

EXHIBIT E

GENERAL CODE

CHAPTER IX: WATERWAYS AND WATERCRAFT

ARTICLE-SECTION 1 IN GENERAL

Sections:

Sec. G-IX 1.1 Applicability of Chapter

Sec. G-IX 1.2 Definitions

Sec. G-IX 1.3 Littering Beaches or Waterways

Sec. G-IX 1.4 Shooting Across Waterways; Hunting of Waterfowl

Sec. G-IX 1.5 Prohibited Areas for Swimming

Sec. G-IX 1.6 Method of Establishing Boat Launching Areas, Swimming Areas, Areas Where Boats Prohibited, and other Designations Etc.

Sec. G-IX 1.7 Reserved Buoys and Markers

Sec. G-IX 1.8 Penalty for Violations

Sec. G-IX 1.1 Applicability of Chapter

This chapter shall be applicable to and govern all public waters including lakes and rivers or portions thereof situated within the boundaries of the County of Nevada over which the County has police power jurisdiction, either exclusively or concurrently with the United States or the State of California, or both, insofar as the provisions of this chapter do not conflict with applicable statutes or regulations of the United States or the State of California.

Sec. G-IX 1.2 Definitions

The following words and phrases when used in any provision of this chapter shall be construed to have the following meaning:

A. BOAT. The term “boat” shall mean any vessel as defined in Cal. Harb. & Nav. Code § Harbors and Navigation Code Section 651(d).

B. MOTORBOAT. The term “motorboat” shall mean any vessel as defined in Harbors and Navigation Code Section Cal. Harb. & Nav. Code § 651(n-e).

C. AQUAPLANE: The term “aquaplane” shall mean any device including, but not limited to, skis, wakeboards, and other flotation devices used for the transportation of one or more persons upon the surface of the water, and which is pulled or towed by any boat, vehicle or other motive power by means of a rope, chain, cable, wire or other connection. “Aquaplane” shall also mean “Planing”.

D. “Sunset” and “Sunrise” shall also mean “Official Sunset” and “Official Sunrise” as determined by the National Oceanic and Atmospheric Association (NOAH).

E. “Wake” and “Flat Wake” shall mean “Idle Speed”, or a speed no more than 5 MPH where there is no white water.

Sec. G-IX 1.3 Littering Beaches or Waterways

It shall be unlawful to throw, place, deposit or dump, or cause to be thrown, placed, deposited or dumped, any garbage, swill, cans, bottles, papers, ashes, refuse, carcass of any dead animal, offal, trash, rubbish, wire, tacks or any noisome, nauseous or offensive matter or to throw, place, deposit or dump any other substance likely to injure any person, animal or boat upon any of the public beaches or waterways within the County.

Sec. G-IX 1.4 Shooting Across Waterways; Hunting of Waterfowl

It shall be unlawful for any person to shoot any firearms or gun operated by compressed gases or a spring from any boat or across or over any portion of the waters of any lake or reservoir; provided, however, that nothing in this section shall prohibit the shooting of a shotgun from a boat or across a lake or reservoir waters during the lawful waterfowl hunting season for the purpose of killing waterfowl.

Sec. G-IX 1.5 Prohibited Areas for Swimming

It shall be unlawful for any person to swim in any area designated as a no swimming area, or to swim in a location or in such a manner as to create a hazardous or dangerous condition to the swimmer or any other person or object. The provisions of this Section shall not apply to an organized swim event.

Sec. G-IX 1.6 Method of Establishing Boat Launching Areas, Swimming Areas, Areas Where Boats Prohibited, and other Designations ~~Etc.~~

The Board of Supervisors by resolution as to waters under its jurisdiction and the authorized representative of any other public agency as to water under its jurisdiction may designate and cause to be appropriately marked boat launching areas, areas designed exclusively for swimming, areas where swimming is prohibited, areas where boats are prohibited, areas of restricted speed or “slow-areas” and other boating and personnel control signs and devices and change same from time to time as the public safety and welfare may require, and when so marked, it shall be unlawful for any person to fail to comply with such designations.

Sec. G-IX 1.7 ~~Reserved. Buoys and Markers~~

~~Section G-IX 1.7 of Chapter IX, Article 1 of the General Code of the County of Nevada is hereby repealed.~~

Sec. G-IX 1.8 Penalty for Violations

Any person violating the provisions of this Chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine ~~of not more than Five Hundred Dollars~~ or by imprisonment in the County Jail ~~for less than six months~~, or by both such fine and imprisonment. However, at the time a particular action is commenced, the judge may, considering the recommendation of the prosecuting attorney, reduce the charged offense from a misdemeanor to an infraction. Any person convicted of the offense after such a reduction shall be punished by a fine of not less than ten dollars (\$10) nor more than one thousand dollars (\$1,000).

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CHAPTER IX WATERWAYS AND WATERCRAFT

~~ARTICLE~~SECTION -2 ~~MISCELLANEOUS~~ WATERCRAFT REGULATIONS

Sections:

Sec. G-IX 2.1 Owner's Responsibility

Sec. G-IX 2.2 Supervised Boat Racing

Sec. G-IX 2.3 Supervised Water Shows

Sec. G-IX 2.1 Owner's Responsibility

It shall be unlawful for any person owning, possessing or in charge of any boat to knowingly permit such boat to be operated in violation of any of the provisions of this ~~e~~Chapter.

Sec. G-IX 2.2 Supervised Boat Racing

No provision of this ~~C~~chapter shall be construed to prohibit or restrict the operation of any boat actually competing in a race or regatta over a marked racing course which is previously authorized in writing by the public agency having jurisdiction over the waters of such racing course or its duly authorized agent for such purpose, nor to conflict with any of the rules adopted by the agency governing the navigation regulations and other rules governing the conduct of such races.

Sec. G-IX 2.3 Supervised Water Shows

No provision of this ~~C~~chapter shall be construed to prohibit or restrict the operation of any boat, aquaplane or water skier actually participating in a water show which is previously authorized in writing by the public agency having jurisdiction over the waters on which the water show is conducted or its duly authorized agent for such purpose.

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CHAPTER IX: WATERWAYS AND WATERCRAFT ARTICLE SECTION-3 SMALL LAKE REGULATIONS

Sections:

Sec. G-IX 3.1 Small Lake Fishing Special Use Areas

Sec. G-IX 3.2 Speed - Maximum Speed of 10 Miles Per Hour

Sec. G-IX 3.1 Small Lake Fishing Special Use Areas

Milton Reservoir, Martis Creek and Rucker Lake shall be designated as fishing\special use areas. It shall be unlawful to operate any internal combustion engine on such lakes. Said restrictions shall be effective with respect to said lakes upon the posting of notice of said restrictions by signs erected at each established launch ramp at such lakes or at a well-established common entry point.

Sec. G-IX 3.2 Speed - Maximum Speed of 10 Miles Per Hour

The following lakes shall be restricted to a maximum speed of ten miles per hour:

- A. Prosser.
- B. Fuller.
- C. Meadow.
- D. Independence.
- E. Fordyce.
- F. Weaver.
- G. French.
- H. Jackson.
- I. Lower Scott's Flat.
- J. Tollhouse.
- K. Sterling.
- L. Catfish.
- M. McMurray.

N. Sawmill.

O. Carr.

P. Feeley.

Q. White Rock.

R. Blue.

| The speed limit established by this Ssection shall become effective with respect to each lake when notices of said restrictions are posted by signs erected at each established launch ramp at such lakes or at a well-established common entry point.

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CHAPTER IX WATERWAYS AND WATERCRAFT

ARTICLE-SECTION 4 ROLLINS RESERVOIR

Sections:

Sec. G-IX 4.1 Boating Regulations - Rollins Reservoir

Sec. G-IX 4.2 Maximum Speeds

Sec. G-IX 4.3 Speed Zones

Sec. G-IX 4.4 Area Restrictions

Sec. G-IX 4.5 Chartlet

Sec. G-IX 4.6 Exceptions

Sec. G-IX 4.7 Implementation

Sec. G-IX 4.8 Non-Marked Areas

Sec. G-IX 4.9 Amendments

Sec. G-IX 4.10 AquapPlaning and Water Skiing Water-Skiing Restriction

Sec. G-IX 4.11 Greenhorn Creek Inlet - Day Use Only

Sec. G-IX 4.1 Boating Regulations - Rollins Reservoir

Vessels operated on those waters of Rollins Reservoir situated in the County of Nevada and those same waterways Shared with the County of Placer, shall be subject to the restrictions in this Section article.

Sec. G-IX 4.2 Maximum Speeds

The maximum speed of any vessel on the waters of Rollins Reservoir, not otherwise indicated, is fifty (50) miles per hour during those hours from official sunrise to official sunset, and ten (10) miles per hour during those hours from official sunset to official sunrise.

Sec. G-IX 4.3 Speed Zones

FLAT WAKE ZONE. The maximum speed of any vessel in the speed zone areas designated set forth below is five (5) miles per hours which are identified and defined as and a “flat wake” zones.

A. LAUNCH AND MOORING AREAS:

Orchard Springs;

Mouth of Greenhorn Inlet;

Peninsula Launch Ramp Area.

B. FISHING AREAS:

Head of Greenhorn Creek;

Head of Bear River.

Sec. G-IX 4.4 Area Restrictions

SWIM AREAS. Vessels, except non-powered lifeguard boats, rafts, canoes and paddleboats, are prohibited within the following swim areas:

Greenhorn Inlet;

Peninsula Campground Launch Area;

Orchard Springs.

Sec. G-IX 4.5 Chartlet

A. The ~~Chartlet~~ included at the end of this Section article, indicating sSpeed Zones and rRestricted aAreas, shall constitute an integral part of this Section article, and shall be known as the “ROLLINS RESERVOIR USE RESTRICTION CHARTLET”.

B. Restrictions shown on portions of Rollins Reservoir situated in Placer County are shown for informational purposes only.

C. Said Chartlet shall be posted at all boat entries to Rollins Reservoir in Nevada County, and copies shall be made available to the general public at Marinas, and at the Nevada County Sheriff Office. Office of the Sheriff in Nevada City.

Sec. G-IX 4.6 Exceptions

These restrictions do not apply to marked enforcement vessels sanctioned by the Counties of Nevada or Placer, to vessels operated by any governmental entity or to vessels participating in a race sanctioned by the Board of Supervisors of the County of Nevada.

Sec. G-IX 4.7 Implementation

The speed zone and area restrictions of this ~~Section article~~ shall be in full force and effect when marked pursuant to the California Waterway Marking System, Cal. Code Regs. tit. 14 §§ 7000 – 7009. ~~Article 6 of Division 4 of Title 14, of the California Administrative Code.~~

Sec. G-IX 4.8 Non-Marked Areas

The provisions of this ~~Section article~~ do not preclude the operation of ~~Section Cal. Harb. & Nav. Code § 655.2, of the Harbors and Navigation Code~~ in those areas of Rollins Lake not marked pursuant to this Section article.

Sec. G-IX 4.9 Amendments

Amendments to this ~~Section Article~~ pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions of sections governing this”Chartlet” and “Implementation” contained within this Section. G-IX 4.5 and 4.7.

Sec. G-IX 4.10 AquapPlaning and Water-Skiing Restriction

The operation of any boat or watercraft while aquapplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake as shown on the Chartlet.

Sec. G-IX 4.11 Greenhorn Creek Inlet - Day Use Only

Use of the beach area at the Greenhorn Creek Inlet shall be restricted to day use only. Day use is defined as that period of time between official sunrise and official sunset. The beach area is more specifically identified as that portion of land extending from the water level of Rollins Lake to 100 yards inland. Inlet shall be restricted to day use only. No campfires shall be allowed at any time.

