

RESOLUTION NO. 33718-09

AMENDING RULES AND REGULATIONS RELATING TO PUBLIC USE
OF EAST BAY MUNICIPAL UTILITY DISTRICT
WATERSHED, RESERVOIRS AND RECREATION AREAS

Introduced by Director Foulkes

; Seconded by Director McIntosh

WHEREAS, uniform rules and regulations have previously been established for all District watershed, reservoir and recreation areas, and for the trails system, and it is necessary to amend such rules to comply with changes in state laws and address changes in watershed and recreation area activities;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that pursuant to Sections 117060 and 117105 of the Health and Safety Code:

Section I. It shall be unlawful for any person to violate any of the Rules and Regulations attached to this resolution as Exhibit A and incorporated herein by reference.

Section II. Pursuant to District Ordinance No. 284 and to Section 12821(b) of the Public Utilities Code, any violation of the attached Rules and Regulations is an infraction punishable by (1) a fine not exceeding \$50 for a first violation; (2) a fine not exceeding \$100 for a second violation of the same ordinance within one year; and (3) a fine not exceeding \$250 for each additional violation of the same ordinance within one year.

Section III. This resolution shall take effect and be in force upon its passage. The Secretary of the District is hereby directed to cause a copy of this resolution to be posted upon the areas described above, and to cause it to be published at least once in the Contra Costa Times, the Oakland Tribune, the Stockton Record, the Amador Ledger, and the Calaveras Enterprise, said newspapers being of general circulation published and in the counties of Contra Costa, Alameda, San Joaquin, Amador and Calaveras, respectively, and in which counties the District's watershed lands and recreation areas are situated.

Section IV. Resolution No. 33387-03 and any other resolutions or portions thereof in conflict with this resolution are hereby rescinded.

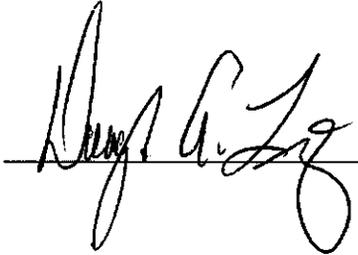
ADOPTED this 9th day of June, 2009 by the following vote:

AYES: Directors Coleman, Foulkes, Katz, McIntosh, Patterson and President Linney.

NOES: None.

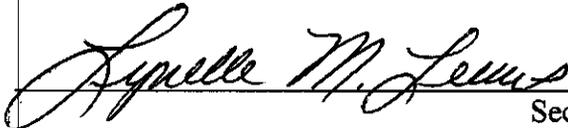
ABSENT: Director Mellon.

ABSTAIN: None.



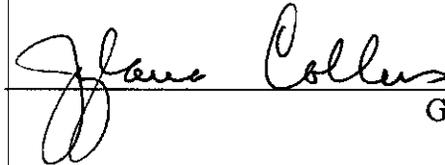
President

ATTEST:



Secretary

APPROVED AS TO FORM AND PROCEDURE:



General Counsel



EXHIBIT A
WATERSHED AND RECREATION RULES AND REGULATIONS
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I. GENERAL PROVISIONS

- 1.01 The following Regulations shall apply to all persons except:
- A. They shall not apply to District Employees, concessionaires, or employees of District concessionaires acting within the scope of their authorized duties.
 - B. They shall not apply to employees of Federal, State, County or Municipal governments acting within the scope of their authorized duties and with the knowledge of the District.
 - C. They shall not apply to persons possessing District Land Use, Special Use, Property Entry or Watershed Entry Permits when such permits specifically suspend a section or sections of the regulations providing said permittees are in compliance with all conditions of the permit and all other regulations.
 - D. They shall not apply to leaseholders where such use is expressly provided for in the terms and conditions of their lease.
- 1.02 District employees, concessionaires, and employees of District concessionaires shall abide by the laws of the State of California and all applicable county and municipal ordinances.
- 1.03 Special regulations enacted for an area or a subject do not preclude the application of general regulations unless expressly so indicated.
- 1.04 Authority: All sections of these Rules and Regulations are adopted by the District Board pursuant to Sections 117060 and 117105 of the Health & Safety Code, and apply to all District lands, waters and facilities unless expressly indicated otherwise.
- 1.05 Pursuant to Section 12821 (b) of the Public Utilities Code, any violation of the following Regulations is an infraction and punishable by (1) a fine not exceeding \$50 for the first violation; (2) a fine not exceeding \$100 for a second violation of the same regulation within one year; and (3) a fine not exceeding \$250 for each additional violation of the same regulation within one year.

I. GENERAL PROVISIONS (Cont'd)

- 1.06 The District or its authorized representative may withdraw or revoke the privilege of access to District watershed lands and/or waterways or the use of any facility for reasons of safety, security or environmental protection, or from any person violating any provision of these Regulations or any other statute. Privileges may also be revoked permanently or on a long-term basis depending on the severity of the offense in accordance with the Access Revocation Procedure.
- 1.07 If any section, subsection, sentence, clause or phrase of these Regulations is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of these Regulations.
- 1.08 Where a section herein or regulation adopted pursuant thereto is amended or repealed, acts and commissions prior thereto may be prosecuted as though such section or regulation had not been so amended or repealed.
- 1.09 These Regulations shall take effect and be in force upon their passage.

