

301 KAR 1:012. Boating, swimming and water skiing and other activities on department-owned or controlled lakes.

RELATES TO: KRS 150.090, 150.620, 150.625, 150.640

STATUTORY AUTHORITY: KRS 150.025

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025 authorizes the department to promulgate administrative regulations restricting the use of state recreational areas. This administrative regulation establishes the safety procedures for multiple use of state waters to ensure non-interference with the primary users, fishermen.

Section 1. Definitions. (1) "Slow speed" means speed attained with the throttle of the motor set at its slowest forward position.

(2) "Speeding and reckless operation" means any operation of a boat in any area of a lake that may endanger other persons or craft using the lake by intimidation, direct contact or by waves created by the speed or reckless operation of a boat.

Section 2. Water skiing is permitted on Guist Creek Lake and Lake Beshear beginning the third Thursday of May and continuing through September 30, annually, during the daylight hours of 10 a.m. to sunset and only in those areas designated and marked as "ski areas" by buoys or signs by the Department of Fish and Wildlife Resources. Water skiing is prohibited in coves or embayments of the lakes.

Section 3. Water skiing and the pulling of water skiers is permitted on Lake Malone beginning the third Thursday of May and continuing through October 31, annually, but only during the daylight hours of 10 a.m. to sunset and only in those areas designated and marked as "ski areas" by buoys or signs by the Department of Fish and Wildlife Resources. Water skiing and pulling of a water skier is prohibited in coves or embayments of Lake Malone.

Section 4. Water skiing and tubing are prohibited on Cedar Creek Lake.

Section 5. Boat speeding and reckless operation of a boat is not permitted at any time in any area of any lake owned or controlled by the Department of Fish and Wildlife Resources including the ski zones. All boats, except those being operated in the designated skiing areas during the annual summer water skiing period, shall in all areas of any lake maintain slow speed as defined in subsection (1) of this section when passing any other boat in which the occupants are actively engaged in fishing.

Section 6. Swimming in any lake controlled or owned by the Department of Fish and Wildlife Resources is prohibited, except in areas specifically set aside for swimming at which a qualified lifeguard is on duty.

Section 7. Camping is prohibited on property owned or controlled by the Department of Fish and Wildlife Resources that surrounds a lake owned or controlled by the Department of Fish and Wildlife Resources, except as designated by a department sign.

Section 8. All officers and agents of the Department of Fish and Wildlife Resources shall have full authority to enforce the provisions of this administrative regulation. Failure to comply with the rules and specifications established in this administrative regulation shall constitute grounds for revocation of the rights and privileges of any person to admittance to and to the use of these public waters.

(KFWR-F-149; 1 Ky.R. 148; eff. 12-11-74; 26 Ky.R. 2009; 27 Ky.R. 72; eff. 7-17-2000; 3326; 28 Ky.R. 353; eff. 8-15-2001.)