Rollins Reservoir Use Restrictions Chart

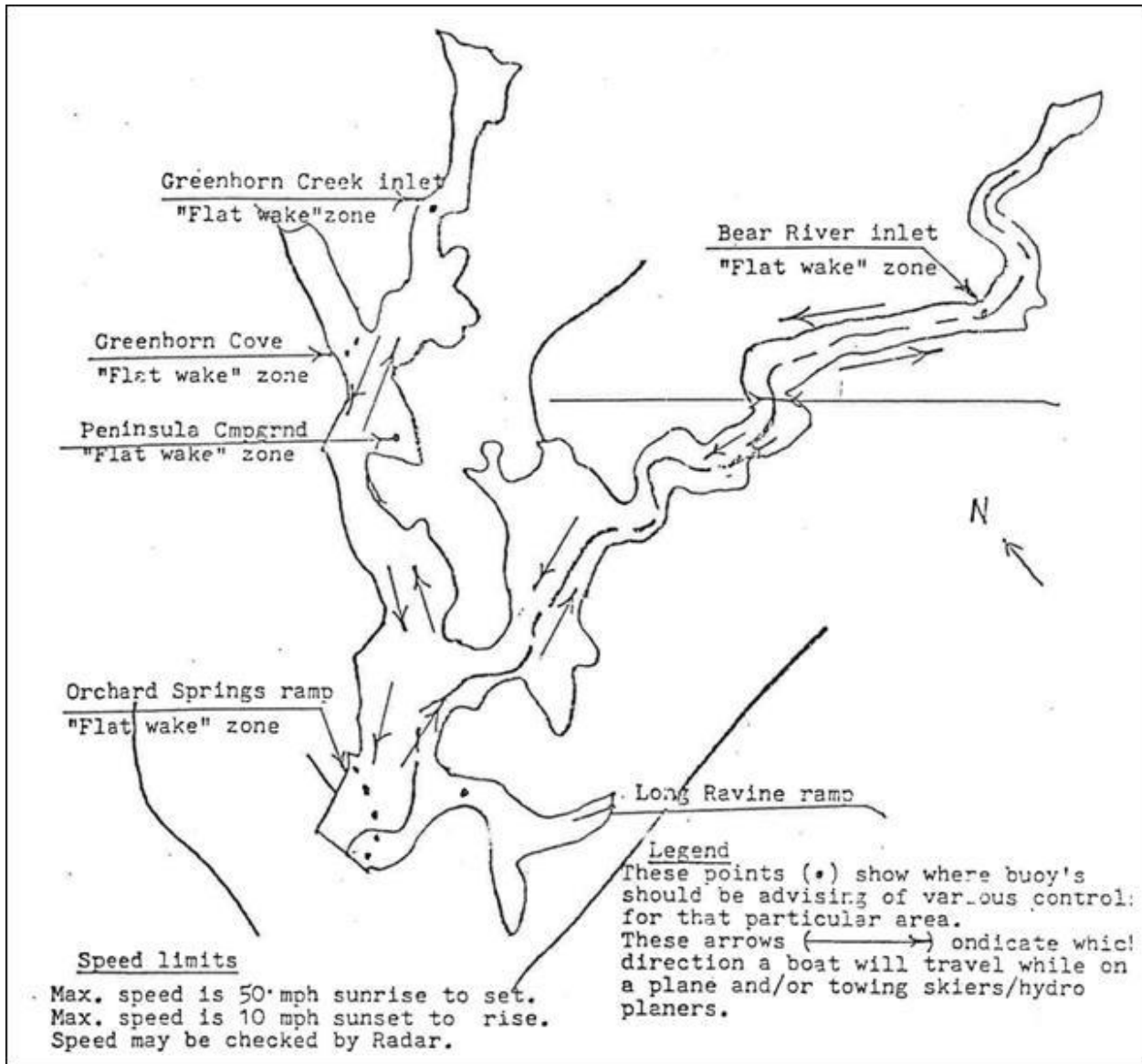


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CHAPTER IX WATERWAYS AND WATERCRAFT

~~ARTICLE~~SECTION 5 LAKE WILDWOOD

Sections:

Sec. G-IX 5.1 Boating Regulations - Lake Wildwood

Sec. G-IX 5.2 Maximum Speeds

Sec. G-IX 5.3 Speed Zones

Sec. G-IX 5.4 Area Restrictions

Sec. G-IX 5.5 Chartlet

Sec. G-IX 5.6 Exceptions

Sec. G-IX 5.7 Implementation

Sec. G-IX 5.8 Non-Marked Areas

Sec. G-IX 5.9 Amendments

Sec. G-IX 5.10 Aquaplaning and ~~Water Skiing~~ Water-Skiing Restriction

Sec. G-IX 5.11 Dam Spillway Restriction

Sec. G-IX 5.1 Boating Regulations - Lake Wildwood

Vessels operated on those waters of Lake Wildwood situated in the County of Nevada shall be subject to the restrictions in this Section. ~~artiele.~~

Sec. G-IX 5.2 Maximum Speeds

The maximum speed of any vessel on the waters of Lake Wildwood, not otherwise indicated, is thirty-five (35) miles per hour from official sunrise to official sunset;:-

The maximum speed from official sunset to official sunrise during weekdays is ten (10) miles per hour;:-

The maximum speed on weekends and holidays between sunset and 8:00 a.m. is ten (10) miles per hour.

At any time of heavy use or other conditions affecting public safety or convenience, the Sheriff of Nevada County may put a special maximum speed limit of five (5) miles per hour into effect on the entirety of the lake. Said special maximum speed limit shall become effective upon the flying of a red flag from the Marina Yardarm accompanied by public address announcements notifying boaters that the restriction is in effect. The Sheriff may authorize the Lake Wildwood Association to make such notice and announcements at times the special speed limit is in effect.

Sec. G-IX 5.3 Speed Zones

FLAT WAKE ZONES. The maximum speed of any vessel in the speed zone areas ~~designated set forth~~ below is five (5) miles per hour which are identified and defined as “Flat Wake” zones.

- A. Within the Marina or within two hundred (200) feet of its entrance.
- B. Waters of the Wildwood Creek Inlet South of Pine Island.
- C. Waters of the Deer Creek Inlet East of the channel entrance adjacent to Forest Circle park.
- D. All waters within 100 feet of shoreline or designated swim areas.

Sec. G-IX 5.4 Area Restrictions

SWIM AREAS. Vessels, except non-powered lifeguard boats, are prohibited within these areas. Swim areas are roped off at Commodore Park (two), Meadow Park, Explorer Park and Vista Park Beaches. ~~Vessels, except non-powered lifeguard boats, are prohibited within these areas.~~

Sec. G-IX 5.5 Chartlet

A. The Chartlet included at the end of this ~~Section article~~, indicating Speed Zones and ~~RR~~restricted ~~AA~~Areas, shall constitute an integral part of this ~~Section, article~~, and shall be known as the “LAKE WILDWOOD USE RESTRICTION CHARTLET”.

B. Said Chartlet shall be posted at the Boat Launch and Marina entrance to Lake Wildwood, and copies shall be made available to all Lake Wildwood Association members by mail. Additional copies will be made available at entry gates, at the Marina and at the Nevada County Sheriff Office. ~~of the Sheriff in Nevada City.~~

Sec. G-IX 5.6 Exceptions

These restrictions do not apply to marked enforcement vessels operated by the County of Nevada, to vessels operated by any governmental entity or to the Lake Wildwood Security Patrol Vessel. Any exceptions other than those above must be sanctioned by the Board of Supervisors of the County of Nevada.

Sec. G-IX 5.7 Implementation

The speed zone and area restrictions of this ~~Section article~~ shall be in full force and effect when marked pursuant to the California Waterway Marking System, Cal. Code Regs. tit. 14 §§ 7000 – 7009. ~~California Waterway Marking System, Article 6 of Division 4 of Title 14, of the California Administrative Code.~~

Sec. G-IX 5.8 Non-Marked Areas

The provisions of this ~~Section article~~ do not preclude the operation of Cal. Harb. & Nav. Code § Section 655.2 of the Harbors and Navigation Code in those areas of Lake Wildwood not marked pursuant to this ~~Section. article.~~

Sec. G-IX 5.9 Amendments

Amendments to this ~~Section article~~ pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions governing the “Chartlet” and “Implimentation” contained in this Section. ~~of sections G-IX 5.5 and 5.7.~~

Sec. G-IX 5.10 Aquaplaning and Water Skiing Water-Skiing Restriction

The operation of any boat or watercraft while aquaplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake as shown on the Chartlet.

Sec. G-IX 5.11 Dam Spillway Restriction

It shall be unlawful for any person to swim within 100 feet of, or stand, walk or sit on the spillway of Lake Wildwood Dam.

Lake Wildwood Use Restriction ~~Chart~~Chartlet

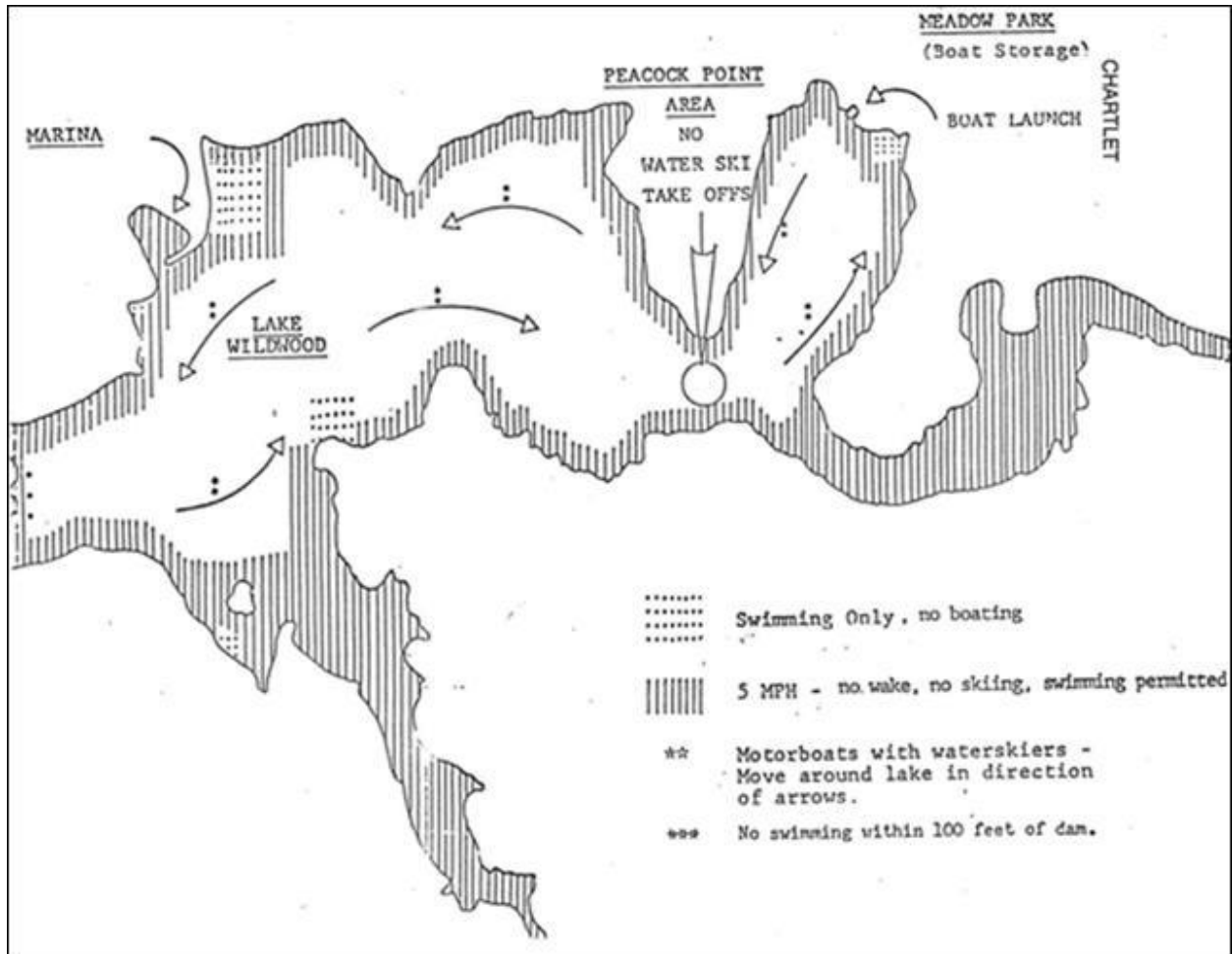


EXHIBIT E

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CHAPTER IX WATERWAYS AND WATERCRAFT

ARTICLE-SECTION 6 ENGLEBRIGHT LAKE

Sections:

Sec. G-IX 6.1 Boating Regulations – Englebright Lake Applicability

Sec. G-IX 6.2 Vessel Operation Permit

Sec. G-IX 6.3 Maximum Speeds

Sec. G-IX 6.4 Water Skiing Restrictions

Sec. G-IX 6.5 Chartlet

Sec. G-IX 6.6 Exceptions

Sec. G-IX 6.7 Implementation

Sec. G-IX 6.8 Non-Marked Areas

Sec. G-IX 6.9 Amendments

Sec. G-IX 6.10 Aquaplaning and Water-Skiing Restriction

Sec. G-IX 6.11 Dam and Spillway Restrictions

Sec. G-IX 6.12 Speed Zones

Sec. G-IX 6.1 Boating Regulations – Englebright Lake Applicability

Vessels operated on those waters of Englebright Lake situated in the County of Nevada shall be subject to the restrictions provided in this Section article.