II. DEFINITIONS

- 2.01 “Approved Fire Container” - A manufactured receptacle the design of which prevents the escape of rolling embers from a campfire. Fire rings constructed of rock or other native materials are specifically excluded.
- 2.02 “Aquaplane” – Any aquaplane, plank, surfboard, water ski, or other device used for the transporting, conveyance or carrying of a person or animal that is towed or pulled by a boat by means of a rope, chain, cable, wire or other connection.
- 2.03 “Authorized Personnel/Representative” – The General Manager of the District, any Peace Officer, or other persons and/or employees of the District acting under the authority of the General Manager.
- 2.04 ”Beach” – To run, haul, drive, or bring ashore a vessel.
- 2.05 “Bicycle” – A device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels.
- 2.06 “Boating Permit” – A receipt showing fees paid for daily boating access or an affixed decal showing current paid annual boating access fees.
- 2.07 “Board” – The Board of Directors of the East Bay Municipal Utility District.
- 2.08 “Campsite” – A developed or undeveloped campsite.
- 2.09 “Canoe” – A light, narrow vessel with sharp ends and curved sides that is usually, but not exclusively, propelled by paddles.
- 2.10 “Concessionaire” – Any person who through contract, lease, or other written agreement with the District is authorized to operate recreation facilities on District lands and waters.
- 2.11 “Controlled” – The condition of being restrained from running free or otherwise creating a nuisance. At the Camanche Hills Hunting Preserve, electrical or voice techniques may be employed to maintain control of dogs engaged in hunting.
- 2.12 “Corrosive” – Any substance capable of destroying by chemical action living tissue through contact.

II. DEFINITIONS (Cont'd)

- 2.13 “Developed Area” – Any area defined as a public road open to vehicular traffic, parking lot, paved trail, lawn, playground, picnic area, campground, building, or any other area specifically designated as such by EBMUD.
- 2.14 “Developed Campsite” – An established area within the boundaries of a recreation area that contains a picnic table, fire ring, and campsite number.
- 2.15 “Dimensions of Vessel” – The overall width of the hull is measured on a horizontal plane at the widest section of the hull excluding any attachments. The length is measured from end to end over the deck, excluding the sheer.
- 2.16 “District” – The East Bay Municipal Utility District lands and waters, and facilities owned, controlled, or managed by the East Bay Municipal Utility District and excluding Chabot Reservoir and the adjoining lands leased to the East Bay Regional Park District.
- 2.17 “Flammable” – Any substance capable of burning during normal handling and which may produce harmful gas or particles.
- 2.18 “Golf Cart” - A vehicle having not less than three wheels in contact with the ground, having an unladen weight less than 1,300 pounds, which is designed to be and is operated at not more than 15 MPH and designed to carry golf equipment and not more than two persons including the driver.
- 2.19 “Greywater” – Wastewater that does not contain the products of bodily functions being mainly the product of bathing, showering, dishwashing, and similar activities.
- 2.20 “Improved Road” – A paved, graveled, or graded route or way that is maintained and open to vehicle travel.
- 2.21 “Inflatable Vessel” – An air-filled watercraft not less than 7 feet, 10 inches in length.
- 2.22 “Irritants” – Any substance capable of causing a local inflammatory reaction to a person’s skin or body.
- 2.23 “Kayak” – A portable covered frame vessel with small openings for one or two persons and propelled by double-bladed paddles.
- 2.24 “Launch” – To make ingress or egress to a waterway with a vessel or float tube.

II. DEFINITIONS (Cont'd)

- 2.25 “Launching Area” – An area specifically designated to allow ingress and egress to a waterway with a vessel or float tube.
- 2.26 “Moored” – To make fast or secure a vessel by cables, anchors, or lines.
- 2.27 “Motorboat” – Any vessel propelled by machinery, whether or not such machinery is the principal source of propulsion.
- 2.28 “Occupy” – To maintain a reasonable and obvious physical presence in a site, vehicle, or vessel after having obtained and displayed as required all necessary permits.
- 2.29 “Permission” – Written permission granted by the District, the General Manager of the District or authorized designee, unless otherwise expressly provided.
- 2.30 “Person” – Any natural person, partnership, firm, corporation, club, municipality, district or public agency, and associations or combinations of persons whenever acting for themselves or by any agent, servant, or employee.
- 2.31 “Personal Flotation Device” – A jacket, vest, cushion or ring buoy designed to support a person in water and approved by the U.S. Coast Guard, shown by a stencil marking or tag bearing the name and address of the manufacturer, the approval #, the amount of flotation in the device and the type of device.
- 2.32 “Personal Float Fishing Device” – A multi-compartmented device designed to float not more than one person, propelled by fins and not more than seven feet and ten inches in length.
- 2.33 “Personal Watercraft” – A small vessel, which uses an internal combustion engine powering a jet pump or propeller, and which is designated to carry from one to three persons.
- 2.34 “Recreation Area” – Those parts of District-owned, controlled, or managed lands, water and facilities that have been designated as a “Recreation Area” by the District. Excluded from this definition are Chabot Reservoir and the adjoining lands leased to the East Bay Regional Park District.
- 2.35 “Recreational Vehicle” – A motorized vehicle or trailer that contains enclosed living quarters with a sink and toilet.

II. DEFINITIONS (Cont'd)

- 2.36 “Red Flag Alert” – Weather-related events that can lead to extreme fire behavior; includes Fire Weather Watches and Red Flag Warnings as determined by the National Weather Service or Manager of Watershed and Recreation.
- 2.37 “Reservoir” – Refers to Briones Reservoir (Contra Costa County), Lafayette Reservoir (Contra Costa County), Camanche Reservoir (Amador, San Joaquin, and Calaveras Counties), Pardee Reservoir (Amador and Calaveras Counties), San Pablo Reservoir (Contra Costa County), and Upper San Leandro Reservoir (Alameda and Contra Costa Counties).
- 2.38 “RV Site” – An established area within the boundaries of a recreation area that contains a picnic table, electrical, sewer, water hookups, and RV site number.
- 2.39 “Service Animal” – Any guide dog, signal dog, or other animal individually trained or in training to provide assistance to an individual with a disability.
- 2.40 “Site Standards” – Criteria established by the District and posted in the Recreation Area that regulates the use, cleanliness, neatness, sanitary or occupancy conditions.
- 2.41 “Special Event” – A meeting, event, occasion or performance attended by a group of individuals at an EBMUD recreation area or on watershed land necessitating planning, logistic or operational support from EBMUD staff in addition to staff’s normal scheduled duties, and likely to disrupt or displace the activities of regular users of recreation areas or watershed lands.
- 2.42 “Strong Sensitizers” – Any substance capable of causing allergic or hypersensitive reactions to a person’s skin or body.
- 2.43 “Sunrise and Sunset” – Those times designated as sunrise and sunset in the published Tide Table Predictions of the National Aeronautical and Oceanographic Commission and adjusted according to Pacific Daylight Savings Time.
- 2.44 “Swimming Aid” – An air mattress, inflatable water toy, inner tube, raft less than six feet in length or other aid to floatation not designed to minimize or prevent body contact with the water.

