for Diamond Valley Lake and Lake Skinner

Description

The attached document sets forth boating rules and regulations for Diamond Valley Lake (DVL) and Lake Skinner (**Attachment 1**). These proposed rules and regulations include policies on: recreational boating activities, electric motors, gasoline engines, sail boats, human-powered boats and fuel additives. Additional regulations were presented to the Diamond Valley Recreation Special Committee on June 24, 2002, for its consideration. These additional regulations pertained to boat speed limits, boat size, noise restrictions, boat launch restrictions, and lake operational hours which have been incorporated into the proposed policies.

In October 1998, the Board approved a policy allowing recreational activities that involved no body contact with the water in DVL. In February 1999, the Board approved a policy allowing certain recreational boating activities on DVL. In November 2001, the Board reaffirmed and amended boating policies to allow boats powered by humans, sail, electric motors, and gasoline engines (excluding personal watercraft and 2-stroke carbureted engines) utilizing fuel not containing Methyl tertiary butyl ether or other additives disapproved by Metropolitan. In its action, the Board proposed that this revised boating policy would apply to DVL and Lake Skinner. The Board also requested that a special committee be established to consider the implementation of rules and regulations for lake recreational use prior to the summer of 2003.

If approved, these Boating Rules and Regulations for DVL and Lake Skinner will become effective upon the opening of DVL.

Policy

On October 13, 1998, Metropolitan's Board approved a policy allowing recreational activities that involve no body contact with the water in DVL. Additionally, on February 9, 1999, the Board approved a policy allowing certain recreational boating activities on DVL.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

Boating Rules and Regulations for Diamond Valley Lake

This board letter seeks approval of proposed boating rules and regulations for DVL. The environmental impacts of the proposed action have already been contemplated in the previous recreation analysis presented in the Final Environmental Impact Report (FEIR) for DVL, formerly the Eastside Reservoir Project. The FEIR was certified by the Board in October 1991. In that action, 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 Option #1 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 Rules and Regulations for Lake Skinner

This board letter seeks approval of the proposed rules and regulations for Lake Skinner, consistent with Board-adopted policy. This proposed action is categorically exempt under the provisions of the California Environmental Quality Act (CEQA). The proposed activity involves boating rules and regulations 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 Option #1 is: Determine that pursuant to CEQA, the proposed action qualifies under a Categorical Exemption (Class 23, Section 15323 of the State CEQA Guidelines).

CEQA determination for Option #2:

None required

Board Options/Fiscal Impacts

Option #1

Adopt the CEQA determination and approve the boating rules and regulations for DVL and Lake Skinner.

Fiscal Impact: It is anticipated, that applying and monitoring activities and attendant expenses will be the responsibility of the yet-to-be-selected marina operator at DVL and Lake Skinner at no net cost to Metropolitan. The cost of providing sanitation facilities at DVL and changes, if any, at Lake Skinner have not been determined at this time.

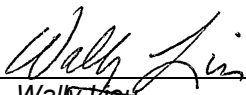
Option #2

Take no action on the boating policy at this time and direct staff to return to the Board with a proposed boating policy as directed by the Board.

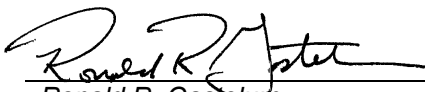
Fiscal Impact: None

Staff Recommendation

Option #1



Wally Liew
for Roy L. Wolfe
Manager, Corporate Resources
7/25/2002
Date



Ronald R. Gastelum
Chief Executive Officer
7/30/2002
Date

Attachment 1 – Boating Rules and Regulations for Diamond Valley Lake and Lake Skinner

**BOATING RULES AND REGULATIONS FOR
DIAMOND VALLEY LAKE AND LAKE SKINNER**

While the primary purpose of Diamond Valley Lake (DVL) and Lake Skinner is to ensure reliable supplies of high-quality water for southern California, recreation opportunities for the public can be made compatible with operation of these lakes. However, Metropolitan reserves the right to suspend any and all boating and other recreational activities for water quality, operational or any other reason. 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 at both DVL and Lake Skinner as shown below. Within this document the term "lake personnel" refers to the entity responsible for the day to day management of recreational facilities.