Sec. G-IX 6.2 Vessel Operation Permit

A. All privately owned vessels, described as fishing barges, pontoon boats or similar vessels, operated on project waters, will require an operational permit. This permit must be carried aboard the craft at all times and may be revoked at any time if the vessel is found to be unsafe. The Army Corps of Engineers Project Manger shall have the authority to issue such operation permits and inspect for unsafe conditions.

B. No watercraft of this type with a hull size exceeding a beam width of 10 feet or a length of 30 feet, shall be placed on these reservoirs. Hull measurements will be overall, including pontoons decking, walkways or any other appurtenances.

C. Effective this date, no new craft of this type, which utilizes drums, barrels, bottles, flasks or similar unsafe materials for flotation, will be issued an operational permit. Further, operational permits for existing craft utilizing these types of flotation will not be renewed after 1 January 1978.

D. All Federal State or County water pollution and sanitation rules and regulations are in effect at these reservoirs. Therefore, all watercraft containing a toilet or galley facility must be in conformance with applicable rules and regulations before use will be permitted.

Sec. G-IX 6.3 Maximum Speeds

The maximum speed of any vessel on the waters of Englebright Lake, not otherwise indicated, is fifty (50) miles per hour from official sunrise to official sunset.

The maximum speed from official sunset to official sunrise is twenty (20) miles per hour unless otherwise indicated.

Sec. G-IX 6.4 Water-Skiing Restrictions

A. No water skiing shall be permitted upstream from the Eastern end of Upper Boston Bar.

B. The Sheriff of the County of Nevada may close additional areas to water-skiing or open any restricted areas whenever they he deems it necessary to protect the public health and safety.

Sec. G-IX 6.5 Chartlet

A. The Chartlet included at the end of this Section article, indicating speed zones and restricted areas, shall constitute an integral part of this Section article, and shall be known as the “ENGLEBRIGHT LAKE USE RESTRICTION CHARTLET.”

B. Said Chartlet shall be posted at all boat entries to Englebright Lake. Copies shall be made available at the Nevada County Sheriff's Office and the project office at Englebright Lake.

Sec. G-IX 6.6 Exceptions

These restrictions do not apply to marked enforcement vessels operated by the County of Nevada nor to vessels operated by any governmental entity. Any exceptions other than those above must be sanctioned by the Board of Supervisors of the County of Nevada.

Sec. G-IX 6.7 Implementation

The speed zone and area restrictions of this ~~Section article~~ shall be in full force and effect when marked pursuant to the California Waterway Marking System, Cal. Code Regs. tit. 14 §§ 7000 – 7009. ~~Article 6 of Division 4 of Title 14, of the California Administrative Code.~~

Sec. G-IX 6.8 Non-Marked Areas

The provisions of this ~~Section article~~ do not preclude the operation of ~~Section Cal. Harb. & Nav. Code § 655.2 of the Harbors and Navigation Code~~ in those areas of Englebright Lake not marked pursuant to this ~~Section. article.~~

Sec. G-IX 6.9 Amendments

Amendments to this ~~Section article~~ pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions governing the “Chartlet” and “Implementation” contained within this Section. ~~of sections G-IX 6.5 and 6.7.~~

Sec. G-IX 6.10 AquapPlaning and Water-Skiing Restriction

The operation of any boat on watercraft while aquapplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake, as shown on Chartlet.

Sec. G-IX 6.11 Dam and Spillway Restrictions

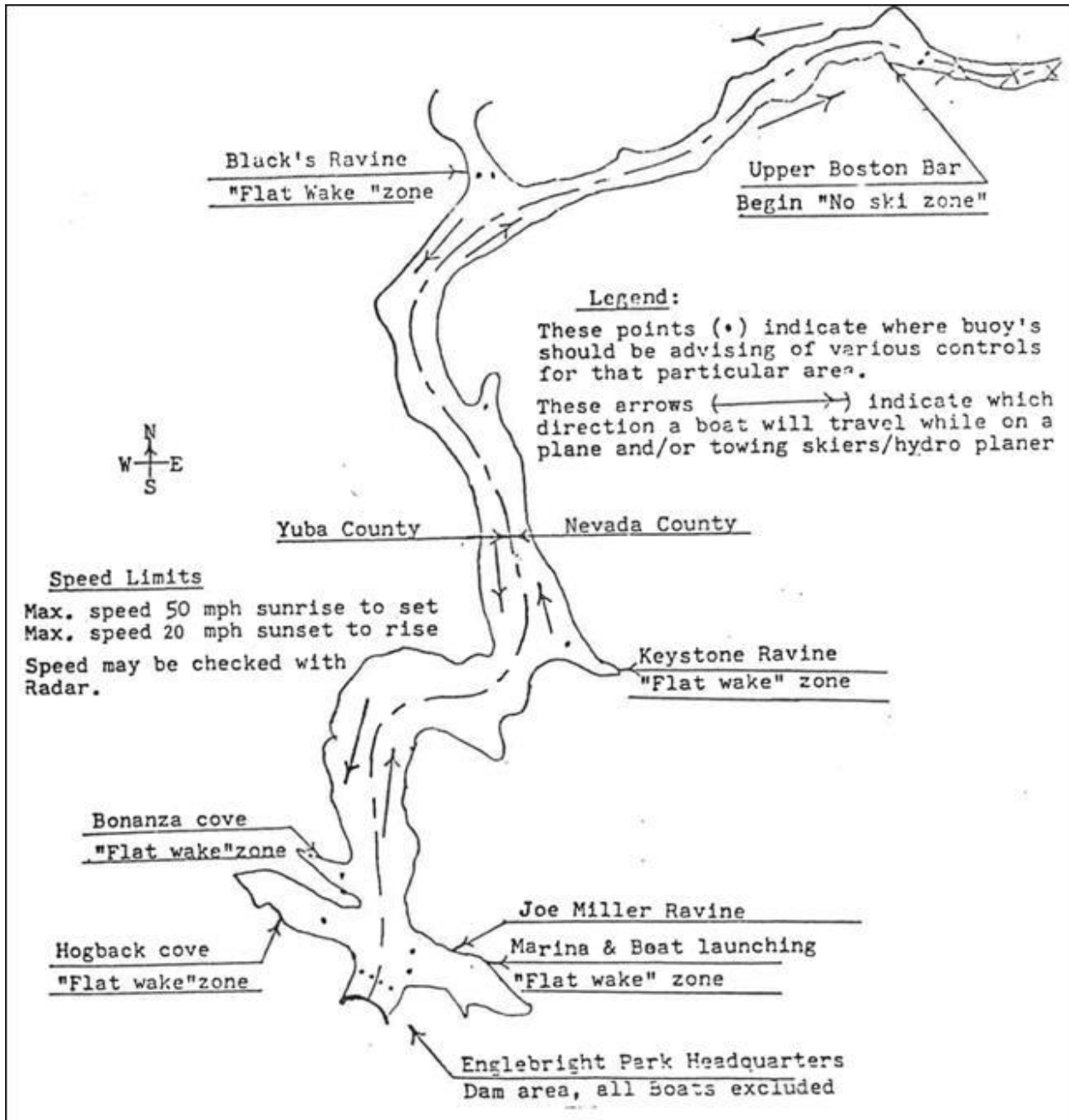
All boats and watercraft are prohibited within the area enclosed by the buoy line in the vicinity of the dam and spillway. It shall be unlawful for any person to swim within 100 feet of, or stand, walk or sit on the spillway of Englebright Dam.

Sec. G-IX 6.12 Speed Zones

FLAT WAKE ZONE. The maximum speed of any vessel in the speed zone areas designated set forth below is five (5) miles per hour, which are identified and defined as “flat wake” zones.

- A. Within the marina area.
- B. Keystone Ravine.
- C. Longs Cove.
- D. South Yuba.
- E. Upstream of the Confluence of the North Yuba and South Yuba below Pt. Defiance.
- F. Hogback Ravine.
- G. Bonanza Cove.
- H. Black’s Ravine.

Englebright Lake Use Restriction ~~Chart~~ Chartlet



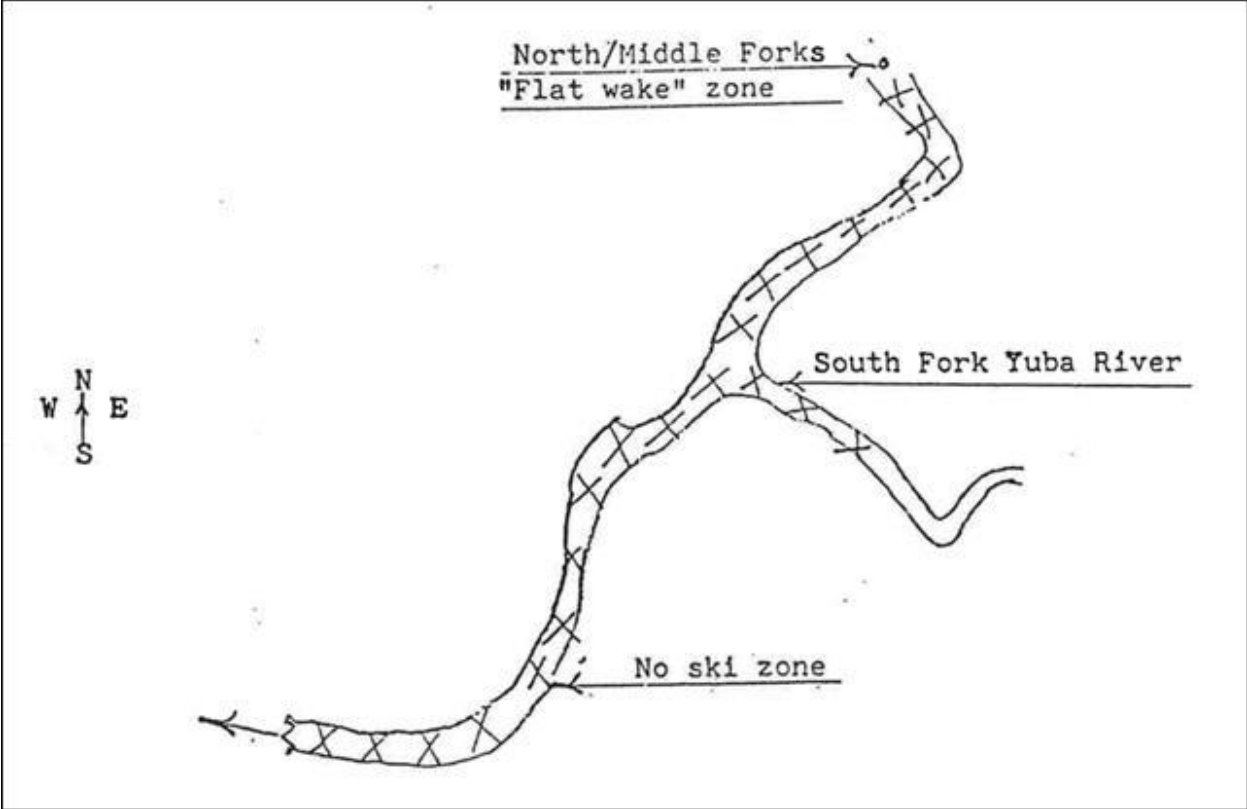


EXHIBIT E

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CHAPTER IX WATERWAYS AND WATERCRAFT

~~ARTICLE~~SECTION-7 DONNER LAKE

Sections:

Sec. G-IX 7.1 Boating Regulations - Donner Lake

Sec. G-IX 7.2 Maximum Speeds

Sec. G-IX 7.3 Speed Zones

Sec. G-IX 7.4 Chartlet

Sec. G-IX 7.5 Exceptions

Sec. G-IX 7.6 Implementation

Sec. G-IX 7.7 Non-Marked Areas

Sec. G-IX 7.8 Amendments

Sec. G-IX 7.9 AquapPlaning and Water Skiing ~~Water-Skiing~~ Restriction

Sec. G-IX 7.1 Boating Regulations - Donner Lake

Vessels operated on those waters of Donner Lake situated in the County of Nevada shall be subject to the restrictions of this Section ~~article~~.