II. DEFINITIONS (Cont'd)

- 2.45 “Take” – To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in such conduct.
- 2.46 “Take-Out Facility” – An area specifically designated to allow the recovery of vessels from District waterways only.
- 2.47 “Toxic” – Any substances capable of producing injury, illness or damage to humans, livestock or terrestrial and aquatic wildlife through ingestion, inhalation or absorption through any body surface.
- 2.48 “Trail” – All designated District hiking and equestrian trails, and staging areas except those staging areas shared with other agencies.
- 2.49 “Ultralite Vehicle” – A vehicle that is used or intended for use in a manned operation in the air by a single occupant and for the recreation or sport purposes only as further defined in the Federal Aviation Regulations.
- 2.50 “Undeveloped Campsite” – An established area within the boundaries of a recreation area that allows for overnight camping but does not contain a picnic table, fire ring, or a campsite number.
- 2.51 “Vehicle” – A device by which any person or property may be transported on any District roadway, trail, or land, except (a) devices propelled exclusively by human power, (b) devices subject to ADA standards, and (c) electric-powered conveyance devices specifically designed to transport the physically disabled.
- 2.52 “Vessel” – Includes every description of watercraft used or capable of being used as a means of transportation on water, as defined in the California Vehicle Code.
- 2.53 “Wake” – A visible wave of white water created by the movement of a vessel through the water and measuring six inches or more when measured trough to crest.
- 2.54 “Waste Matter” – Any bottles, cans, wastepaper, litter, waste products, trash, motor oil, debris, human or animal excrement, and contaminating, hazardous or polluting substances of any kind.

II. DEFINITIONS (Cont'd)

- 2.55 “Watershed” – All lands, water, and facilities owned, controlled, or managed by the District which are, or may be used to gather, store, transport, treat, distribute, or otherwise process water for use as a public water supply and/or for power generation, flood control purposes, grazing of domestic animals, or for recreational purposes.
- 2.56 “Watershed Trail” – Staging areas and a corridor one hundred feet to each side of a designated trail outside of a recreation area and exclusive of waterways, restricted areas and non-District properties.
- 2.57 “Waterway” – Any reservoir, river, pond, stream, creek, or part thereof, within a District watershed.
- 2.58 “Whole Access Site” – A site designated to accommodate disabled access.

III. GENERAL RULES

It shall be unlawful for any person:

- 3.01 To knowingly report or cause to be reported, or in any other manner communicate any false report of an emergency or other information to any District employee, authorized representative, peace officer, or an employee of District's Concessionaire which such person knows to be false.
- 3.02 To use any threatening, abusive, boisterous, loud, insulting, or indecent language or gesture, to engage in conduct that unreasonably and unnecessarily impairs the lawful use and enjoyment of a watershed by other persons or impairs the ability of the District's or Concessionaire's employees to perform their authorized duties.

IV. ACCESS

It shall be unlawful for any person:

- 4.01 To enter, use, or travel through areas of any watershed that are posted “NO TRESPASSING” in accordance with provisions of the penal code or “RESTRICTED” by the District and closed to the public, or to enter upon any watershed except at points designated by the District for entry.
- 4.02 To enter, use, or travel through areas of any watershed that have been temporarily closed by the District providing that signs announcing the closure are posted at District-designated entry points.
- 4.03 To enter any watershed with a motor vehicle without payment of the respective vehicle charge established by the District, to fail to properly display at the front driver’s side, the proper permit, or to enter, use, occupy, or otherwise remain in a building, structure, facility, swimming complex, parking area, picnic area, campsite, trail, or other area within any watershed for which a fee is charged unless that person has paid the required fee.
- 4.04 To be within any designated portion of any watershed open for recreation during any time other than the designated operating hours, or where no hours are designated, during any time between ½ hour after sunset and ½ hour before the following sunrise.
- 4.05 To use a gate card, entry pass, boating permit, trail permit, or other permit issued to another person for entry and use of District’s watershed.
- 4.06 To fail to present and/or surrender a gate card, entry pass, boating permit, trail permit or other permit when requested by authorized personnel.
- 4.07 To permit unauthorized use of any District gate card, entry pass, boating permit, trail permit or other permit.
- 4.08 To enter the Lafayette Recreation Area with a vehicle pulling a trailer.
- 4.09 To fail to comply with the terms of an access revocation as authorized in Section 1.06.
- 4.10 To claim a picnic table without an individual present.
- 4.11 To enter Camanche or Pardee Recreation Area(s) by any other means than a vehicle without first registering at the front gate and showing appropriate photo identification.

IV. ACCESS (Cont'd)

- 4.12 To save, claim, or in any way reserve a parking space.
- 4.13 To hold any special event without first obtaining written permission from the District.

