

- **Board of Directors**
Recreation Committee

March 8, 2005 Board Meeting

7-4

Subject

Approve revisions to the Diamond Valley Lake and Lake Skinner Recreation Area Rules and Regulations

Description

Metropolitan's Board has previously determined that limited recreational use of Diamond Valley Lake (DVL) and Lake Skinner provides a positive benefit to Metropolitan's service area. A provision of the California Health and Safety Code allows public agencies to establish and enforce rules and regulations necessary for the protection of reservoir facilities and surrounding recreational areas. This code requires that the rules and regulations be published in a newspaper of general circulation and that they be posted at the site. Metropolitan contracts with the Riverside County Sheriff's Department for lake patrol services and enforcement of these regulations at DVL.

At its August 2002 meeting, the Board approved the Boating Rules and Regulations for Diamond Valley Lake and Lake Skinner. These boating rules were enacted to establish certain restrictions regarding boating deemed necessary to preserve safety and water quality within the respective reservoirs. Similarly, rules pertaining to the use of the recreation areas surrounding the reservoirs were considered and approved by the Board at its June 2003 meeting. Together, the rules provide the protections necessary to protect water quality, security, and public safety within the reservoirs and surrounding recreation areas.

Metropolitan opened the East Marina at DVL for public access in October 2003. While the rules have proven effective in regulating public use of the facility, staff recommends that the following minor revisions to the rules be adopted at this time:

- As part of the Phase I improvements at the East Marina, Metropolitan is providing mooring slips for on-water storage of vessels. Staff is recommending long-term on-water storage. The number of mooring slips constructed will be based upon a detailed market assessment and future board approval.
- Boaters have been observed crossing the buoy line surrounding the inlet/outlet tower. The rules currently only prohibit mooring to or tampering with buoys. Language is proposed to restrict vessels from crossing buoy lines or entering restricted areas.
- Operating hours were previously listed as sunrise to sunset. Operating hours have been developed to account for the seasonal variation in daylight hours and are now posted at the lake and on the internet. Revisions to rules are proposed to reference the posted hours of operation.
- The Riverside County Sheriff's Department has recommended a number of revisions to assist them in their lake patrol duties.
- Other minor revisions are proposed for clarification to the rules governing consumption of alcoholic beverages, pets, and smoking.

See [Attachment 1](#) and [Attachment 2](#) for copies of the rules and regulations incorporating proposed revisions.

Policy

California Health and Safety Code Section 117060

California Environmental Quality Act (CEQA)

CEQA determinations for Option #1:

Boating Rules and Regulations for Diamond Valley Lake

The environmental impacts of the proposed actions 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 (findings), the Mitigation Monitoring and Reporting Program (MMRP), the Statement of Overriding Considerations (SOC), 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) in response to project modifications. Most recently, Metropolitan as the Lead Agency prepared a Mitigated Negative Declaration (MND) for the design, construction, and operation of the Diamond Valley East Marina Project for Phases I and II. The MND was distributed for a 30-day public review period that began on December 24, 2002, and ended on January 22, 2003. The Board later adopted the MND and the MMRP on February 11, 2003. Collectively, these documents and the previous actions taken by the Board fully comply with CEQA and the State CEQA Guidelines and, accordingly, no further CEQA documentation is necessary for the Board to act on the proposed actions.

The CEQA determination is: Determine that the proposed actions have been previously addressed in the certified 1991 FEIR and subsequent environmental documentation (i.e., adopted findings, SOC, MMRP for the DVL Project), certified Supplemental EIR, Addendum Nos. 1 through 6, adopted 2003 MND and its MMRP, and that no further environmental analysis is required.

Boating Rules and Regulations for Lake Skinner

The proposed actions are categorically exempt under the provisions of CEQA. The proposed activity involves revisions to the existing 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. Accordingly, the proposed actions qualify under a Class 23 Categorical Exemption (Section 15323 of the State CEQA Guidelines).

The CEQA determination is: Determine that pursuant to CEQA, the proposed actions qualify 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 determinations and

- a. Approve revisions to the Diamond Valley Lake and Lake Skinner Recreation Area Rules and Regulations; and
- b. Direct staff to perform the necessary public notification of the Rules and Regulations in accordance with applicable portions of the California Health and Safety Code.