Sec. G-IX 7.2 Maximum Speeds

The maximum speed, unless otherwise restricted, of any vessel on the waters of Donner Lake is thirty-five (35) miles per hour from official sunrise until official sunset, and is ten (10) miles per hour from official sunset until official sunrise.

Sec. G-IX 7.3 Speed Zones

FLAT WAKE ZONES. The maximum speed of any vessel in the speed zone areas set forth below is five (5) miles per hour, which are identified and defined as “Flat Wake” zones.

- A. Within 200 feet of the west end of Donner Creek outlet launch ramp area;
- B. Within 200 feet of the “public” or north side launch ramp area;

- C. Within 200 feet of the “Tahoe Donner” properties or east side launch area;
- D. Within the mouth of the Donner Creek inlet on the east side.

Sec. G-IX 7.4 Chartlet

A. The Chartlet included at the end of this Section article, ~~marked Exhibit “A”, and incorporated herein by reference~~ indicating speed zones and restricted areas, shall constitute an integral part of this Section article and shall be known as the “DONNER LAKE USE RESTRICTION CHARTLET.”

B. Said Chartlet shall be posted at all boat entries to Donner Lake and copies shall be made available at the Nevada County Sheriff’s Office, ~~of the Sheriff in Nevada City, California and Truckee, California.~~

Sec. G-IX 7.5 Exceptions

These restrictions do not apply to marked law enforcement vessels operated by the County of Nevada, to vessels operated by any governmental entity. Any exemptions other than those above must be sanctioned by the Board of Supervisors of the County of Nevada.

Sec. G-IX 7.6 Implementation

The speed zone and area restrictions of this Section article shall be in full force and effect when marked pursuant to the California Waterway Marking System, Cal. Code Regs. tit. 14 §§ 7000 – 7009. Article 6 of Division 4 of Title 14 of the California Administrative Code.

Sec. G-IX 7.7 Non-Marked Areas

The provisions of this Section article do not preclude the operation of Section Cal. Harb. & Nav. Code § 655.2 of the Harbors and Navigation Code in those areas of Donner Lake not marked pursuant to this Section article.

Sec. G-IX 7.8 Amendments

Amendments to this Section article pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions ~~of~~

governing the "Chartlet" and "Implementation" contained within this Section. s-G-IX 7.4 and 7.6.

Sec. G-IX 7.9 Aquaplaning and Water-Skiing Restriction

The operation of any boat or watercraft while planing aquaplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake.

Donner Lake Use Restriction Chart

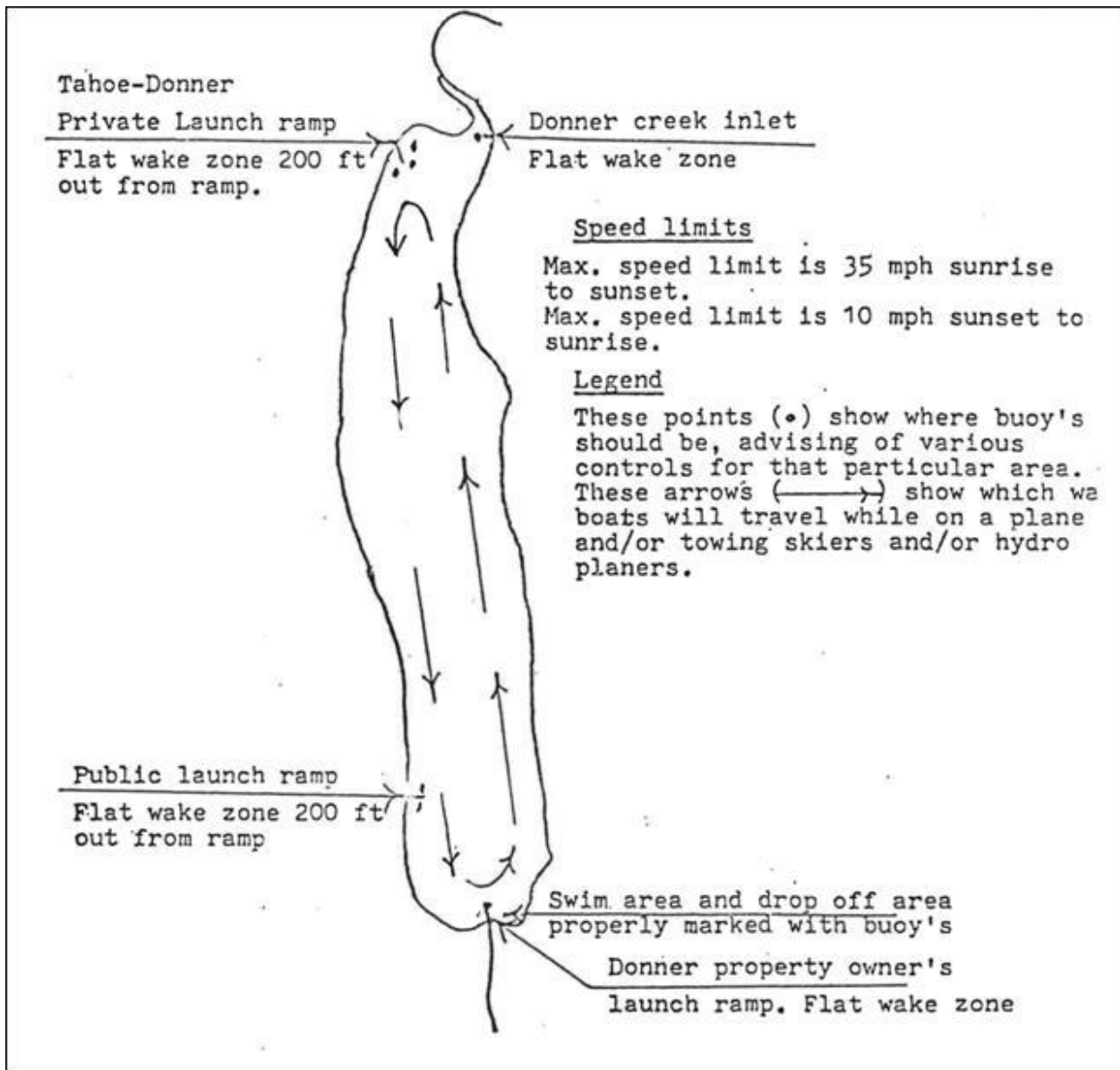


EXHIBIT E

GENERAL CODE

CHAPTER IX WATERWAYS AND WATERCRAFT

~~ARTICLE~~ SECTION 8 LAKE OF THE PINES

Sections:

Sec. G-IX 8.1 Boating Regulations - Lake of the Pines

Sec. G-IX 8.2 Maximum Speeds

Sec. G-IX 8.3 Speed Zones

Sec. G-IX 8.4 Area Restrictions

Sec. G-IX 8.5 Chartlet

Sec. G-IX 8.6 Exceptions

Sec. G-IX 8.7 Implementation

Sec. G-IX 8.8 Regulation of Lake

Sec. G-IX 8.9 Amendments

Sec. G-IX 8.10 Aquaplaning and Water Skiing ~~Water-Skiing~~ Restriction

Sec. G-IX 8.1 Boating Regulations - Lake of the Pines

Vessels operated on those waters of Lake of the Pines situated in the County of Nevada shall be subject to the restrictions of this ~~Section. article.~~

Sec. G-IX 8.2 Maximum Speeds

The maximum speed of any vessel on the waters of Lake of the Pines not otherwise restricted to five (5) miles per hour, as set forth in this Section, ~~G-IX 8.3~~, is thirty-five (35) miles per hour from official sunrise to official sunset.

The maximum speed from official sunset to official sunrise during weekdays is five (5) miles per hour.

The maximum speed on weekends and holidays between official sunset and 7:00 a.m. is five (5) miles per hour.

Sec. G-IX 8.3 Speed Zones

FLAT WAKE ZONES: For the purpose of this ~~Section Article~~, Flat Wake Zones are those portions of Lake of the Pines lying between the shore and the 5 mph buoys. The maximum speed of any vessel within a Flat Wake Zone is five (5) miles per hour. Flat Wake Zones are identified in the Chartlet, ~~attached hereto as Exhibit "A", as set forth in Section G-IX 8.5.~~ All aquaplaning is prohibited within 10 feet of any buoy.

Sec. G-IX 8.4 Area Restrictions

SWIM AREAS. Swim areas are roped off at the Main Beach, Shadow Cove Park Beach, Sandy Point Park Beach, Southshore Park Beach, Green Valley Park Beach, and Sun Terrace Park Beach. Vessels, except non-powered lifeguard boats, are prohibited within these areas. Swim areas are identified in the Chartlet, ~~attached hereto as Exhibit "A", as set forth in Section G-IX 8.5.~~

Sec. G-IX 8.5 Chartlet

A. The Chartlet included at the end of this ~~Section article, marked Exhibit "A", and incorporated herein by reference~~ indicating ~~s~~Speed ~~z~~Zones and ~~r~~Restricted ~~a~~Areas, shall constitute an integral part of this ~~Section article~~ and shall be known as the "LAKE OF THE PINES USE RESTRICTION CHARTLET".

B. Said Chartlet shall be made available to all Lake of the Pines Association members, and shall be posted at significant access points to the lake.

Sec. G-IX 8.6 Exceptions

These restrictions do not apply to marked law enforcement vessels operated by the County of Nevada or governmental entity, or to the Lake of the Pines Association marked security vessels.

Sec. G-IX 8.7 Implementation

The speed zone and area restrictions of this ~~Section article~~ shall be in full force and effect when marked pursuant to the California Waterway Marking System, Cal. Code Regs. tit. 14 §§ 7000 – 7009. Article VI at Division 4 of Title 14 of the California Administrative Code.

Sec. G-IX 8.8 Regulation of Lake

It is the intent of the County of Nevada by adoption of this ordinance to fully regulate the time-of-day, speed zones, and special use areas upon all portions of the lake as authorized by ~~Harbors and Navigation Code Section~~ Cal. Harb. & Nav. Code § 660.

Sec. G-IX 8.9 Amendments

Amendments to this ~~Section article~~ pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions governing the “Chartlet” and “Implementation” contained within this Section. of Sections G-IX 8.5 and 8.7.

Sec. G-IX 8.10 Aquaplaning and Water Skiing Restriction

The operation of any boat or watercraft while aquaplaning or towing shall be in a counter-clockwise direction around the lake as shown on the Chartlet.