V. BOATING REGULATIONS

It shall be unlawful for any person:

OPERATIONS

- 5.01 To violate any section or provision of the California Harbors & Navigation Code, the California Vehicle Code, the California Code of Regulations, or the Health & Safety Code while operating, using, or launching any vessel on any District's watershed.
- 5.02 Operate or place any vessel on a District watershed without first paying the established fee and obtaining a boating permit.
- 5.03 To place or launch a vessel in or on District waterways except in designated launching areas, and at Middle Bar, which is a designated take-out facility only.
- 5.04 To tie up to any buoy, buoy line, log boom, boat restraining barrier, float or dock placed in any District waterway except designated mooring buoys or to place any private mooring facilities on any District waterway unless otherwise posted.
- 5.05 To operate or use on any vessel on Lafayette Reservoir which is powered by any means other than oars, paddles, electric motor, or sails.
- 5.06 To operate or use on any District waterway any vessel less than 7 feet, 10 inches in length except 1) at the Mokelumne River Day Use Area; 2) at Camanche in 5 MPH or NO BOAT ZONES; 3) when towed on Camanche Reservoir as an aquaplane by an registered vessel or 4) registered Personal Watercraft at Camanche Reservoir.
- 5.07 To use personal float fishing devices at Pardee, Camanche, Lafayette, or San Pablo Reservoirs in violation of any of the following rules and conditions:
 - a) Personal float fishing devices must only be used in NO WAKE – 5 MPH zones.
 - b) Personal float fishing device users must wear chest waders, except at Camanche Reservoir.
 - c) Personal float fishing devices must not be used in areas where their use is prohibited.

V. BOATING REGULATIONS (Cont'd)

- d) Personal float fishing devices must be launched, landed and used in designated areas.
 - e) Motorized personal float fishing devices are not allowed.
 - f) Personal float fishing device users at Pardee, Lafayette, and San Pablo Reservoirs must register and pay the required fee for such use.
 - g) Personal float fishing device users must have a brightly colored hat, upper body article of clothing or decals on personal float fishing device.
 - h) Personal float fishing devices shall not be used between sunset and the following sunrise.
 - i) Personal float fishing devices are not allowed on Briones or Upper San Leandro Reservoirs.
- 5.08 To operate or use on any District waterway, except at Camanche Reservoir and at the Mokelumne River Day Use Area, any vessel that does not prevent body contact with the water during the routine operation of the vessel.
- 5.09 To operate a vessel on any District waterway, or portion thereof which has been designated closed to the public.
- 5.10 To operate any vessel within one hundred feet of any dock or marina while trolling or fishing unless embarking or disembarking a vessel within the marina.

TIME RESTRICTIONS

- 5.11 To operate any vessel except personal watercraft on any District waterway between one half-hour after sunset and one half hour before sunrise. Personal watercraft shall not be operated between sunset and sunrise.
- 5.12 To moor, anchor or occupy any private vessel between one half hour after sunset and one half hour before the following sunrise on any District waterway except at Camanche Reservoir or other locations designated by the District.

V. BOATING REGULATIONS (Cont'd)

SPEED RESTRICTIONS

- 5.13 To operate or tow any vessel at a speed greater than 5 MPH or that which creates a wake within two hundred feet of any reservoir shoreline, fishing dock, swimming area, boathouse, marina, launch ramp, landing float, floating restroom, or in any designated “no wake” areas.
- 5.14 To operate any vessel in excess of the speed limits posted on the waterway.

MISCELLANEOUS

- 5.15 To enter with a vessel any District waterway when an authorized representative of the District has determined that the waterway has reached the maximum number of vessels for safe and reasonable boating or the vessel is unsafe, overloaded or undersized, improperly equipped, unsanitary, inadequately muffled to deaden the noise according to State noise level standards and criteria, or not registered according to State law. [See 11.09, Vessels]
- 5.16 To ride or sit or allow any person to ride or sit in or on areas within or upon a vessel not designed for passengers.
- 5.17 To organize, hold, participate in, or otherwise sponsor any boat race, drag race, regatta, fishing derby or other event on any District waterway unless authorized in writing by the District. EXCEPTION: Fishing derbies at Camanche and Pardee do not require a permit issued by the District.
- 5.18 To operate or use any raft, aquaplane, surfboard, sailboard, personal watercraft or similar device on any District waterway except in designated areas at Camanche Reservoir and at the Mokelumne River Day Use Area whether used individually, towed, or used for towing.
- 5.19 To operate any vessel within any portion of a District waterway not open to the public and closed to boating and trespassing by protective lines of buoys, log booms, or regulatory signage, or to operate or to permit any vessel to pass through any lines of buoys, log booms, boat restraining barrier, or regulatory signage designating such closed area.
- 5.20 To operate or use any vessel on any District waterway without at all times complying with all conditions upon which a boating permit is issued.

V. BOATING REGULATIONS (Cont'd)

- 5.21 To enter any District waterway with a vessel which has an unsealed sink or drain or flush toilet on board, or which is determined to be in a mechanical condition that would allow a pollutant to enter said reservoir. Such determination shall only be made by an authorized representative of the District.
- 5.22 To occupy a moored or beached vessel at night without a sealed toilet onboard.
- 5.23 To enter with a vessel any District waterway when an authorized representative of the District has determined that a condition unsafe to boating exists due to excessive wind or other hazard and the launch ramp or area is posted CLOSED TO BOATING.
- 5.24 To launch, operate or use at Camanche South Shore ponds any swimming aid or motorized vessel or vessel not between 6 and 12 feet in length except for personal float fishing devices that meet the use rules and conditions of this ordinance. Coast Guard regulations requiring personal flotation devices for each person on board manually propelled vessels less than 16 feet are in force on the Camanche South Shore ponds.
- 5.25 To launch, operate or use at San Pablo Reservoir a vessel that is powered by any other means than:
- Oars
 - Sails
 - Inboard gasoline-powered engine
 - 4-cycle gasoline-powered outboard engine
 - Any gasoline-powered outboard engine that meets a low emissions engine performance standard equivalent to 4-cycle engine emissions based on a comparison of equivalent of horsepower ranges, using certified emissions data from U.S. Environmental Protection Agency's air pollution program for gasoline spark-ignition marine engines. Outboard engines which meet this performance standard will be listed by manufacturer and model and posted at the San Pablo Recreation Area.
 - Paddles
 - An Electric motor
- 5.26 To operate any vessel, float-tube, canoe, kayak, raft or any other flotation device on any District waterway without first complying with all requirements of the current Vessel Inspection Program.