Fiscal Impact: None

Option #2

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

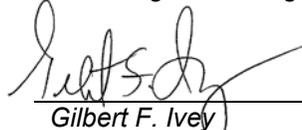
Fiscal Impact: None

Staff Recommendation

Option #1


Eddie Rigdon
DVL Program Manager

2/11/2005
Date


Gilbert F. Ivey
Interim Chief Executive Officer

2/11/2005
Date

**Attachment 1 – Boating Rules and Regulations for Diamond Valley Lake and Lake Skinner
(Incorporating Proposed Revisions)**

**Attachment 2 – Diamond Valley Lake and Lake Skinner Recreation Area Rules and Regulations
(Incorporating Proposed Revisions)**

BLA #2646

**BOATING RULES AND REGULATIONS FOR
DIAMOND VALLEY LAKE AND LAKE SKINNER**
(Incorporating Proposed Revisions)

While the primary purpose of Diamond Valley Lake (DVL) and Lake Skinner is to ensure reliable supplies of high-quality water for ~~Southern-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-~~nonbody-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.

~~4-13.1~~ 13.1 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.

13.2 ~~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.

13.3 ~~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).

4-13.4 ~~4.~~ All engines shall be stock (unmodified, standard manufacturer equipment). No glasspacks, cut-outs or open headers are permitted.

5-13.5 ~~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.

6-13.6 ~~6.~~ Only sea-sit-inside, nonbailing, touring-type kayaks shall be allowed on the lakes and shall be launched only from authorized launch ramps or areas. ~~Sea-k~~Sea-k 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. Kayaks shall navigate within 200 feet of the shoreline, except during emergencies.

~~7-13.7~~ 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.

~~8-13.8~~ 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.

~~9-13.9~~ Boats shall be launched at designated launching areas only.

~~10-13.10~~ Boat landings shall be made only at designated docks, ramps and other areas as designated.

~~11-13.11~~ Boats shall not be left on shore or in the water overnight except in dry storage or designated slips in the ~~Marina-marina Areasareas~~

~~12-13.12~~ 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.
- (iii) Five miles per hour, defined as idle/wakeless forward motion, during restricted visibility.

(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.
- (iii) Five miles per hour, defined as idle/wakeless forward motion, during restricted visibility.

~~13-13.13~~ 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.

13.14 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 may~~ be indicated by the use of colored flags and/or lights as shown in the State of California Department of Boating and Waterways "ABCs of the California Boating Law," as follows:

- (a) No Flags: All boats may operate.
- (b) Single red flag: Small craft advisory, Winds up to 38 mph.
- (c) Double red flag: Gale advisory, Winds up to 54 mph.
- (d) Red flag with black square: Storm advisory, Winds up to 73 mph

(e) Double red flag with black squares: Hurricane advisory, up to 74 mph.

~~15-13.15~~ 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.

~~16-13.16~~ 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.

~~17-13.17~~ Operating hours:

(a) ~~The Generally, the lakes open at sunrise and close at sunset. The hours of operation vary seasonally and are posted at the site. All boats shall be retrieved before the posted closing time, 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).

~~18-13.18~~ No overnight stays aboard any boat, at any location are permitted.

~~19-13.19~~ 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.

~~20-13.20~~ Waste material, including animal and human waste, bilge water, trash, refuse, litter, oil, gas, etc. shall not be discharged into the lakes.

~~21-13.21~~ 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 person shall operate or permit any vessel to pass through lines of buoys or regulatory signage designating such closed area.

~~(b)(c)~~ 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.

~~(e)(d)~~ No pets shall be allowed within the marina area or on boats ~~at DVL and Lake Skinner.~~

~~(d)(e)~~ No alcoholic beverages of any type shall be allowed ~~on boats (or in any areas at DVL except at a facility~~ within authorized ~~to sell alcoholic beverages locations).~~

~~(e)(f)~~ 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.

~~(g)~~ Boat operators and passengers shall not disembark, step onto any shore, beach, landing, or fixed site unless specifically designated or posted to do so.

(h) With the exception of the driver, all persons shall exit a motor vehicle when such vehicle is actively engaged in launching or retrieving a vessel. Persons not involved in launching or retrieval of a vessel shall wait in a safe area.

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

23.13.23 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.

24.13.24 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.

