

SUMMARY OF AMENDMENTS TO HIGHLANDS RESERVOIR AND CANAL SYSTEM RULES AND REGULATIONS

The Highlands Reservoir and Canal System Rules and Regulations (the "Rules") were last amended on July 22, 1980.

The proposed amendments make the following substantive revisions to the Rules (summarized below by Chapter):

1. Definitions. Certain definitions were added or clarified.
2. Boating. The proposed amendments provide that no boats or vessels may be operated on the Canals. The amendments provide that non-motorized boats and vessels, and boats and vessels powered by electric trolling motors, may be operated on the Highlands Reservoirs. No boat or vessel may be powered by an internal combustion engine on the Highlands Reservoir.

The proposed amendments specify the various federal and state laws and regulations that apply to the operation of boats and vessels on the Highlands Reservoir. The amendments clarify the Authority's additional local rules related to the operation of boats and vessels on the Highlands Reservoir. Notably, boats and vessels may not be left unattended unless securely moored. Boats and vessels may not be abandoned (for 36 hours or more). Amplified music and other noise that unreasonably disturbs the public is prohibited between the hours of 10:00 p.m. and 6:00 a.m. Amplified music containing explicit lyrics is prohibited at any time if audible to the general public.

3. Public Access and Use. The proposed amendments clarify that, except where prohibited by the General Manager, the public has the right to travel over and across Authority land.
4. Picnicking; Camping; Pets; Fires; Swimming. The proposed amendments make specific provision to allow for picnicking on Authority land in designated areas. The amendments prohibit camping, littering, bringing glass containers on Authority land, and unreasonable noise between the hours of 10:00 p.m. and 6:00 a.m. The proposed amendments also address alcohol consumption and intoxication. The amendments make provisions for pets on Authority land and prohibit abandoning animals and grazing livestock. Fires of any kind are prohibited. Swimming in the Highlands Reservoir or in the Canals is prohibited. Natural resources (e.g., timber and gravel) may not be removed from Authority land without prior written approval. In addition to applicable penalties, any person that violates these Rules is subject to removal and/or ban from Authority land.

5. Fishing and Hunting; Firearms; Feral Animals. The amendments make provisions to allow fishing in the Highlands Reservoir and along the Canals, subject to certain restrictions. The amendments prohibit hunting and trapping of animals. The amendments also prohibits the discharge of firearms into, over across or from the Highlands Reservoir or Authority land. The amendments clarify that commercial guide services require a permit from the Authority. Feeding of feral or wild animals on Authority land is prohibited in an effort to discourage feral hogs and nuisance animals. Possessing or introducing exotic or potentially harmful fish, shellfish or aquatic plants or other or other species on Authority Land or into the Reservoir is prohibited.
6. Abandonment of Personal Property. The amendments provide that it is a violation of the Rules to abandon (for a period of 36 or more hours) personal property in the Highlands Reservoir or on Authority Land. The Authority is not under an obligation to attempt to identify or locate the owner of abandoned personal property prior to removing and disposing of same. If the Authority is able to identify the owner, however, removal and storage fees may be assessed against the owner.
7. Commercial Operations. The amendments provide that all commercial operations on the Highlands Reservoir or on Authority land require a permit from SJRA.
8. Raw Water Use. The amendments provide that it is a violation of the Rules to withdraw raw water from the Highlands Reservoir or from the Canals without a permit from the Authority. The definition of a "permit" includes a water supply contract.
9. Encroachments. The amendments provide that private structures and similar physical encroachments placed or constructed within the Highlands Reservoir, along the Canals, or on other Authority land, are prohibited except in strict compliance with a valid permit issued by SJRA.
10. Penalties and Enforcement. The amendments consolidate penalty and enforcement provisions and the rights of the Authority to recover for violations of the Rules. A violation of any part of the Rules is a Class C misdemeanor, which shall be punishable by a fine of not less than \$25.00 or more than \$500 per day per violation. The amendments also provide for recovery of costs (e.g. repair/removal costs for unpermitted encroachments) and attorney fees. A severability provision is included.
11. Implementation. The Rules direct newspaper publication of the amendments be given in accordance with the Authority's enabling legislation. The amended Rules are tentatively scheduled to become effective July 1, 2016, following such publication. The General Manager is authorized to implement the amended Rules. Prior Rules are repealed as of the effective date of the amendments.

The proposed amendments reformat and restructure the Rules. This allows for reference to specific Rule provisions by Chapter, Section, Subsection and Subdivision.