VI. CAMPING

It shall be unlawful for any person:

- 6.01 To camp on any watershed except in designated camping areas, during such seasons and for such length of time as designated by the District permitting such uses. To occupy a campsite or vessel for more than 14 days within a 30-day period at any District campground or reservoir.
- 6.02 To occupy a campsite, recreational vehicle site, or trailer parking or storage space until: (a) the established charge for the total length of time of the stay has been paid in advance, (b) the site or space to be occupied has been designated for camping, parking, or storage by District, and (c) the person applying for such site or space has shown proof of age 18 years or older and has registered in writing, giving such information as may be required by the District.
- 6.03 To occupy any recreational vehicle or vessel while it is in a designated dry storage area.
- 6.04 To install any guy wires, ropes, braces, or other external supports outside recreational vehicles or other facilities in the camping, trailer parking or storage areas, except those specifically allowed by the District.
- 6.05 To park more than two vehicles at any campsite, except at sites designated for additional vehicles.
- 6.06 To not adhere to “site standards” as established by the District.
- 6.07 To occupy a campsite with more than eight (8) people or (4) tents per site except in sites designated for additional people.
- 6.08 To allow livestock to enter, travel through or occupy any portion of a recreation area, except for horses and llamas and other approved trail animals being ridden or led on a designated watershed trail or while being transported by trailer to a designated trail staging area, or in a camp area specifically designated for trail animal use.
- 6.09 To occupy or reserve any designated “Whole Access Site” without obtaining the appropriate permit.

VI. CAMPING (Cont'd)

- 6.10 Under the age of 18 to loiter in any recreational area, other than in their own designated campsite, after posted quiet time hours unless (1) the minor is accompanied with his or her parent or guardian or other adult person having the care and custody of the minor; (2) the minor is upon an emergency errand directed by his or her parent or guardian or other adult person having the care and custody of the minor; or (3) the minor is traveling directly to or from a restroom facility to their campsite.
- 6.11 To register more than one recreational vehicle in a single campsite. Higher occupancy campsites such as double, triple, quadruple sites, etc. may have two, three and four recreational vehicles, respectively.
- 6.12 To fail to establish a proper, water-tight, grey or black water connection when connecting to the park's provided sewer drain inlet.
- 6.13 To set up more than one tent in an RV site.
- 6.14 To register into a campsite any vehicle or recreational vehicle that is not operational upon check-in. An operational vehicle capable of legally towing a trailer must accompany all tow-behind trailers. The tow vehicle must be registered into the campsite for the same duration as the trailer.

Additionally:

- 6.15 Visitors registered as primary for any campsite are responsible for the actions and conduct of all other occupants, guests and invitees. Such responsibility shall include, but not be limited to, financial responsibility for any breakage, destruction, or vandalism of the Park's recreational facilities and common areas. An eviction of the primary and/or all campers from the campsite may also occur in accordance with Section 1.06 of these regulations.

VII. COMMERCIAL USES

It shall be unlawful for any person:

- 7.01 To take a commercial photograph(s) or make a commercial movie(s) or video(s) within any watershed without a permit issued by the District.
- 7.02 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(s) within any watershed without first obtaining written permission from the concessionaire and District.
- 7.03 To advertise any services by means of posting handouts and/or handbills, within any watershed.
- 7.04 To drive or operate, or enter with any vehicle for the purpose of doing business within any watershed, except in the service of the District or its Concessionaire.
- 7.05 To sell or transport a Christmas tree in any watershed without a sales receipt except within the Pardee and Camanche Recreation Areas.

VIII. DANGEROUS ACTIVITIES

It shall be unlawful for any person:

- 8.01 To engage in any activity or operate any device recklessly or negligently within any watershed so as to endanger any animal or the life, limb, or property of any person.
- 8.02 To drive, chip, or in any other manner play or practice golf, or hit golf balls within any watershed unless the areas have been designated for that use.
- 8.03 To operate self-propelled and/or radio-controlled model airplanes, boats, automobiles, or other model craft of any kind or description within any watershed except in designated areas.
- 8.04 To operate a hang-glider, parachute, kite tube, traction kite, parasail or similar device within any watershed.
- 8.05 To cause damage or loss of property to any other boater or person fishing.
- 8.06 To possess or discharge any gun, firearm, paint gun, spear, bow and arrow, fishing bow, crossbow, slingshot, air or gas weapon, or any other dangerous weapon within or into the boundaries of any watershed, except approved firearms within the Camanche Hills Hunting Preserve.
- 8.07 To use or possess fireworks of any kind within any watershed.
- 8.08 To conduct or participate in “hardball” baseball games, or to play “catch” with a hardball baseball within any watershed unless the area has been designated for that use.
- 8.09 To smoke on watershed lands except in turfed, graveled or paved portions of developed recreation areas, or within developed campgrounds or day use areas.
- 8.10 To smoke in a “no-smoking” posted area and/or fail to comply with District fire prevention measures during a Red Flag Event.
- 8.11 To dive or jump from bluffs, cliffs, rocks or structures within any watershed.
- 8.12 To swing by means of a rope, cable, or chain except as designated within recreation areas.
- 8.13 To allow any child under the age of 14 and unaccompanied by an adult to swim or wade in any District waterway or swimming pool.