Lake of the Pines Use Restriction ~~Chart~~Chartlet

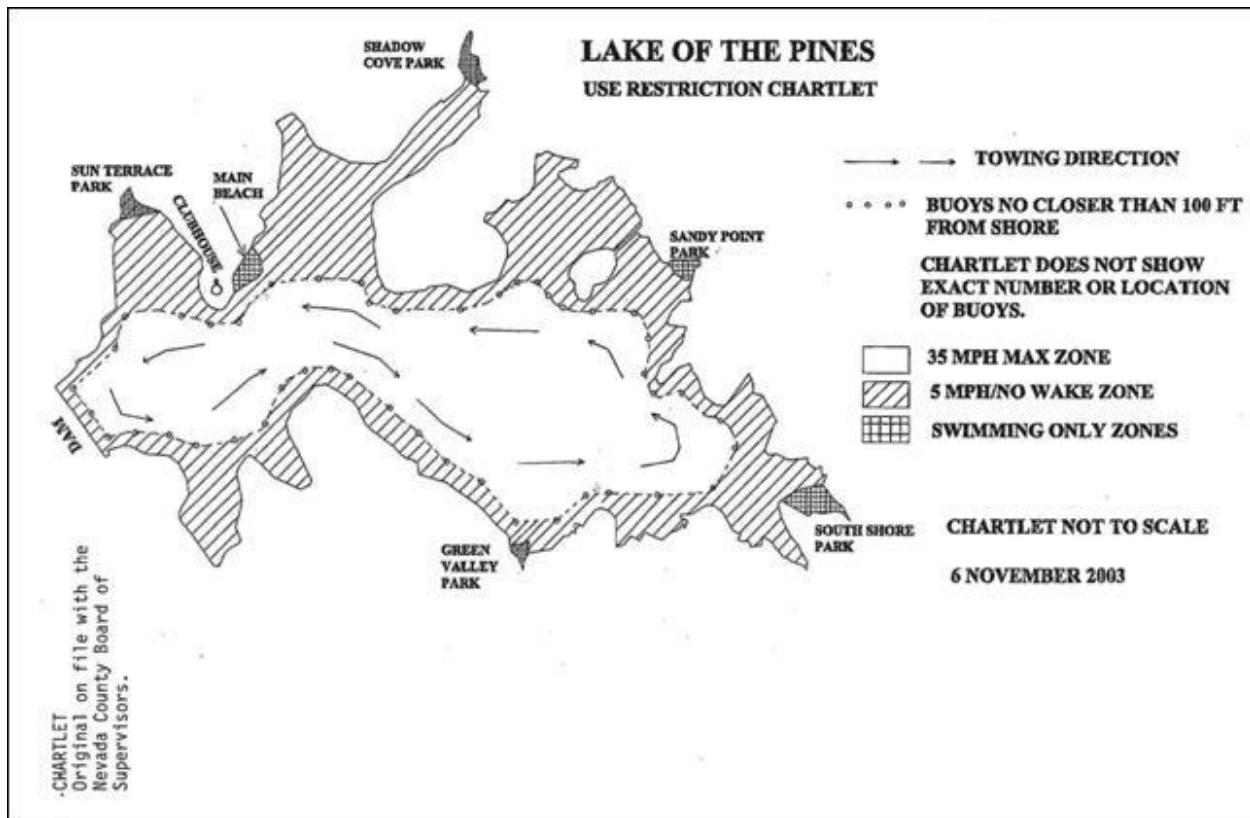


EXHIBIT E

**GENERAL CODE
CHAPTER IX WATERWAYS AND WATERCRAFT
ARTICLE SECTION-9 BOCA RESERVOIR**

Sections:

Sec. G-IX 9.1 Boating Regulations - Boca Reservoir.

Sec. G-IX 9.2 Maximum Speeds

Sec. G-IX 9.3 Speed Zones

Sec. G-IX 9.4 Chartlet

Sec. G-IX 9.5 Exceptions

Sec. G-IX 9.6 Implementation

Sec. G-IX 9.7 Non-Marked Areas

Sec. G-IX 9.8 Amendments

Sec. G-IX 9.9 Aquaplaning and Water Skiing Water-Skiing Restriction

Sec. G-IX 9.1 Boating Regulations - Boca Reservoir

Vessels operated on those waters of Boca Reservoir situated in the County of Nevada shall be subject to the restrictions of this Section. article

Sec. G-IX 9.2 Maximum Speeds

The maximum speed of any vessel on the waters of Boca Reservoir, not otherwise indicated, is forty-five (45) miles per hour from official sunrise to official sunset.

The maximum speed from official sunset to official sunrise, not otherwise indicated, is ten (10) miles per hour.

Sec. G-IX 9.3 Speed Zones

FLAT WAKE ZONES. The maximum speed of any vessel in the speed zone areas designated below is five (5) miles per hour, which are identified and defined as “flat wake” zones.

- A. South Cove.
- B. Boca Campground Cove.
- C. North Cove.
- D. Dry Creek Cove.
- E. Boca Rest Campground Cove.
- F. Ski Jump Cove.
- G. East Cove.
- H. West Cove.

The maximum speed of any vessel in the speed zone areas designated above is forty-five (45) miles per hour when the vessel is operated by a member of the waterski club during a marine event conducted over the courses established, marked, and controlled by the authority of the Nevada County Sheriff's Office. ~~Department of the County of Nevada.~~ This paragraph shall not be effective until the waterski club has obtained a permit from the Nevada County Sheriff's Office Department pursuant to Section Cal. Harb. & Nav. Code § 268. ~~of the Harbor and Navigations Code.~~ The permit shall specify on what day(s) and between such hours the event may be conducted. The fee for the permit shall be set by resolution of the Board of Supervisors. (Ord. 2413, ~~(06/28/2016)~~).

Sec. G-IX 9.4 Chartlet

A. The Chartlet included at the end of this Section article ~~marked Exhibit "A" and incorporated herein by reference~~ indicating sSpeed zZones and rRestricted aAreas, shall constitute an integral part of this Section article and shall be known as the "BOCA RESERVOIR USE RESTRICTION CHARTLET."

B. Said Chartlet shall be posted at all boat entries to Boca Reservoir. Additional copies will be made available at the Nevada County Sheriff's Office. ~~of the Sheriff in Nevada City, California, and Truckee, California.~~

Sec. G-IX 9.5 Exceptions

These restrictions do not apply to marked enforcement vessels operated by the County of Nevada, nor to vessels operated by any governmental entity. Any exceptions other than those above must be sanctioned by the Board of Supervisors of the County of Nevada.

Sec. G-IX 9.6 Implementation

The speed zone and area restrictions of this Section article shall be in full force and effect when marked pursuant to the Cal. Code Regs. tit.14 §§ 7000 – 7009. ~~California Waterway Marking System, Article VI at Division 4 of Title 14 of the California Administrative Code.~~

Sec. G-IX 9.7 Non-Marked Areas

The provisions of this Section article do not preclude the operation of Cal. Harb. & Nav. Code § Section 655.2 ~~of the Harbors and Navigation Code of the State of California~~ in those areas of the Boca Lake not marked pursuant to this Section article.

Sec. G-IX 9.8 Amendments

Amendments to the ~~Section article~~ pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions governing the “Chartlet” and “Implementation” of contained within this Section. s-G-IX 9.4 and 9.6.

Sec. G-IX 9.9 Aquaplaning and ~~Water Skiing~~ Water-Skiing Restriction

The operation of any boat or watercraft while aquaplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake, as shown on Chartlet.

Boca Reservoir Use Restriction ~~Chart~~Chartlet

CHARTLET - BOCA RESERVOIR

Coves:

- . South Cove
- B. Boca Campground Cove
- ^ North Cove
- ~ Dry Creek Cove
- E. Boca Rest Campground Cove
- F. Ski Jump Cove
- G. East Cove
- H. West Cove

Legend: These (●) show where signs should be posted at the entrance points to each cove advising of various controls for that particular area. These arrows → indicate which direction a boat will travel while on a plane and/or towing skiers or hydro planers.

Speed Limit:

- Max. speed - 45 mph sunrise to sunset
- Max. speed - 10 mph sunset to sunrise

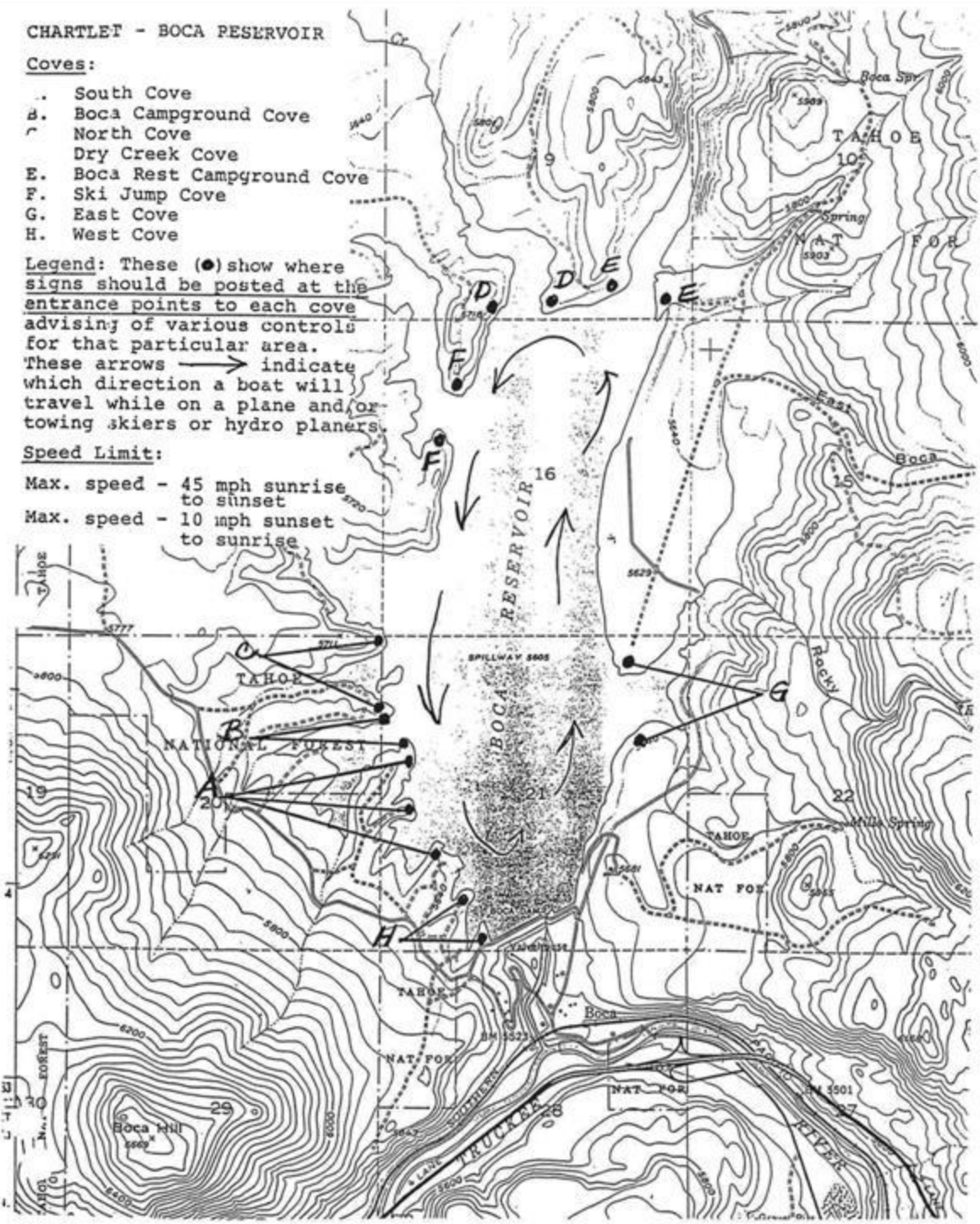


EXHIBIT E

GENERAL CODE

CHAPTER IX WATERWAYS AND WATERCRAFT

ARTICLE SECTION 10 SCOTTS FLAT LAKE

Sections:

Sec. G-IX 10.1 Boating Regulations – Scotts Flat Lake Applicability

Sec. G-IX 10.2 Maximum Speeds

Sec. G-IX 10.3 Speed Zones

Sec. G-IX 10.4 AquaPlaning and Water Skiing Water-Skiing Restriction

Sec. G-IX 10.5 Chartlet

Sec. G-IX 10.6 Exceptions

Sec. G-IX 10.7 Implementation

Sec. G-IX 10.8 Non-Marked Areas

Sec. G-IX 10.9 Amendments

Sec. G-IX 10.10 Personal Watercraft Prohibited

Sec. G-IX 10.11 Overnight Camping Prohibitions

Sec. G-IX 10.1 Boating Regulations – Scotts Flat Lake Applicability

Vessels operated on those waters of Scotts Flat Lake situated in the County of Nevada shall be subject to the restrictions provided in this Section, article.