**DIAMOND VALLEY LAKE AND LAKE SKINNER RECREATION AREA
RULES AND REGULATIONS**

(Incorporating Proposed Revisions)

The Board of Directors of The Metropolitan Water District of Southern California, a public agency within the state of California, adopts the following rules and regulations applicable to the Diamond Valley Lake (DVL) and Lake Skinner Recreation Area pursuant to California Health & Safety Code section 117060 after finding and determining them necessary:

- To safeguard and protect the water quality of DVL and Lake Skinner, important sources of drinking water for the people of Southern California;
- To protect the health, safety, and security of visitors to DVL and Lake Skinner recreation areas;
- To protect the reservoirs, surrounding lands, and those structures, facilities, and equipment associated with their operation and maintenance; and
- To facilitate public fishing and recreation on the reservoirs and their surrounding land.

As provided by California Health & Safety Code section 117070:

"Any violation of any such rule or regulation lawfully made by the public agency is a misdemeanor. Any judge of a municipal court within any judicial district within which the reservoir lies in whole or in part, or any superior court in a county in which there is no municipal court, shall have jurisdiction of all prosecutions for violations of any rules and regulations adopted by the public agency."

I. Definitions

- 1.01 "Metropolitan" shall mean The Metropolitan Water District of Southern California.
- 1.02 "Recreation Area" shall mean the property owned, controlled, or managed exclusively by Metropolitan including Diamond Valley Lake, Lake Skinner and their surrounding shorelines, those lands adjacent to the lakes, and the trails located on those lands. These Rules and Regulations shall become effective at Lake Skinner at such time those recreational facilities come under Metropolitan's management and control or upon agreement with the county of Riverside regarding enforcement, whichever shall occur first.
- 1.03 "Reservoir" shall mean Diamond Valley Lake, Lake Skinner and their associated waterways including the forebays, canals, aqueducts, streams, drainage courses and constructed facilities.
- 1.04 "Recreation Lake" shall mean a water body, other than Diamond Valley Lake or Lake Skinner, in the Recreation Area designated for recreational use.
- 1.05 "Shoreline" shall mean the area between the high water mark and the water surface.
- 1.05 06 These provisions shall collectively be referred to as the "DVL and Lake Skinner Recreation Area Rules and Regulations."

II. Access

It shall be unlawful for any person:

- 2.01 To enter, use, or travel through any area of the Recreation Area that is posted -NO TRESPASSING- in accordance with provisions of the penal code or – RESTRICTED- by Metropolitan and closed to the public, or to enter upon any area of the Recreation Area except at points specifically designated for entry.
- 2.02 To enter, use, or travel upon any part of the Recreation Area, including the Reservoir, that has been temporarily closed by Metropolitan.
- 2.03 To enter the Recreation Area without payment of any applicable charge or fee, or to fail to properly display the proper permit, or to enter, use, occupy, or otherwise remain in a building, structure, facility, parking area, picnic area, campsite, trail, or other place within the Recreation Area unless the required fee has been paid.
- 2.04 To be within any designated portion of the Recreation Area during any time other than the designated operating hours; or, where no hours are designated, any time between sunset and sunrise.
- 2.05 To use a gate card, entry pass, boating permit, trail permit, or other permit issued to another person for entry and use of the Recreation Area.
- 2.06 To refuse or fail to leave the Recreation Area, or any part thereof, when requested to do so by authorized lake personnel.

III. Sanitation

It shall be unlawful for any person:

- 3.01 To allow pets or any animal under a person's control in the marine area, on trails, on service roads, on any dock, ~~or shoreline~~ within 50 feet of the shoreline of the Reservoir or any Recreation Lake.
- 3.02 To bring an injured or diseased animal into the Recreation Area.
- 3.03 To fail to promptly remove from the Recreation Area to an appropriate receptacle, any fecal matter deposited thereon by a dog or any other animal in the person's charge.
- 3.04 To throw, place, or dispose of, any garbage, refuse, ~~waste paper~~ wastepaper, combustible refuse, or can in any place therein other than into a garbage can or other receptacle maintained for that purpose.
- 3.05 To deposit, place, dispose of, discharge, or allow to enter any waterway or shoreline within the Recreation Area, any waste matter, or litter, including greywater, except in receptacles or sanitary facilities designated and provided for such use.
- 3.06 To discharge petroleum products from any vessel or vehicle within the Recreation Area.
- 3.07 To use or discharge hazardous materials (as defined by the Health & Safety Code, Section 25500) in the Recreation Area.
- 3.08 To import into and dispose of any waste matter in any manner within the Recreation

Area.