IX. GENERAL NUISANCE

It shall be unlawful for any person:

- 9.01 To remove any “RESERVED” sign(s) from any picnic area, day use area, campsite, RV site, or facility which has been reserved, or to willfully occupy or hold a picnic area, day use area, campsite, RV site or facility which has been reserved by another person.
- 9.02 To use or operate any radio receiving set, musical instrument, phonograph, CD player, television set, public address system, generator, or other machine in such a manner as to disturb the peace, quiet, and comfort of any watershed users or any reasonable person of normal sensitivity residing in the area. The use of any such device or machine, such that the sound produced is audible at a distance in excess of fifty feet, shall be deemed a prima facie violation of Section 9.02.
- 9.03 To land any aircraft on any watershed except in the case of an emergency forced landing.
- 9.04 To practice, or attempt to practice, the landing, take-off, or taxiing of any aircraft over or upon any watershed.
- 9.05 To operate or cause to be operated any aircraft or ultralight which disturbs or causes harm to any of the flora or fauna within any watershed or which impairs the lawful use and enjoyment of a watershed by other persons.
- 9.06 To operate or cause to be operated, any aircraft over any watershed at a height lower than 500’ in height.
- 9.07 To expose or permit to be exposed to public view, a woman’s breasts (except for breast-feeding), or the genital or anal region of a person’s body.
- 9.08 To use a portable generator without permission of the District except at Pardee and Camanche Recreation Areas, Camanche Hills Hunting Preserve and the Mokelumne River Day Use Area.
- 9.09 To have air filled play devices, such as trampolines.
- 9.10 To fail to abide by posted Quiet Time regulations.

IX. GENERAL NUISANCE (Cont'd)

- 9.11 To fill portable swimming pools greater than 100 gallons within any recreation area.
- 9.12 To possess alcoholic beverages in designated “Alcohol Free” posted areas; or to possess an open container or consume alcohol beverages in any parking area not designated for such purpose.

X. PROTECTION OF PROPERTY AND RESOURCES

It shall be unlawful for any person:

- 10.01 To violate any section or provision of the California Department of Fish and Game Code while on any District watershed.
- 10.02 To use a metal detector or similar device within any watershed.
- 10.03 To disturb, injure, or take any rock, mineral, plant, artifact, vertebrate or invertebrate, or to disturb its habitat within any watershed, without the District's express written permission in possession except that fish may be taken in accordance with California State law at reservoirs and in areas designated by the District as open to the public for that purpose, and approved game may be taken at the Camanche Hills Hunting Preserve.
- 10.04 To introduce, plant or relocate any plant or animal onto any watershed without the District's express written permission in possession.
- 10.05 To fish from any District-designated prohibited shoreline, including the total shorelines of Briones Reservoir (Contra Costa County), Upper San Leandro Reservoir (Contra Costa and Alameda Counties), the Rabbit Creek Arm of Camanche Reservoir north of Camanche Parkway (Amador County) and posted sections of any other waterways in accordance with California State Fishing Regulations.
- 10.06 To fish in any tributary to any District reservoir except that portion of the Mokelumne River that is open to angling in accordance with the California State Fishing Regulations and District Ordinance.
- 10.07 To fish in designated waterways without a valid Daily Fishing Access permit in possession. A maximum of four children under sixteen years of age may fish under the permit of an accompanying licensed adult. Others, and those not accompanied by an adult with a permit, must have their own Daily Fishing Access Permit.
- 10.08 To light, build or maintain any fire within any watershed, except in designated areas at Camanche, Lafayette, Pardee, or San Pablo Recreation Areas, and then only in units provided for that use. Approved fire containers may be utilized in designated areas provided that they are used within existing fire rings or BBQs and only if the minimum 5-foot bare ground clearance in all directions is achieved. (Exception: Approved fire containers may be used in the Primitive Overflow and Miner's Camp with 5-foot bare ground clearance in all directions). The District or its representative may prohibit all fires in the recreation areas when the California Department of Forestry and Fire Protection (CAL FIRE) has determined that extreme fire conditions exist. To light, build, or maintain any fire at Camanche or Pardee Recreation Areas that has a flame length

X. PROTECTION OF PROPERTY AND RESOURCES (Cont'd)

greater than 4 feet from the ground or which is not completely within the provided or approved fire container. To burn any plastics, polystyrene foam, rubber, tar, construction materials, gasoline and diesel fuel, motor oil or other items prohibited by local air pollution control districts. Gasoline-fueled camp stoves are permissible in accordance with other provisions set forth in these regulations.

- 10.09 To gather wood or other fuel within any watershed without the District's express written permission in possession.
- 10.10 To cut, carve, deface or destroy any object within any watershed or to paint, mark, paste, or fasten upon any object within any watershed, any bill, advertisement, or inscription, without the District's express written permission except upon message boards provided by the District for public use.
- 10.11 To possess or use any live fish, mollusk, crustacean, amphibian, reptile or any other bait contained, preserved or transported in water as bait in any District waterway. Dead mollusks (except frozen or freeze-dried clams) are also prohibited.
- 10.12 To fish within fifty yards of a fish planting truck while planting fish and for one half-hour after said plant.
- 10.13 To operate a hydraulic dredge within any watershed.
- 10.14 To fish, jump, dive or swim from floating restrooms, marina, boathouse, or launching docks and ramps.
- 10.15 To remove recyclables from any designated recycling station, or to remove water or other commodity from any watershed.
- 10.16 To leave any fire unattended.
- 10.17 To feed any feral animals or wildlife at any time.
- 10.18. To remove, disturb, use, damage, or otherwise tamper with any District lifesaving device or equipment deployed in the Watershed unless said device or equipment is being used in the course of an actual emergency.
- 10.19 To discharge any material or non-household waste (e.g. diapers, cobbles, solids, fats, oils, grease, etc.) into or through any toilet, sink drain, or other sewer inlet that causes obstruction of flow, damage to sewer facilities, or that is classified as a toxic, corrosive, flammable, irritant, or strong sensitizer.

