FLATWATER LAKE

Supplemental Rules from the HOA

Updated May, 2025

What are zebra mussels and why should we care about them?

Zebra Mussels are an invasive, fingernail-sized mollusk that is native to fresh waters in Eurasia. Their name comes from the dark, zig-zagged stripes on each shell.

In the Midwest, they have destroyed boat engines, fouled beaches, and caused damage to boat ramps and docks. **Zebra Mussel** fecal material may also contribute to taste and odor problems in drinking water sources.

In large lakes that cannot be drained, it can cost as much as $400,000 to treat a 265-acre lake with Zequinox Molluscicide every two years and it only has a 90% kill rate. Another treatment is Potash (Potassium-Rich Salt) in quantities so as not to kill off the aquatic life in the lake and is not a cure either.

Zebra Mussels were eradicated from Lake Zorinsky in 2010 by drawing down the lake and then it was refilled in 2011 and reopened in 2012. A long time to be without a lake at your home.

So if a **Zebra Mussel** is introduced by anyone's motorized or non-motorized watercraft, this could happen to Flatwater Lake—if the lake could even be drained since it is fed by spring water.

Zebra Mussels can survive out of **the water for up to 30 days**; can produce millions of eggs in a spawning season; can eat significant amounts of plankton, reducing biodiversity and competition; can hold on to one another with byssal threads; and can colonize soft surfaces like inflatable toys and SUP boards.

One of the most damaging impacts of Zebra Mussels is that they filter out algae needed for food by native species. Beyond that ecosystem impact, there are several other ways **Zebra Mussels** negatively affect the environment they invade: Cause cuts and scrapes for pets and people enjoying the lake.

How can the spread of zebra mussels be prevented?

It is imperative that everyone follows the rules of the lake's use with regard to all watercraft. Even SUP boards, kayaks, canoes, floats, etc., can harbor **Zebra Mussels**.

We also encourage good hygiene for your non-motorized watercraft and toys. It is impossible to police every non-motorized watercraft or toys, so it will be part of each HOA Members responsibility to make sure no non-motorized watercraft or toys are introduced into the lake without first being inspected by the lot or homeowner for **Zebra Mussels**.

Other Information about Zebra Mussel Prevention:

⇒ The **Zebra Mussels** don't like sand, because there's nothing they can attach to, so remove any branches, logs, concrete or asphalt pieces you find in the lake to reduce possible habitat.

⇒ Increasing fish which have been shown to feed on zebra muscles (200—2" Red Eared Sunfish or 5,000–10" Blue Catfish) is another possible preventive measure.

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Supplemental Rules From the HOA-Continued…

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GATE KEEPERS AND LAUNCHING MOTORIZED WATERCRAFT

Before boats are scheduled to launch in the lake, a Gate Keeper will verify that all HOA dues, Assessments, Special Assessments, and/or late fees are paid in full; and the Covenants and Rules and Regulations are acknowledged. They will also check that your motorized watercraft has not been in another body of water as well as verifying the motorized watercraft is registered with the State and has an annual Flatwater Lake Permit Sticker on the starboard side with your 3" Lot Number affixed to both the starboard and port side of the motorized watercraft. Due to motorized watercraft configurations, exceptions may be granted by the Board of Directors.

If the motorized watercraft has been in another body of water or if there is any doubt, the Gate Keeper will require the motorized watercraft be dry docked for 14 days with a locked tether or certified hot water (hotsy) power wash before the motorized watercraft will be allowed in the lake.

Launching or removing any motorized watercraft anywhere other than the boat ramp will result in loss of lake access for one year and a **$500 Assessment**. The boat ramp gate will remain locked at all times by the Gate Keepers.

⇒ It is recommended that a Lot Number be put on all non-motorized watercraft and flotation devices.

When motorized watercraft are taken out of the lake for fuel, cleaning, repairs, storage, or any reason besides going to another body of water, a tether lock will be attached by the Gate Keeper to the motorized watercraft and trailer preventing the motorized watercraft from being launched in another body of water. The motorized watercraft will also be tagged with the time/date and reason it is being removed. Those motorized watercraft will be allowed back in the lake without dry dock or steam clean since they could not have been launched in another body of water.

For motorized watercraft that are removed to be taken to other bodies of water, it will be tagged and before the motorized watercraft may be put back into the lake, it must be dry docked for 14 days with a locked tether or certified hot water (hotsy) power wash. If it is determined a homeowner or lot owner violated the Zebra Mussel/Boat Ramp Rules, they will be **assessed $500** and lose lake privileges for one year which starts when they pay their Assessment.

NO Guest Motorized Watercraft:

Guest boats or other motorized watercraft are NOT ALLOWED on the Flatwater Lake. There are no exceptions to this rule. Only motorized watercraft owned, stickered, and under the control of owners will be allowed in the Lake.