- 3.09 To pollute, or in any manner, to contaminate or attempt to pollute or contaminate the Reservoir, Recreation Lake, or other water body within the Recreation Area.
- 3.10 To make bodily contact or permit ones clothing, boots, waders, or other garments to make contact with the reservoir except in designated boat launching areas incidental to launching and retrieving boats.
- 3.11 To stand, sit, float, or wade, with or without waders, in the Reservoir.
- 3.12 To enter the Recreation Area with or ride on any horse or other animal that endangers the health or safety of other riders or other Recreation Area users, or to enter with, or ride on, any horse or other animal in the Recreation Area other than on a trail designated for equestrian use and in designated ~~trail staging~~ trail-staging sites.
- 3.13 To ride, drive, lead, or keep any saddled animal in a reckless or negligent manner so as to endanger the life, safety, or property of any person or animal, or to allow the saddle or pack animal to stand unattended or insecurely tied.
- 3.14 To permit any horse or other animal to enter or drink from any water source or waterway, except at designated equestrian watering sites, or go to or be upon any area within the ~~watershed of the Reservoir~~ Recreation Area watershed of the Reservoir, Recreation Lake, or any other waterway.

IV. Dangerous Activities

It shall be unlawful for any person:

- 4.01 To drive, chip, or in any other manner play or practice golf, or hit golf balls within the Recreation Area unless the area has been designated for that use.
- 4.02 To operate self-propelled and/or radio controlled model airplanes, boats, automobiles, or other model craft of any kind or description within the Recreation Area.
- 4.03 To hang-glide, parachute, or parasail within the Recreation Area.
- 4.04 To engage in any activity or operate any device recklessly or negligently within the Recreation Area in a manner that endangers any animal or the life, safety, or property of any person.
- 4.05 To possess or discharge any gun, firearm, firecracker, fireworks, rocket, torpedo, paint gun, spear, bow and arrow, fishing bow, crossbow, slingshot, air or gas weapon, or any other dangerous weapon or replica thereof within or into the boundaries of the Recreation Area.
- 4.06 To throw upon, along, or across any public highway or driveway any object capable of causing personal injury or damage to personal property, or to throw any such object at, or toward, or in the vicinity of any vehicle standing or moving along, upon, or across any such highway or driveway.
- 4.07 To smoke on any trail: along the shoreline; or anywhere within the Recreation Area except in designated smoking areas.
- 4.08 To dive, jump, or purposefully fall from bluffs, cliffs, rocks, or structures within the Recreation Area.

V. Protection of Property and Resources

It shall be unlawful for any person:

- 5.01 To light, build, or maintain any fire within the Recreation Area, except in designated areas and then only in units provided for that use. Only approved fire containers with prescribed clearances may be used in designated areas. Metropolitan, or its representative, may prohibit all fires in the Recreation Area when the California Department of Forestry has determined that an extreme fire hazard exists.
- 5.02 To leave any fire unattended.
- 5.03 To gather wood or other fuel within the Recreation Area.
- 5.04 To disturb, injure, or take any vertebrate or invertebrate animal, or to disturb the habitat of such animal within the Recreation Area, except that fish may be taken in accordance with California State law at reservoirs and in areas designated by Metropolitan as open to the public for that purpose.
- 5.05 To disturb or take any rock, mineral, cultural artifact, or fossil within the Recreation Area.
- 5.06 To disturb, harm, or interfere with livestock or wildlife within the Recreation Area.
- 5.07 To pick, dig, remove, destroy, injure, mutilate, or cut any tree, plant, shrub, bloom, or flower growing within the Recreation Area or to introduce, plant, or relocate any plant onto any part of the Recreation Area without Metropolitan's prior written permission.
- 5.08 To cut, carve, deface, or destroy any object within the Recreation Area or to paint, mark, paste, or fasten upon any object within the Recreation Area, any bill, advertisement, writing, printing, or inscription.
- 5.09 To remove recyclables from any designated recycling station, or to remove water or any other commodity from the Recreation Area.
- 5.10 To allow or cause a horse, (except on a designated equestrian trail or while being transported by trailer to a designated equestrian staging site), ~~cow, bull, or other~~ pack animal, or other livestock to enter, travel through, or remain on ~~occupy~~ any portion of the Recreation Area, ~~including a designated recreation site, except for horses being ridden on a designated trail or being transported by trailer to a designated trail staging site. Unauthorized animals may be impounded under the provision of this section and confined. Metropolitan may assess a reasonable impound fee for such confinement. This fee shall be paid before the impounded animal is returned to its owner.~~ A reasonable impound fee may be assessed for such confinement.
- 5.11 To release, abandon, or allow the release of, or attempt to release or abandon, any animal within the Recreation Area.
- 5.12 To tamper with, disturb, vandalize, or interfere with the operation of any water supply or water quality monitoring device or equipment located within the Recreation Area.