X. PROTECTION OF PROPERTY AND RESOURCES (Cont'd)

- 10.20 To discharge waste into the sewerage facilities, which causes, threatens to cause or is capable of causing, either alone or by interaction with other substances:
- a) Interference with the wastewater treatment process, or overloading of the sewerage facilities, or excessive collection or treatment costs, or use of a disproportionate share of the capacity of the sewerage facilities;
 - b) Interference with any wastewater reclamation process which does or may operate in conjunction with the sewerage facilities, or overloading, or a breakdown of such reclamation process, or excessive reclamation costs, or any product of the treatment process which renders such reclamation process impracticable or not feasible under normal operating conditions;
 - c) A detrimental environmental impact, or a nuisance wherever located, or a condition unacceptable to any public agency having regulatory jurisdiction over operation of the sewerage facilities;
 - d) Discoloration, or any other adverse condition in the quality of the effluent from the sewerage facilities such that receiving water quality requirements established by any statute, rule, regulation, ordinance, or permit condition cannot be met by the District;
 - e) Conditions at or near the sewerage facilities, or any portion thereof, which cause or may cause the District to be in violation of the requirements of the law;
 - f) Pollutants introduced into the sewerage facilities that pass through or interfere with the operation of the sewerage facilities;
 - g) Any substance which will cause the sewerage facilities to violate its National Pollutant Discharge Elimination System permit and/or State Waste Discharge Requirements or the receiving water quality standards.
- 10.22 To fail to immediately report to an EBMUD or concession representative, the discharge to the environment of sewage from an RV, trailer, camper, other vehicle or structure.
- 10.23 To waste potable water supplied by the water systems in the watershed and recreation areas, or to fail to comply with any water use prohibition during a declared water shortage emergency.

XI. SANITATION

It shall be unlawful for any person:

- 11.01 To bring any dog, cat, or other animal, other than a Service Animal, onto any watershed, except 1) on specifically designated fire roads and trails or 2) into recreation areas.
- 11.02 To bring more than three dogs onto watershed trails and recreation areas, or have more than three dogs per campsite. If a campground has more restrictive dog limits, then those limits will be the effective maximum.
- 11.03 To bring into or have any dog or other pet or service animal in any designated recreation area unless such animal is contained or securely leashed, the other end of which is either securely attached to a stationary object or retained in the possession of a person capable of exercising control. Leashes must not be extended to more than 6 feet in any Developed Area. Exception: Dogs may be off-leash at the Camanche Hills Hunting Preserve for bird hunting purposes only.
- 11.04 To bring any dog, cat, or other animal, other than a Service Animal, onto any portion of a recreation area that is posted prohibiting such use.
- 11.05 To permit any dog, other than Service Animals, or other pet to enter any part of San Pablo Recreation Area other than the west side parking lots and picnic areas.
- 11.06 To bring any dog into any recreation area unless said dog meets all County requirements for dog ownership, has current proof of rabies vaccination, and appropriate fees have been paid.
- 11.07 To fail to promptly remove from any recreation area to an appropriate receptacle, any fecal matter deposited thereon by a dog or any other animal in said person's charge.
- 11.08 To permit any dog, cat, horse, cattle, goat or other domestic animal to swim, wade, drink from or otherwise come into contact with the waters of any District waterway except 1) at the Mokelumne River Day Use Area, and 2) that horses may drink from and dogs may enter Camanche Reservoir while under physical control.
- 11.09 To make bodily contact with the waters of any District waterway except at the Mokelumne River Day Use Area and in Camanche Reservoir.
- 11.10 To clean fish within any watershed, except at places designated and provided by the District and are equipped with fish cleaning facilities and receptacles for the deposit of waste substances.

XI. SANITATION (Cont'd)

- 11.11 To deposit, place, dispose of, discharge or allow to enter any District waterway or watershed, any waste matter, including greywater and litter, except at receptacles or sanitary facilities designated and provided for such use by the District.
- 11.12 To import and dispose of any waste matter in any manner within any watershed.
- 11.13 To ride, drive, lead or keep any saddle or pack animal in any recreation area except that portion which is the most direct route from the front gate to the staging area or Equestrian Campground.

XII. TRAILS

It shall be unlawful for any person:

- 12.01 To enter or use any designated watershed trail without a valid Trail Use Permit in possession.
- 12.02 To leave the designated watershed trails, to leave trail gates open, or to disturb, molest or interfere with livestock or wildlife within any watershed.
- 12.03 To ride, drive, lead, or keep any saddle or pack animal in a reckless or negligent manner so as to endanger the life, limb, or property of any person or animal, or to allow the saddle or pack animal to stand unattended or insecurely tied.
- 12.04 To enter or to remain upon any designated watershed trail between sunset of one day and sunrise of the following day.
- 12.05 To gain access to any designated watershed trail except from staging areas or designated entry points.
- 12.06 To enter any designated watershed trail with a stallion or colt.
- 12.07 To enter or use any designated watershed trail without at all times complying with all conditions upon which the trail permit was issued or any that are posted.