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Supplemental Rules From the HOA-Continued…

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GENERAL LAKE RULES

⇒ Swimmers should not swim past their docks or 35’ from their shoreline and are **prohibited** from swimming across the lake.
⇒ All motorized watercraft need to be courteous to people using Paddle Boards, Canoes, and Kayaks. Paddle Boards, Canoes, and Kayaks should stay near the shore lines and out of the path of motorized watercraft.
⇒ The Speed in the **Red Caution Zones** are 25 MPH, maximum speed in the other areas of the lake are 35 MPH, and 5 MPH in the **No Wake Zone**.
⇒ All motorized watercraft, docks, lifts, and dock or lift parts must not have been in any other lakes within the previous 6 months. If these items have been in any other body of water within the above time frame, they must be certified “clean”. Failure to abide by this rule may subject you to a **$500 Assessment** and the loss of lake privileges for one year from the time the assessment is paid.
⇒ All boating or watercraft operation will be in a counterclockwise direction as outlined on Exhibit “B” FWL Boat Direction Map attached hereto. Only with **EXTREME CAUTION** and yielding the right of way to all skiers and other watercraft shall a boat operator cut across the lake.
⇒ Double-ups (making a sharp turn and re-crossing one’s wake to create a bigger wake) are **NOT ALLOWED**.
⇒ All hot dogging, abrupt turns, spins, jumping, etc., are **NOT ALLOWED**.
⇒ **Tricks** with Jet Skis, Skiers, Tubers, or Wakeboarders are **NOT ALLOWED** in the **Red Caution Zones.**
⇒ Wake surfing/wake skating is **NOT ALLOWED** to help protect the shoreline and dock facilities.
⇒ **NO** parasailing or kite surfing is permitted.
⇒ **DO NOT** race Jet Skis side-by-side on the lake.
⇒ Watercraft must not follow a person being towed at a distance closer than 300 feet. Motorized watercraft traveling faster than No Wake (5 MPH) shall not travel within 100 feet of another watercraft.
⇒ All watercraft and persons pulled by boats must remain a minimum of 90 feet from the shoreline and 55 to 60 feet from boatlifts and docks except when the watercraft is leaving or returning to shore. It is expected that good judgment will be used in these situations and that all Nebraska boating rules, regulations and statutes will be fully complied with by all residents and operators.
⇒ Jet Skiers are not allowed to cross within 150 feet of the motorized watercraft that is towing a Wakeboarder, Skier, or Tuber.
⇒ Towlines may not exceed 75 feet in length. Horseplay or wild rides are **NOT ALLOWED**.
⇒ Wake enhancing devices such as ballast bags and wake shaping devices are **NOT ALLOWED** on watercraft in Flatwater Lake.
⇒ At least One (1) competent person, in addition to the driver, shall be in any motorized watercraft towing a person on skis, tubes, or wakeboards. This additional person shall be in a position to observe the progress of the person being towed at all times and flip up the Downed Skier Flag.
⇒ Skiers, Wakeboarders, and Tubers need to stay in the wake behind their motorized watercraft when passing through the **Red Caution Zone Channel**.

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Supplemental Rules From the HOA-Continued…

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GENERAL LAKE RULES—Continued…

⇒ Downed Skiers, Wakeboarders and Tubers have the right-of-way **at all times**.
⇒ If a Skier, Wakeboarder, or Tuber goes down in a **Red Caution Zone**, flip your Downed Skier Flag up to signal other watercraft that you have a downed person, slow your motorized watercraft down to 5 MPH, looking both ways for watercraft traffic, make your turn back toward the downed person at 5 MPH, and pick the downed person up safely.
⇒ Motorized Watercraft and Jet Skies in the area should slow down as well when there is a Downed Skier Flag up on a motorized watercraft.
⇒ Towing is **prohibited** between sunset and sunrise – this goes for Skiers, Wakeboarders, and Tubers.
⇒ Jet Skis, Paddle Boards, Canoes and Kayaks **cannot** be on the water after sunset or before sunrise.
⇒ If on the lake at night, all Boats/Pontoon watercraft must use appropriate lights.
⇒ Sailboats, canoes, rowboats, paddleboats, kayaks, any vessel not operating under mechanical power, any anchored vessel, and swimmers **always** have right of way over any vessel operating under mechanical power.
⇒ Private Buoys, platforms, diving floats, trampolines, etc., shall not be placed in the lake without prior written approval from the Design Review Board. Any said items placed without approval will be removed.
⇒ Small "lily pads," "Maui mats," or other temporary floating devices near the shoreline are acceptable provided they do not interfere with traffic flow on the lake.
⇒ No motorized watercraft, Skier, Wakeboarder, or Tuber should ever go inside a private buoy swimming area.
⇒ Use extreme caution when the lake is icy.
⇒ Each lot owner is allowed the following watercraft / recreational vehicles at Flatwater Lake:
  a. 2 — Boats
  b. 2 — Jet Skies
  c. 2 — UTV/ATVs
⇒ During peak usage times and dates, the HOA may limit owners to only one motorized watercraft on the water at the designated time.
⇒ Jet skis are discouraged during Holiday weekends or other periods of high lake traffic. Homeowners will be expected to use a commonsense approach to this restriction.

