

Senate Bill No. 1093

CHAPTER 968

An act to amend Section 115825 of, and to add Section 115842 to, the Health and Safety Code, relating to public health.

[Approved by Governor September 26, 2002. Filed with Secretary of State September 27, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1093, Costa. Recreational water use: Sly Park Recreational Area.

Existing law, with certain exceptions, prohibits bodily contact with water in a reservoir in which water is stored for domestic use.

This bill would exempt from this prohibition recreational activity in which there is bodily contact with water by any participant in Sly Park Reservoir provided that specified conditions are satisfied.

The bill would require the El Dorado Irrigation District to file a report concerning implementation of the provisions of the bill, with the State Department of Health Services by January 1, 2005, this constituting a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 115825 of the Health and Safety Code, as amended by Section 1 of Chapter 70 of the Statutes of 1998, is amended to read:

115825. (a) It is hereby declared to be the policy of this state that multiple use should be made of all public water within the state, to the extent that multiple use is consistent with public health and public safety.

(b) Except as provided in Sections 115840, 115840.5, 115841, and 115842, recreational uses shall not, with respect to a reservoir in which water is stored for domestic use, include recreation in which there is bodily contact with the water by any participant.



(c) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2004, deletes or extends that date.

SEC. 2. Section 115825 of the Health and Safety Code, as amended by Section 2 of Chapter 70 of the Statutes of 1998, is amended to read:

115825. (a) It is hereby declared to be the policy of this state that multiple use should be made of all public water within the state, to the extent that multiple use is consistent with public health and public safety.

(b) Except as provided in Sections 115840, 115841, and 115842, recreational uses shall not, with respect to a reservoir in which water is stored for domestic use, include recreation in which there is bodily contact with the water by any participant.

(c) This section shall become operative on January 1, 2004.

SEC. 3. Section 115842 is added to the Health and Safety Code, to read:

115842. (a) Recreational activity in which there is bodily contact with the water by any participant is allowed in the Sly Park Reservoir provided that all of the following conditions are satisfied:

(1) Commencing on or before June 30, 2005, the water shall receive ongoing complete water treatment, including coagulation, flocculation, sedimentation, filtration, and disinfection, or an alternative filtration system that provides an equivalent degree of pathogen removal in compliance with all applicable department regulations before being used for domestic purposes. The disinfection shall include, but is not limited to, an advanced technology capable of inactivating organisms including virus, cryptosporidium, and giardia, to levels that comply with department regulations.

(2) The El Dorado Irrigation District conducts a monitoring program for e. coli, bacteria and giardia, and cryptosporidium organisms at various reservoir locations and at a frequency determined by the department.

(3) The reservoir is operated in compliance with regulations of the department.

(b) The recreational use of that reservoir shall be subject to additional conditions and restrictions adopted by the entity operating the water supply reservoir that are designed to further protect or enhance the public health and safety and do not conflict with regulations of the department.

(c) The El Dorado Irrigation District shall file, on or before January 1, 2005, with the department, a report on the recreational uses at Sly Park Reservoir and the water treatment program for that reservoir. That report shall include, but is not limited to, providing all of the following information:



(1) The estimated levels and types of recreational uses at the reservoir on a monthly basis.

(2) A summary of available monitoring in Sly Park Reservoir watershed for giardia and cryptosporidium.

(3) The sanitary survey of the watershed and water quality monitoring plan.

(4) An evaluation of the impact on source water quality due to recreational activities on Sly Park Reservoir, including any microbiological monitoring.

(5) The reservoir management plan and the operations plan.

(6) The annual water reports submitted to the consumers each year.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