XIII. VEHICLES

It shall be unlawful for any person:

- 13.01 To violate any section or provision of the California Vehicle Code while operating or using any vehicle on any District watershed.
- 13.02 To exceed the posted vehicle speed limit.
- 13.03 To drive a vehicle upon any road, trail, path, lawn, landscaped area, thoroughfare, parking space, or other portion of any watershed closed to vehicle entry: a) To park a motor vehicle in any restricted parking zone or other area not designated for parking; b) to park longer than the designated time period; or c) to park in more than one space.
- 13.04 To operate any internal combustion engine of any kind within any watershed without an efficient, operative muffler and spark arrester approved by the United States Forest Service.
- 13.05 To perform any non-emergency vehicle or vessel maintenance on any District watershed.
- 13.06 To operate any vehicle other than on improved roads or parking areas that are open for public travel.
- 13.07 To operate any vehicle in the recreation area not licensed for use on the highway, except approved vehicles in designated areas at the Camanche Hills Hunting Preserve provided the driver is at least 18 years of age.
- 13.08 For a driver to knowingly permit any person to ride a) unrestrained within any truck bed or upon any portion of a vehicle not designed for passengers, or b) 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.
- 13.09 To operate any golf cart on District watershed except at the Camanche Hills Hunting Preserve or under the following conditions:
 - a. It is registered for use on the street or highway with the California Department of Motor Vehicles.
 - b. The operator possesses a current driver's license.
 - c. The golf cart is covered by insurance required for vehicles operating on the highway in the State of California.

XIII. VEHICLES (Cont'd)

- d. The golf cart is properly equipped as required by the California Vehicle Code.
- e. The golf cart is subject to the Rules of the Road, Division 11 of the California Vehicle Code.
- f. The golf cart is subject to all provisions of this ordinance pertaining to vehicles.

PARKING

13.10 To park a motor vehicle, except when in compliance with the directions of a District employee or its authorized representative, in any of the following places:

- a. In areas where prohibited as indicated by “No Parking” signs.
- b. On any fire trail.
- c. On any equestrian or hiking trail.
- d. Blocking or obstructing any gate, entrance, or exit.
- e. In such a manner as to take up more than one “marked” parking place in any authorized parking area.
- f. In any area where such vehicle blocks or obstructs the free flow of traffic.
- g. Within 15 feet of a fire hydrant.
- h. Adjacent to any curb painted red.
- i. In any recreation area or watershed beyond the posted closing time except pursuant to a valid parking permit.
- j. In a District parking lot where a fee is charged, a permit is issued as a receipt, and the permit or receipt is not displayed in a conspicuous place upon the vehicle as to be easily observed.
- k. In a parking lot where a fee is charged and the fee is not paid.
- l. In a parking lot on District property for the purpose of advertising or attempting to sell a vehicle.
- m. In any area not designated for parking.
- o. In violation of posted parking restrictions.
- p. In a metered parking space without paying the posted parking meter fee.

13.11 To park a vehicle beyond posted parking time limits.

13.12 To permit a vehicle to be parked or left standing within any watershed or recreation area for 72 or more consecutive hours except in camping areas or Mobile Home Parks pursuant to a valid parking permit.

XIII. VEHICLES (Cont'd)

Additionally:

- 13.13 Parking Spaces – Disabled Person and Disabled Veteran
- a. Certain parking stalls or spaces at District facilities shall be designated for the exclusive use of disabled persons' vehicles that display a distinguishing license plate or placard issued pursuant to Section 22511.5 of the California Vehicle Code or the disabled veteran, as specified in Section 9105 of the California Vehicle Code.
 - b. Removal. Any vehicle parked or left standing in violation of this section may be removed from such properly posted disabled persons' parking space in accordance with Section 22511.8 of the California Vehicle Code.
- 13.14 Vehicles left standing for 72 consecutive hours or more without permit
- a. Removal. Any vehicle parked or left standing in violation of this Section may be removed as provided in the California Vehicle Code.
 - b. Abandonment. Whenever a Public Safety Officer has reasonable grounds to believe that a vehicle has been abandoned within the Watershed or Recreation Area, the vehicle may be removed as authorized by Vehicle Code 22669(a).
- 13.15 In any prosecution involving a violation of Section 13 Parking, prima facie evidence shall be obtained by proof that the vehicle was parked in violation of such provision, together with proof that the defendant was at the time the registered owner of the vehicle. These provisions shall apply only when the following conditions are complied with:
- a. While the vehicle is illegally parked, a notice shall be securely attached to the vehicle stating the section of the Ordinance violated, the approximate time, and the location and fixing a time and place for appearance by the registered owner.
 - b. Any police officer who observes a violation of this section may attach said notice in any conspicuous place on said vehicle.
- 13.16 Any vehicle parked or left standing in violation of Section 13 - Parking may be removed in accordance with the California Vehicle Code.

**XIV. BICYCLES, SKATEBOARDS, ROLLER SKATES, ROLLER BLADES,
ETC.**

It shall be unlawful for any person:

- 14.01 To operate any bicycle, roller skates, roller blades, or similar conveyance except in designated recreation areas and on improved roads and trails provided for this use, and only during designated hours and days.
- 14.02 To operate any bicycle, roller skates, roller blades, or similar conveyance in a negligent, unsafe, or reckless manner, or in any way that endangers the life, limb or property of any person or in violation of any regulatory signs.
- 14.03 To operate any skateboard at Lafayette Recreation Area.

XV. HUNTING

It shall be unlawful for any person at Camanche Hills Hunting Preserve:

- 15.01 To hunt without payment of the appropriate fees.
- 15.02 To fail to sign the register in and out each day.
- 15.03 To hunt or be in the field without a valid California hunting license and field permit in their possession.
- 15.04 To ground shoot or to shoot at low flushing birds.
- 15.05 To consume any alcoholic beverages while hunting or while in the field.
- 15.06 To hunt, or to be in the field for upland game without a blaze orange vest or hat.
- 15.07 To hunt upland game without a dog.
- 15.08 To shoot in posted safety zones or closed areas.
- 15.09 For persons under 18 years of age to hunt unless accompanied by an adult.
- 15.10 To shoot any non-game bird or other non-game animal.
- 15.11 To leave wounded birds in hunting zones without making an attempt to recover them, or discard unwanted birds or birds caught by a dog.
- 15.12 Beginning October 1, 2009, to discharge lead shot in any area not designated as a Lead Reclamation Area, or to otherwise fail to comply with terms of the posted Lead Management Program.