Sec. G-IX 10.2 Maximum Speeds

The maximum speed of any vessel on the waters of Scotts Flat Lake, not otherwise indicated, is forty-five (45) miles per hour from official sunrise to official sunset.

The maximum speed from official sunset to official sunrise during weekdays is ten (10) miles per hour.

Sec. G-IX 10.3 Speed Zones

FLAT WAKE ZONES. The maximum speed of any vessel in the speed zone areas ~~designated set forth~~ below is five (5) miles per hour, which are identified and defined as “Flat Wake” zones.

- A. Within Deer Creek inlet.
- B. Within the west side marina and launch area.
- C. Within 200 feet of Cascade Shores launch area.

Sec. G-IX 10.4 Aquaplaning and ~~Water Skiing~~ Water-Skiing Restriction

The operation of any boat or watercraft while aquaplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake, as shown on Chartlet.

Sec. G-IX 10.5 Chartlet

A. The Chartlet included at the end of this Section article, indicating speed zones and restricted areas, shall constitute an integral part of this Section article, and shall be known as the “SCOTTS FLAT LAKE USE RESTRICTION CHARTLET”.

B. Said Chartlet shall be posted at all boat entries to Scotts Flat Lake. Copies shall be made available at the Nevada County Sheriff’s Office.

Sec. G-IX 10.6 Exceptions

These restrictions do not apply to marked enforcement vessels operated by the County of Nevada nor to vessels operated by any governmental entity. Any exceptions other than those above must be sanctioned by the Board of Supervisors of the County of Nevada.

Sec. G-IX 10.7 Implementation

The speed zone and area restrictions of this Section articles shall be in full force and effect when marked pursuant to the California Waterway Marking System, Cal. Code Regs. tit. 14 §§ 7000 – 7009. ~~Article 6 of Division 4 of Title 14, of the California Administrative Code.~~

Sec. G-IX 10.8 Non-Marked Areas

The provisions of this ~~Section article~~ do not preclude the operation of Cal. Code Harb. & Nav. § Section 655.2 of the Harbors and Navigation Code in those areas of Scotts Flat Lake not marked pursuant to this ~~Section. article.~~

Sec. G-IX 10.9 Amendments

Amendments to this ~~Section article~~ pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions of governing “Chartlet” and “Implementation” contained within this Section. s G-IX 10.5 and 10.7.

Sec. G-IX 10.10 Personal Watercraft Prohibited

Scotts Flat Lake is hereby designated a special use area for the purpose of prohibiting the use of personal watercraft on Scotts Flat Lake. Personal watercraft, as defined in Cal. Harb. & Nav. Code § this section and Harbors & Navigation Code Section 651, shall be prohibited from operating on Scotts Flat Lake. Personal watercraft shall include, but not be limited to, any vessel 13 feet in length or less, propelled by machinery, that is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than in the conventional manner of sitting or standing inside the vessel. Personal watercraft shall include jet skis, WaveRunners, Sea-Doos, and other recreational personal watercraft. This ~~S~~section shall not apply to any type of fishing boat, sailboat, yacht, recreational, or water-ski boat, or any boat of a similar nature and purpose.

Sec. G-IX 10.11 Overnight Camping Prohibitions

Use of the shoreline at Scotts Flat Lake shall be restricted to day use only, except for those areas designated for overnight camping. Day use is defined as that period of time between official sunrise and official sunset. Overnight camping, mooring of boats (except in designated areas), and all campfires shall be prohibited with the exception of those portions of the Scotts Flat Lake which are designated for overnight use.

Scotts Flat Lake Use Restriction ~~Chart~~Chartlet

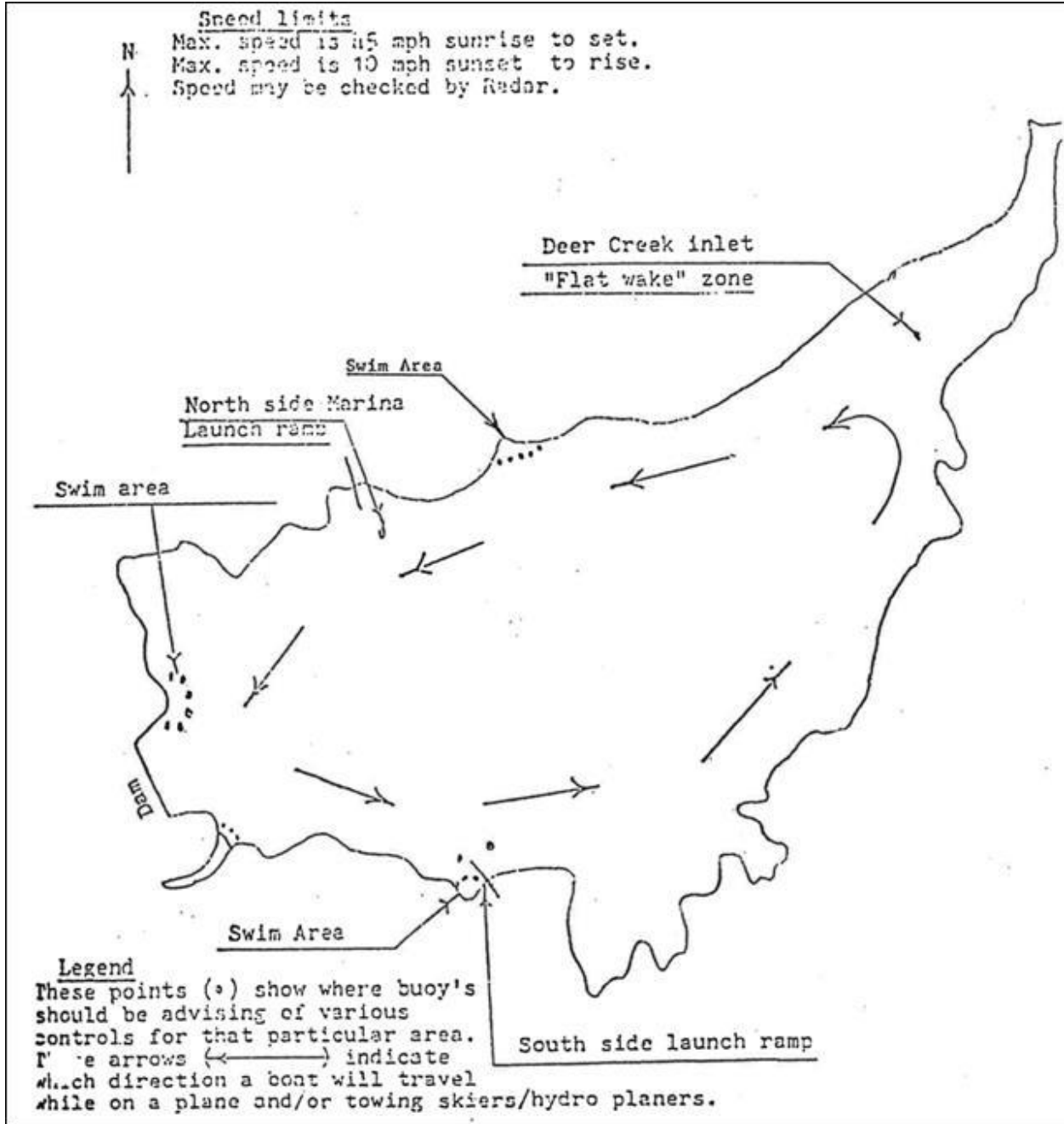


EXHIBIT E

GENERAL CODE

CHAPTER IX WATERWAYS AND WATERCRAFT

ARTICLE SECTION-11 SPAULDING LAKE

Sections:

Sec. G-IX 11.1 Boating Regulations – Spaulding Lake Applicability

Sec. G-IX 11.2 Maximum Speeds

Sec. G-IX 11.3 Speed Zone

Sec. G-IX 11.4 Aquaplaning and Water Skiing Water-Skiing Restriction

Sec. G-IX 11.5 Chartlet

Sec. G-IX 11.6 Exceptions

Sec. G-IX 11.7 Implementation

Sec. G-IX 11.8 Non-Marked Areas

Sec. G-IX 11.9 Amendments

Sec. G-IX 11.1 Boating Regulations – Spaulding Lake Applicability

Vessels operated on those waters of Spaulding Lake situated in the County of Nevada shall be subject to the restrictions provided in this Section article.

Sec. G-IX 11.2 Maximum Speeds

The maximum speed of any vessel on the waters of Spaulding Lake, not otherwise indicated, is thirty-five (35) miles per hour from official sunrise to official sunset.

The maximum speed from official sunset to official sunrise during weekdays is ten (10) miles per hour.

Sec. G-IX 11.3 Speed Zone

FLAT WAKE ZONE. The maximum speed of any vessel in the speed zone area set forth below is five (5) miles per hour, which is identified and defined as a “Flat Wake Zone”.

A. Within 200 feet of boat launch ramp, dams or operating facilities of Pacific Gas and Electric Company.

Sec. G-IX 11.4 Aquaplaning and Water Skiing Restriction

The operation of any boat or watercraft while aquaplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake, as shown on Chartlet.

Sec. G-IX 11.5 Chartlet

A. The Chartlet included at the end of this Section article, indicating speed zones and restricted areas, shall constitute an integral part of this Section article, and shall be known as the “SPAULDING LAKE USE RESTRICTION CHARTLET”.

B. Said Chartlet shall be posted at all boat entries to Spaulding Lake. Copies shall be made available at the Nevada County Sheriff’s Office.

Sec. G-IX 11.6 Exceptions

These restrictions do not apply to marked enforcement vessels operated by the County of Nevada nor to vessels operated by any governmental entity. Any exceptions other than those above must be sanctioned by the Board of Supervisors of the County of Nevada.

Sec. G-IX 11.7 Implementation

The speed zone and area restrictions of this Section article shall be in full force and effect when marked pursuant to the California Waterway Marking System, Cal. Code Regs. tit. 14 § 7000 – 7009. Article 6 of Division 4 of Title 14, of the California Administrative Code.

Sec. G-IX 11.8 Non-Marked Areas

The provisions of this Section article do not preclude the operation of Section Cal. Harb. & Nav. Code § 655.2 of the Harbors and Navigation Code in those areas of Spaulding Lake not marked pursuant to this Section. article.

Sec. G-IX 11.9 Amendments

Amendments to this Section article pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions of sections governing "Chartlet" and "Implementation" contained within this Section. G-IX 11.5 and 11.7.