1. DVL and Lake Skinner are drinking water reservoirs and, therefore, body-contact within the lake water is prohibited. Watercraft that may allow routine body-contact with the water are not permitted on the lakes. To comply with the no body-contact requirements, personal watercraft of any type is prohibited. "Personal watercraft" means a vessel less than 13 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. 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 while trolling at minimum speed or at a standstill, 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 licensing and safety laws, rules and regulations governing boats and boating operations. Failure to comply with all applicable 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 lakes. Combustion-engine watercraft shall be allowed, provided:
 - (a) Engines use MTBE-free fuel (this determination will be made upon entry to the lake); and
 - (b) Engines that are 4-stroke, 2-stroke equipped with direct fuel injection, or 2-stroke engines that comply with the California Air Resources Control Board 2001 or later model year spark-ignition marine engine standard (or U.S. Environmental Protection Agency 2006 equivalent).
4. All engines shall be stock (unmodified, standard manufacturer equipment). No glasspacks, cut-outs or open headers are permitted.
5. 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 lakes; however, multi-hulled boats without solid and fixed decking shall not be allowed on the lakes.
6. Only sea kayaks shall be allowed on the lakes and shall be launched only from authorized launch ramps or areas. Sea kayaks must be at least 10 feet in length and provide seating for all passengers inside the craft. Kayaks must be identified as stable by lake personnel prior to being allowed on the lakes. Rolling over of kayaks in the water is prohibited.

7. Boats equipped with sink drains or flush toilets are barred from the lakes unless said drains and toilets are sealed or otherwise rendered inoperable, or are designed so that no waste can be discharged into the lakes. 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 lakes.
8. Prior to being launched, each boat shall be inspected by authorized lake personnel and deemed in a safe, seaworthy, clean condition, meeting all standards as specified herein. All recreational boats must carry one wearable approved personal flotation device (PFD) for each person aboard. The PFDs must be Coast Guard approved, in good and serviceable condition, and the appropriate size for the intended user. Coast Guard approved fire extinguishers (Type B) are required on boats where a fire hazard could be expected from the motors or the fuel system.
9. Boats shall be launched at designated launching areas only.
10. Boat landings shall be made only at designated docks, ramps and other areas as designated.
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:
 - (a) Diamond Valley Lake
 - (i) Twenty-five (25) miles per hour (mph)
 - (ii) 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.
 - (b) Lake Skinner
 - (i) Ten (10) miles per hour.
 - (ii) Boats within 100 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. Boat maximum engine noise level shall be no greater than 75 decibels (dbA scale) at a distance of 50 feet with the engine running at 80 percent of redline RPM.
14. Boat operators will be responsible for assessing safe boating conditions and take the appropriate precautions to protect their boat and occupancy. In the interest of public safety, boat operation guidelines shall be indicated 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.
15. 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. No refueling will be allowed on the water except in designated fueling areas.
16. 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.

17. Operating hours:

- (a) The lakes open at sunrise and close at sunset as determined by the chart posted at various locations at the lakes. Boats cannot be launched before sunrise and must be retrieved before sunset. Marina areas will be closed to public access one hour after sunset.
- (b) Metropolitan may, at its sole discretion, adjust opening and closing time for special events or for any other reason (including adverse weather conditions).

18. No overnight stays aboard any boat, at any location are permitted.

19. The maximum number of boats allowed on the lakes may vary to meet water quality objectives, depending on lake elevation and public safety considerations, and shall be determined solely by Metropolitan.

20. Waste material, including animal and human water, bilge water, trash, refuse, litter, oil, gas, etc. shall not be discharged into the lakes.

21. Miscellaneous:

- (a) 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.
- (b) No boats shall be tied or fastened together except in an emergency, when launching or retrieving a boat, or when necessary as part of an approved boating instructional class.
- (c) No pets shall be allowed on boats at DVL and Lake Skinner.
- (d) No alcoholic beverages of any type shall be allowed on boats (or in any areas at DVL except at a facility authorized to sell alcoholic beverages).
- (e) 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.

22. Authorized lake personnel will patrol the lakes during open hours to enforce these regulations.

23. Metropolitan reserves the right to change or amend these boating rules at any time, including but not limited to the restriction of fuel additives deemed in Metropolitan's sole discretion to present a potential threat to water quality. Further, exemptions to these boating rules and regulations for special events may be made by the Chief Executive Officer.

24. Recreational users shall be informed through posting or other appropriate means that their use of all the facilities shall be at their own risk and that Metropolitan shall not assume liability for any loss or injury.