VI. Vehicles

It shall be unlawful for any person:

- 6.01 To exceed the posted vehicle speed limit.
- 6.02 To drive a vehicle upon any road, trail, path, lawn, landscaped area, thoroughfare, parking space, or other area posted as closed to such vehicle entry.
- 6.03 To park a motor vehicle in any restricted parking zone or other area not designated for parking.
- 6.04 To park longer than the designated time period or to permit a vehicle or person to remain within the Recreation Area beyond the posted closing time.
- 6.05 To park in more than one designated parking space.
- 6.06 To park in front of, or otherwise block an entrance or fire gate in the Recreation Area, or to obstruct the flow of traffic.
- 6.07 To perform any non-emergency vehicle maintenance in the Recreation Area.
- 6.08 For a driver to knowingly permit any person to ride unrestrained within any truck bed or upon any portion of a vehicle not designed for passengers, or on any towed trailer or trailered boat while being transported on any road except that persons may ride in trailered boats while launching on a launch ramp.
- 6.09 To operate any vehicle in the Recreation Area not licensed for use on public roads or to operate any vehicle or bicycle other than on designated roads, trails, or posted parking areas.
- 6.10 To operate any bicycle, skateboard, roller skates, roller blades, or similar conveyance in a negligent, unsafe, or reckless manner, or in any way that endangers the life, safety, or property of any person, or in violation of any posted regulatory signs.

VII. Trails

It shall be unlawful for any person:

- 7.01 To enter, use or travel upon any trail within the Recreation Area in violation of any posted use restriction.
- 7.02 To enter any designated trail except from staging areas or designated entry points.
- 7.03 To enter any designated trail with any horse that threatens the health and safety of any rider or Recreation Area user.
- 7.04 To enter any designated trail with any animal except a horse on trails designated for equestrian use.
- ~~7.04~~ 5 To enter or to remain upon any designated trail outside of posted public access hours; or, if no hours are posted, between 1/2 hour after sunset and 1/2 hour before sunrise, without written permission from Metropolitan.
- 7.05 To fail to stay within designated trails, or to leave trail gates open.

VIII. Hunting

It shall be unlawful for any person:

- 8.01 To hunt within the Recreation Area.

IX. Fishing

It shall be unlawful for any person:

- 9.01 To fish from any location other than a boat, designated fishing dock, pier, platform, or fishing beach.
- 9.02 Over the age of 16 to fish in any location in the Recreation Area without possession of a valid California Fishing License.
- 9.03 To possess or use any live bait not specifically approved by the State Department of Fish and Game.
- 9.04 To possess or use as bait any dead aquatic species, amphibian, or reptile.
- 9.05 To fish within fifty yards of a fish planting truck while planting fish and for one half hour after said plant.
- 9.06 To discard any game fish within the Recreation Area.
- 9.07 To fish, jump, dive, or swim from floating restrooms, marina, or launching docks.

X. General Nuisance

It shall be unlawful for any person:

- 10.01 To use or operate any radio, musical instrument, phonograph, CD player, MP3 player, television set, public address system, generator, or other machine in such a manner as to disturb the peace, quiet, and comfort of any Recreation Area user or any reasonable person of normal sensitivity.
- 10.02 To land or take off in any aircraft in the Recreation Area without Metropolitan's prior written permission except in the case of an emergency forced landing.
- 10.03 To operate or cause to be operated, any aircraft, ~~or ultralight~~ ultra light, or passenger balloon over the Recreation Area at an altitude of less than 1,500 feet.
- 10.04 To use a portable generator without the prior written permission of Metropolitan.
- 10.05 To bring into, or possess, any dog or ~~other pet~~ other animal under the person's control in the Recreation Area, ~~notwithstanding restricted areas,~~ where permitted, unless the animal is leashed and controlled at all times by its owner or custodian.
- 10.06 To disturb the peace and quiet therein by any undue loud or unusual noise, or by tooting, blowing, or sounding any automobile siren, horn, signal, or any noise-making device, or by any tumultuous conduct.
- 10.07 To bring into, possess, or consume any alcoholic beverage in the Recreation Area, except within authorized locations.