Installing Docks:

⇒ Anyone intending to install a boat dock or lift must submit a plan to the Design Review Board (DRB) as early as possible. The risk of Zebra Mussel infestation is significantly associated with dealer boats and trailers that travel from water to water. Therefore, in an effort to protect our most valuable asset, no dealer boats or trailers will be allowed at Flatwater Lake.
⇒ Preferred vendors for docks and boat lifts are On the Water and Zach's Boat Lift and Dock Service.
⇒ Dock must be new or will need to be inspected and certified as "clean" before installing it.

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Motorized Watercraft:

⇒ All watercrafts must have a US Coast Guard approved life saving device (Type I, II, or III) for each person on board and at least one throwable flotation device (Type IV).
⇒ **Apply antifouling paints to the hull and the engine's cooling system**. In-line strainers can also be installed in the engines cooling system. Anti-fouling paints are routinely applied to watercraft hulls to prevent **Zebra Mussel** attachment, algae growth, and other marine organisms from attaching to the hulls of watercraft.
⇒ **A 2% chlorine bleach solution** is effective at killing **Zebra Mussels** when cleaning watercraft equipment or other gear away from the lake.
⇒ Boats should be cleaned with high-temperature (140°F), high-pressure washers if you suspect you had a **Zebra Mussel** on the boat hull, motor, or in the live well.
⇒ Do not transport water from live wells and bait buckets from one water body to another; empty them onto land when possible and dispose of leftover bait in the trash. Most often the bait fish are not native to that water, just like the **Zebra Mussels**.
⇒ No watercraft shall be equipped with sanitary facilities of any kind that is capable of directly discharging into the lake.
⇒ Jet Skis must be 2010 or newer unless approved by the FWL HOA.
⇒ It is required that engines on boats and jet skis be four-stroke models. Stand-up jet skis are the exception to this rule.
⇒ Jet Skis and Boats with Inboard, Inboard-Outboard, and Outboard motors are allowed, subject to limitations as set forth in this Supplemental Rules document.
⇒ Maximum boat length is 21.5 feet and shall be no taller than 12 feet above the waterline.
⇒ Pontoon boats are limited to 24 feet in length.
⇒ Airboats or jet boats are **prohibited**.
⇒ No boat motors may be altered or modified from their original factory production standards to increase their performance or horsepower. Watercraft using Captain's Call or other non-muffled exhaust is not permitted.
⇒ Speed in the launching, shore, bay and dock areas is always No Wake (5 MPH).

Suggested safe speeds for various recreational skiing activities are provided in the chart below based on an Adult.

Activity	**Boat Speed**
Wakeboarding	16-19 MPH
Tubing	8-25 MPH
Skiing	19-35 MPH
Combo Skiing	25 MPH
Kneeboarding	16-19 MPH

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Motorized Watercraft—Continued…

Children must be 14 years old or older to be on a Jet Ski by themselves. And they must complete the State of Nebraska's online course https://outdoornebraska.gov/parks/go-boating/boater-education/ before they are allowed on the Lake by themselves. **Safety First!**

Please login to the FWL HOA website to register your watercraft (Boats/Jet Skis) and UTV/ATV information along with paying your annual $50 watercraft permit fee(s) to the HOA.

Please upload your proof of all watercraft and UTV/ATV insurance as well as your $1,000,000 Umbrella Liability insurance listing Flatwater Lake Homeowners Association, Inc. (and their officers and directors) as interested party on your policy in order to use the lake.

- ⇒ **All Motorized Watercraft must purchase an annual FWL Boat Permit for $50 per watercraft and stick it on the starboard side of their watercraft along with their Lot Number - 3" tall on both the starboard and port side.**
- ⇒ Proof of all required watercraft and UTV/ATV insurance and umbrella liability insurance will be required prior to obtaining the Flatwater Lake boat permit. You must submit your Umbrella Liability insurance certificate in the amount of $1,000,000.
- ⇒ You must have your Nebraska DMV Boat License ID on your watercraft per Nebraska boating regulations. Visit the Nebraska Boating Regulation website: https://outdoornebraska.gov/boatingregulations/ and become familiar with all boating regulations.

General Lake Rule Assessment/Unsafe Activities:

If a "loss of lake access" Assessment is assessed, those days do not start counting down until all Assessment payments, HOA Dues, Special Assessments, and any late fees have been paid in full.

The Flatwater Lake Rules and Regulations document describes penalties and assessments for noncompliance with published rules and regulations. Penalties and assessments vary, depending on the individual rule or regulation.

Unless stated otherwise in the Rules and Regulations, any unsafe activities during, but not limited to, skiing, jet skiing, tubing, wakeboarding, speeding, skier flag, and no wake zones to name a few, will be assessed an Assessment as follows:

1st — Warning
2nd — $200 Assessment
3rd — $1,000 Assessment and loss of Lake access for one year
Crossing under railroad tracks to private lake: $500 Assessment
Tricks in Red Caution Zone: $500 Assessment