Spaulding Lake Use Restriction ~~Chart~~Chartlet

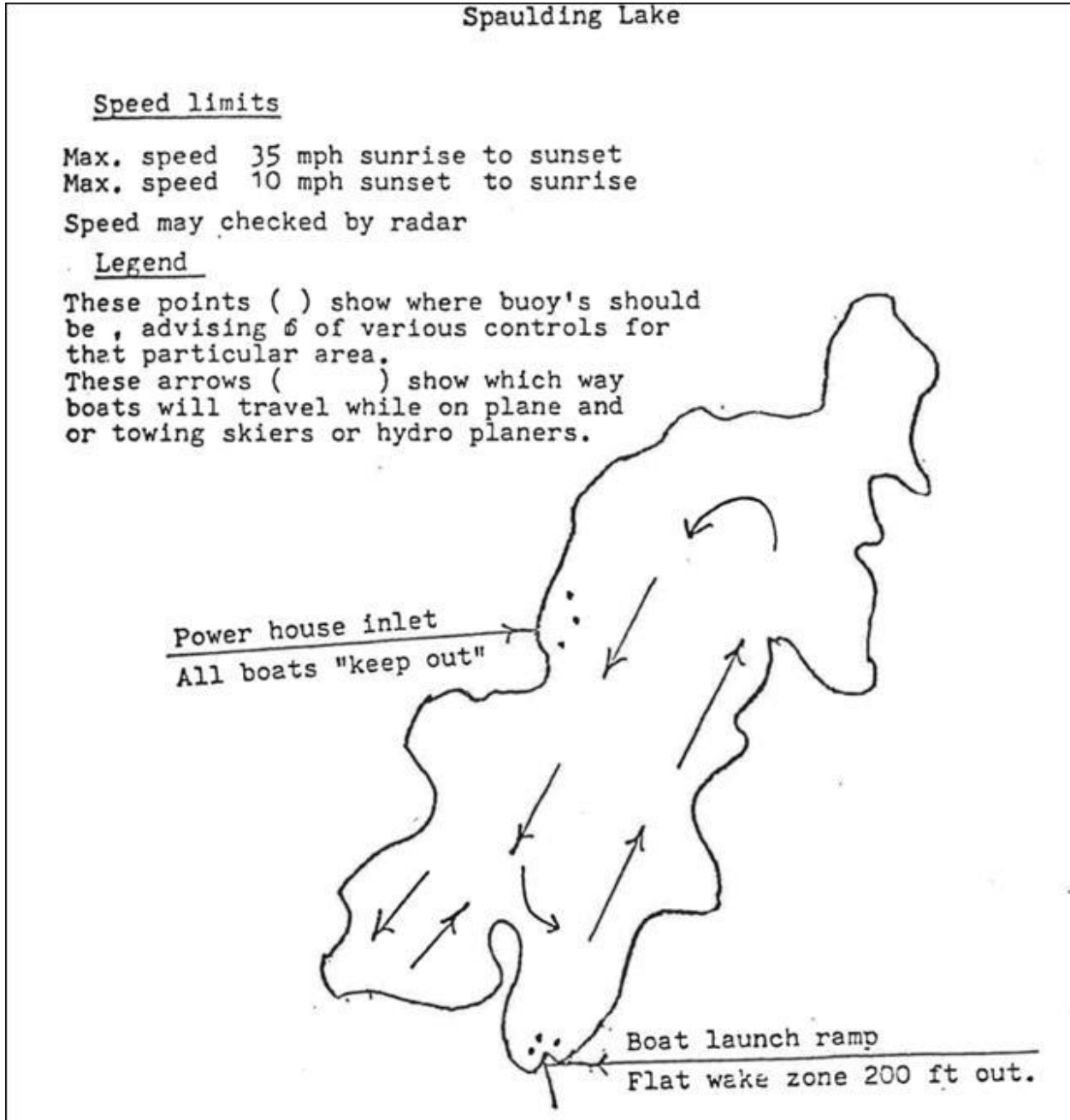


EXHIBIT E

GENERAL CODE

CHAPTER IX WATERWAYS AND WATERCRAFT

ARTICLE SECTION-12 COMBIE LAKE

Sections:

Sec. G-IX 12.1 Boating Regulations – Combie Lake Applicability

Sec. G-IX 12.2 Maximum Speeds

Sec. G-IX 12.3 Speed Zones

Sec. G-IX 12.4 Aquaplaning and ~~Water Skiing~~ Water-Skiing Restriction

Sec. G-IX 12.5 Chartlet

Sec. G-IX 12.6 Exceptions

Sec. G-IX 12.7 Implementation

Sec. G-IX 12.8 Non-Marked Areas Sec.

Sec. G-IX 12.9 Amendments

Sec. G-IX 12.1 Boating Regulations – Combie Lake Applicability

Vessels operated on those waters of Combie Lake situated in the County of Nevada shall be subject to the restrictions provided in this Section. article.

Sec. G-IX 12.2 Maximum Speeds

The maximum speed of any vessel on the waters of Combie Lake, not otherwise indicated, is thirty-five (35) miles per hour from official sunrise to official sunset.

The maximum speed from official sunset to official sunrise during weekdays is ten (10) miles per hour.

Sec. G-IX 12.3 Speed Zones

The maximum speed of any vessel in the speed zone area set forth below is five (5) miles per hour, which is identified and defined as a “Flat Wake” zone.

Both coves on the north side of the Lake or on each side of the launch ramp on the Nevada County side.

Sec. G-IX 12.4 Aquaplaning and ~~Water~~-Skiing Restriction

The operation of any boat or watercraft while aquaplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake, as shown on the Chartlet.

Sec. G-IX 12.5 Chartlet

A. The Chartlet included at the end of this Section article, indicating speed zones and restricted areas, shall constitute an integral part of this Section article, and shall be known as the “COMBIE LAKE RESTRICTION CHARTLET”.

B. Said Chartlet shall be posted at all boat entries to Combie Lake in Nevada County. Copies shall be made available at the Nevada County Sheriff’s Office.

Sec. G-IX 12.6 Exceptions

These restrictions do not apply to marked enforcement vessels operated by the County of Nevada nor to vessels operated by any governmental entity. Any exceptions other than those above must be sanctioned by the Board of Supervisors of the County of Nevada.

Sec. G-IX 12.7 Implementation

The speed zone and area restrictions of this article shall be in full force and effect when marked pursuant to the California Waterway Marking System, Cal. Code Regs. tit. 14 §§ 7000 – 7009. Article 6 of Division 4 of Title 14, of the California Administrative Code.

Sec. G-IX 12.8 Non-Marked Areas

The provisions of this article do not preclude the operation of Section Cal. Harb. & Nav. Code § 655.2 of the Harbors and Navigation Code in those areas of Combie Lake not marked pursuant to this Section article.

Sec. G-IX 12.9 Amendments

Amendments to this Section article pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions of sections governing “Chartlet” and “Implementation” contained within this Section. G-IX 12.5 and 15.7.

Combie Lake Use Restriction ~~Chart~~Chartlet

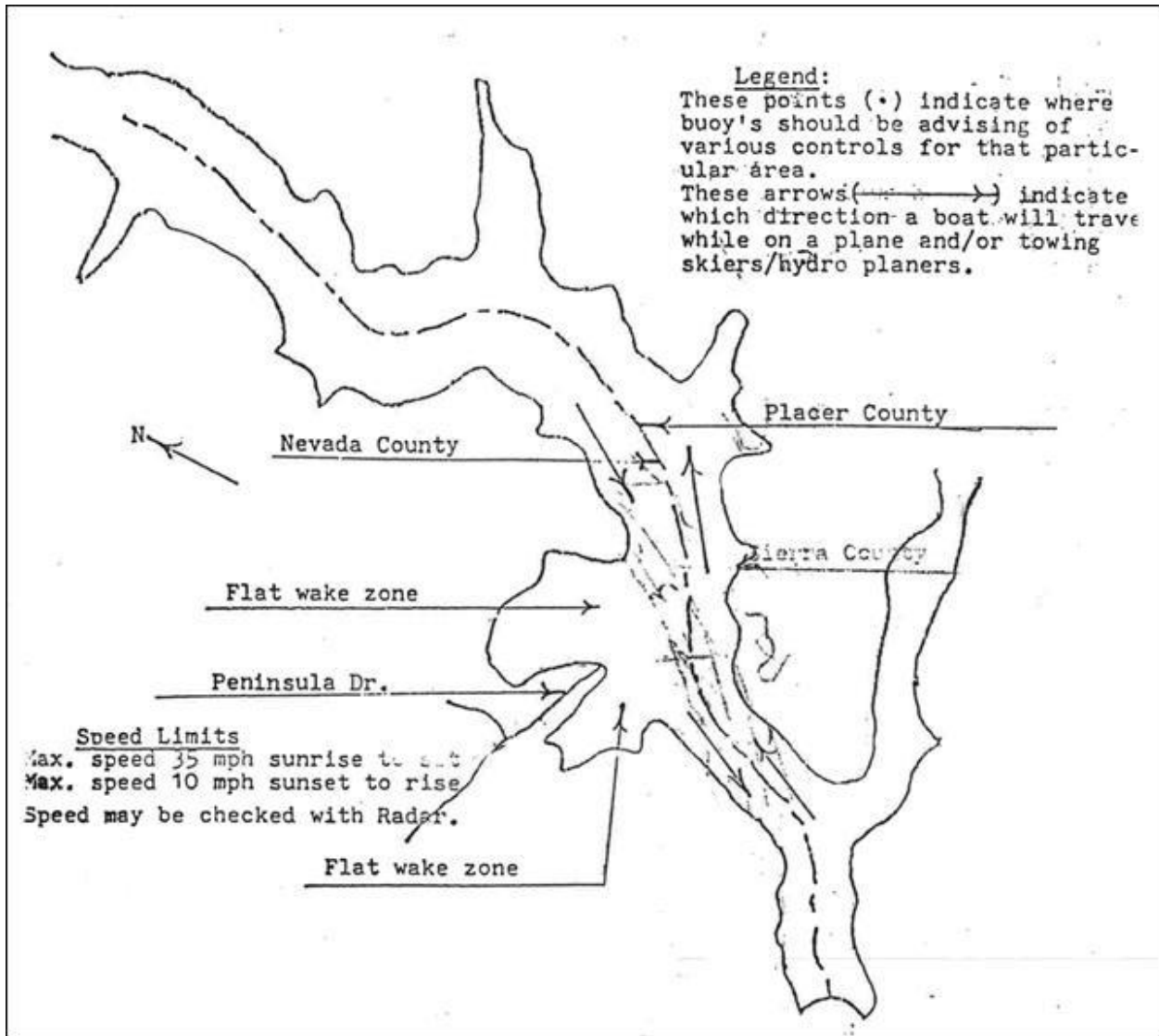


EXHIBIT E

GENERAL CODE

CHAPTER IX WATERWAYS AND WATERCRAFT

ARTICLESECTION-13 JACKSON MEADOWS RESERVOIR

Sections:

Sec. G-IX 13.1 Boating Regulations – Jackson Meadow Reservoir Applicability

Sec. G-IX 13.2 Maximum Speeds

Sec. G-IX 13.3 Speed Zones

Sec. G-IX 13.4 AquapPlaning and Water Skiing Water-Skiing Restriction

Sec. G-IX 13.5 Chartlet

Sec. G-IX 13.6 Exceptions

Sec. G-IX 13.7 Non-Marked Areas

Sec. G-IX 13.8 -Amendments

Sec. G-IX 13.1 Boating Regulations – Jackson Meadow Reservoir Applicability

Vessels operated on those waters of Jackson Meadows Reservoir situated in the County of Nevada shall be subject to the restrictions in this Section. Article.

Sec. G-IX 13.2 Maximum Speeds

The maximum speed of any vessel on the waters of Jackson Meadows Reservoir, not otherwise indicated, is thirty-five (35) miles per hour from official sunrise to official sunset.

The maximum speed from official sunset to official sunrise is ten (10) miles per hour.

Sec. G-IX 13.3 Speed Zones

FLAT WAKE ZONE. The maximum speed of any vessel in the speed zone area set forth below is five (5) miles per hour, which is defined as a “Flat Wake” zone.

Within 200 feet or within the cove area known as Woodcamp Boat Launch.

Sec. G-IX 13.4 Aquaplaning and ~~Water Skiing~~ Water-Skiing Restriction

The operation of any boat or watercraft while aquaplaning, including while towing water skiers, shall be in a counter-clockwise direction around the lake as shown on the Chartlet.