XI. Commercial Use

It shall be unlawful for any person:

- 11.01 To sell or offer to sell, or to engage in the business of soliciting, selling, or peddling any food, beverage, goods, wares, merchandise or service within the Recreation Area without Metropolitan's prior written permission.
- 11.02 To take a commercial photograph, moving picture, or video within the Recreation Area without the prior written permission of Metropolitan.

XII. Administration

- 12.01 These Rules and Regulations shall not apply to employees, officers, directors, agents, and concessionaires of Metropolitan acting within the course and scope of their authorized duties. At Metropolitan's sole discretion, some Rules and Regulations may be temporarily suspended or waived during Metropolitan sponsored or sanctioned special events.
- 12.02 Although California Health and Safety Code section 117070 provides that every violation of the Rules and Regulations included herein is a misdemeanor, it is the intention of the Board of Directors that such violations be treated as ~~lesser included~~ ~~lesser-included~~ offenses and be punishable as infractions in the manner set forth in the bail schedule attached hereto. Therefore, in accordance with the provisions of Section 12.03 below, should any challenge be brought to the prosecution of any offense as an infraction, the offense shall thereupon be treated as a misdemeanor as provided by Health and Safety Code section 117070.
- 12.03 If any provision of these Rules and Regulations, or any part thereof, is for any reason held to be ultra vires invalid, or unconstitutional, the remaining provisions of these Rules and Regulations shall not be affected, but shall remain in full force and effect, and to this end the provisions of this ordinance are severable.
- 12.04 These Rules and Regulations shall not impair any authorized law enforcement officer from citing an individual for a violation, or violations, of the California Penal Code or any other applicable local, state or federal statute.
- 12.05 Established bail amounts shall be doubled for persons violating any adopted provision of these Rules and Regulations a second time within a twelve-month period and tripled for any third, or subsequent, violation within twelve months.

XIII. Boating

It shall be unlawful for any person:

- 13.01 To violate the Boating Rules and Regulations for Diamond Valley Lake and Lake through Skinner, attached and incorporated herein by reference, as approved by 13.24 Metropolitan's Board of Directors.

**DIAMOND VALLEY LAKE RECREATION AREA
RULES AND REGULATIONS
BAIL SCHEDULE**

RULE / REGULATION	BAIL AMOUNT	RULE / REGULATION	BAIL AMOUNT
2.01	\$75	5.09	\$75
2.02	\$75	5.10	\$75
2.03	\$75	5.11	\$75
2.04	\$75	5.12	\$100
2.05	\$75	6.01	\$75
3.01	\$75	6.02	\$75
3.02	\$75	6.03	\$75
3.03	\$75	6.04	\$50
3.04	\$75	6.05	\$50
3.05	\$75	6.06	\$75
3.06	\$100	6.07	\$50
3.07	\$100	6.08	\$75
3.08	\$100	6.09	\$75
3.09	\$100	6.10	\$50
3.10	\$100	7.01	\$50
3.11	\$100	7.02	\$50
3.12	\$75	7.03	\$75
3.13	\$75	7.04	\$75
3.14	\$100	7.05	\$75
4.01	\$50	8.01	\$75
4.02	\$50	9.01	\$75
4.03	\$75	9.02	\$75
4.04	\$75	9.03	\$75
4.05	\$100	9.04	\$75
4.06	\$75	9.05	\$75
4.07	\$75	9.06	\$75
4.08	\$75	9.07	\$75
5.01	\$100	10.01	\$50
5.02	\$100	10.02	\$100
5.03	\$50	10.03	\$100
5.04	\$50	10.04	\$50
5.05	\$50	10.05	\$50
5.06	\$50	10.06	\$50
5.07	\$50	11.01	\$50
5.08	\$75	11.02	\$50
13.01 <u>through</u> 13.24 Violation of any adopted Boating Rule or Regulation	\$75		