Sec. G-IX 13.5 Chartlet

A. The Chartlet included at the end of this ~~Section Article~~ indicating speed zones and restricted areas shall constitute an integral part of this ~~Section Article~~, and shall be known as the “Jackson Meadows Reservoir Restriction Chartlet”.

B. Said Chartlet shall be posted at all boat entries to Jackson Meadows Reservoir in Nevada County. Copies shall be made available at the Nevada County Sheriff’s Office.

Sec. G-IX 13.6 Exceptions

These restrictions do not apply to any ~~marked~~ enforcement vessels sanctioned operated by any governmental entity.

Sec. G-IX 13.7 Non-Marked Areas

The provisions of this ~~Section Article~~ do not preclude the operation of ~~Section Cal. Harb. & Nav. Code § 655.2 of the Harbors and Navigation Code~~ in those areas of Jackson Meadows Reservoir not marked pursuant to this ~~Section. Article.~~

Sec. IX 13.8 Amendments

Amendments to this Section pertaining to speed zones and restricted areas shall not be effective until marked and distributed in Chartlet form under the provisions governing “Chartlet” and “Implementation” contained within this Section.

Jackson Meadows Reservoir Use Restriction ~~Chart~~Chartlet

Speed limits

Max. speed limit is 35 mph sunrise to set.
Max. speed limit is 10 mph sunset to rise.

Speed may be checked by radar.

Legend

These points (•) show where buoy's should be, advising of various controls for that particular area. These arrows (→) show which way boats will travel while planing and/or towing skiers/hydro planers.

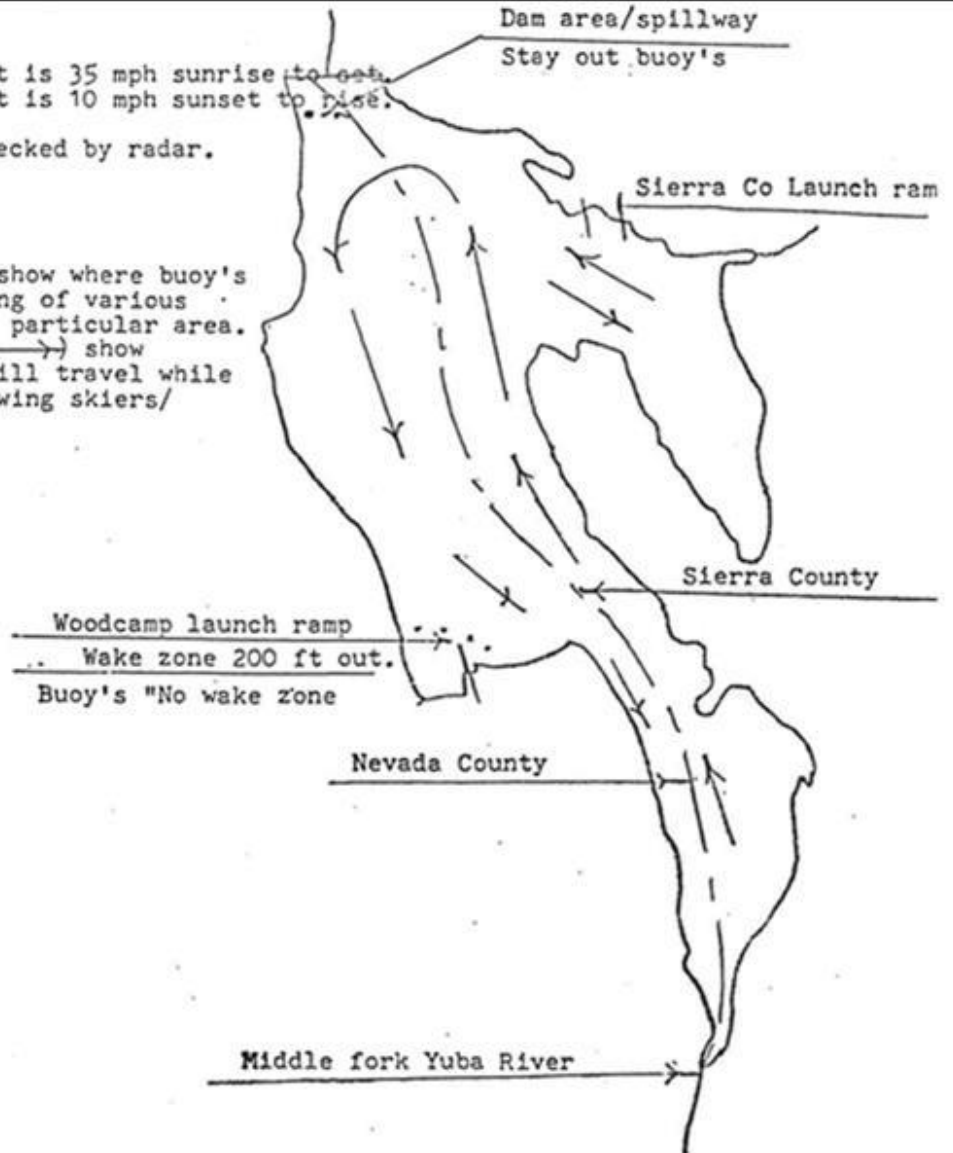


EXHIBIT E

GENERAL CODE

CHAPTER IX WATERWAYS AND WATERCRAFT

ARTICLE SECTION-14 AQUATIC INVASIVE SPECIES PREVENTION

Sections:

Sec. G-IX 14.1 Purpose

Sec. G-IX 14.2 Findings

Sec. G-IX 14.3 Definitions

Sec. G-IX 14.4 Prohibition

Sec. G-IX 14.5 Watercraft Inspections and Decontamination

Sec. G-IX 14.6 Fees

Sec. G-IX 14.7 Public Nuisance Declaration

Sec. G-IX 14.8 Violation of ArticleSection

Sec. G-IX 14.1 Purpose

The purpose of this ArticleSection is to protect all native and desired aquatic species, aquatic habitat, commerce and recreation in waters of the County of Nevada County east of the Sierra crest by preventing the introduction and spread of Aquatic Invasive Species.

Nothing herein shall be deemed to or construed as creating an affirmative duty on the County to enforce the provisions of this ArticleSection, and no General Fund monies shall be used for administering or enforcing this program.

Sec. G-IX 14.2 Findings

A. Water bodies within the County of Nevada may be adversely affected by the introduction of certain non-native species which have the potential to rapidly proliferate, harm and/or consume native species and food resources, and drastically alter the ecosystem of those water bodies. This can adversely impact the ecology, recreation, water supply, water quality, and economy of the region.

B. In particular, species of Dreissenid mussels such as Quagga and Zebra mussels pose a significant and imminent threat to water bodies within the County of Nevada. Dreissenid mussels have already created serious and irreparable harm to bodies of water located in other locations in the United States and California.

C. Presently, it does not appear that any water body in the County of Nevada has been infested with Dreissenid mussels. However, water vessels entering the County of Nevada from other areas may have recently been launched in infested waters, making those vessels at high risk to carry mussels, both adults and larvae, into County of Nevada waters.

D. A screening and inspection program is integral to the preservation of the water bodies and water distribution systems within the County of Nevada and to the drainages from the County of Nevada

Sec. G-IX 14.3 Definitions

A. “Aquatic Invasive Species” shall mean any invertebrates, plants, or fish species not already native to the waters of the County of Nevada whose introduction to those waters is likely to cause economic or environmental harm or harm to human health.

B. “County” shall mean the County of Nevada, State of California.

C. “Water body” or “Waters of the County of Nevada” shall mean the following public water bodies or waterways within the County of Nevada east of the Sierra crest, which are managed for public use and recreation: Boca Reservoir, Donner Lake, Independence Lake, Martis Creek Reservoir, and Prosser Reservoir.

“Watercraft” shall mean any vessel capable of carrying one or more people over water, and shall include, without limitation, all boats, canoes, kayaks, skiffs and rafts.

Sec. G-IX 14.4 Prohibition

A. No persons shall knowingly transport or introduce any Aquatic Invasive Species into the Waters of the County of Nevada.

B. No person shall knowingly launch any Watercraft contaminated with any Aquatic Invasive Species into the Waters of the County of Nevada

C. No person shall launch any Watercraft into the waters of the County of Nevada without first submitting to an inspection pursuant to ~~Section G-IX 14.5~~ below, when such an inspection is required by a duly authorized agent of the County or by County personnel.

D. No person shall launch any Watercraft into the Waters of the County of Nevada without having their Watercraft decontaminated when directed to do so by a duly authorized agent of the County or by County personnel.

E. No person shall knowingly provide false information to any person authorized to inspect, decontaminate or quarantine Watercraft pursuant to ~~Section G-IX 14.5~~ below.

Sec. G-IX 14.5 Watercraft Inspections and Decontamination

A. The County of Nevada may appoint such agents and/or assign such County personnel as the Board of Supervisors may from time to time authorize to inspect Watercraft prior to launching into Waters of the County of Nevada to detect the presence and prevent the introduction of Aquatic Invasive Species. When inspection is required by any such duly authorized agent or County personnel, no person may launch a Watercraft without first submitting to an inspection under this section.

B. Any Watercraft inspected pursuant to Section ~~G-IX 14.5~~ 5(a) that is found to have indicia of contamination by Aquatic Invasive Species may be required to undergo decontamination procedures or be quarantined prior to launch, pursuant to decontamination or quarantine procedures and requirements as shall be prescribed by the Agricultural Commissioner. Prior to launching into Waters in the County of Nevada, any Watercraft having undergone decontamination or quarantine procedures pursuant to this section shall be subject to such inspection and certification requirements as may from time to time be duly established by the Board of Supervisors.

C. Prior to launching any Watercraft into Waters of the County of Nevada and/or at the time of the inspection, the owner and/or operator of the Watercraft may be required to execute an affidavit indicating whether the Watercraft has been operated in any waters known to contain Aquatic Invasive Species and, if so, providing the date(s) of said operation, the length of time that the Watercraft has been continuously stored in a drained and dry condition subsequent to being on a water body containing Aquatic Invasive Species, and what decontamination or quarantine procedures, if any, the Watercraft has undergone. The affidavit shall be on a form approved by the County

and shall contain a list of waters known to contain Aquatic Invasive Species. The affidavit shall be signed under penalty of perjury.

D. No person shall be required to submit a Watercraft to inspection under this section. If the Watercraft owner or operator refuses to consent to inspection or screening, that Watercraft shall not be allowed to launch in any Waters of the County of Nevada and shall be in violation of this ~~OrdinanceArticle~~ ~~ifif they he/she~~ should nonetheless attempt to or actually launch in any Waters of the County of Nevada.

E. The owner of Waters of the County of Nevada shall be responsible for developing and implementing an Aquatic Invasive Species Prevention Program consistent with this ~~OrdinanceArticle~~ and for identifying those persons who shall be authorized by the County to administer inspections and/or decontamination and quarantine procedures under this Article. All such Programs shall be outlined in writing and submitted for review by the County of Nevada Agricultural Commissioner or ~~theirhis or her~~ designee.

Sec. G-IX 14.6 Fees

All Watercraft inspected pursuant to this ~~SectionArticle~~ shall be subject to payment of fees to pay for the inspection and/or decontamination. Inspection and/or decontamination fees shall be in such amounts as may be established from time to time by resolution of the Board of Supervisors.

Sec. G-IX 14.7 Public Nuisance Declaration

Any violation of this ~~SectionArticle~~ is hereby declared to be unlawful and a public health nuisance and may be abated by such agents or County personnel as the Board of Supervisors may from time to time designate, irrespective of any other remedy provided in this ~~SectionArticle~~.

Sec. G-IX 14.8 Violation ~~of Article~~

Every violation ~~of this Article~~ shall be an infraction and shall be punishable as such by a fine in the maximum amount(s) allowed under ~~California Gov't Code section~~ Cal. Gov't Code § 25132(b).