

Introduced by Senator Gaines

February 13, 2012

An act to add Section 115843.6 to the Health and Safety Code, relating to reservoirs.

LEGISLATIVE COUNSEL'S DIGEST

SB 1063, as introduced, Gaines. Bear Lake Reservoir: recreational use.

Existing law, with certain exceptions, prohibits recreational use in which there is bodily contact with water in a reservoir in which water is stored for domestic use, and establishes water standards for those exempted reservoirs.

This bill would, in addition, exempt from this prohibition recreational activity in which there is bodily contact with water by any participant in the Bear Lake Reservoir, and would establish standards in this regard, including water treatment, monitoring, and reporting requirements.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Bear Lake Reservoir.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. Section 115843.6 is added to the Health and
- 2 Safety Code, to read:
- 3 115843.6. (a) In the Bear Lake Reservoir, recreational uses
- 4 shall not include recreation in which any participant has bodily
- 5 contact with the water, unless all of the following conditions are
- 6 satisfied:

1 (1) The water shall receive complete water treatment, including
2 coagulation, flocculation, sedimentation, filtration, and disinfection,
3 or an alternative filtration system that provides an equivalent degree
4 of pathogen removal in compliance with all applicable department
5 regulations before being used for domestic purposes.

6 (2) The reservoir is operated in compliance with regulations of
7 the department.

8 (b) The recreational use of Bear Lake Reservoir shall be subject
9 to additional conditions and restrictions adopted by the entity
10 operating the water supply reservoir, or required by the department,
11 that are required to further protect or enhance the public health
12 and safety and do not conflict with regulations of the department.
13 The department shall, prior to requiring any additional conditions
14 and restrictions, consult with the entity operating the water supply
15 reservoir regarding the proposed conditions and restrictions at least
16 60 days prior to the effective date of those conditions and
17 restrictions.

18 (c) The Lake Alpine Water Company shall file, on or before
19 January 1, 2014, with the department, a report on the recreational
20 uses at Bear Lake Reservoir and the water treatment program for
21 that reservoir. That report shall include, but is not limited to, all
22 of the following information:

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

25 (2) A summary of monitoring in the Bear Lake Reservoir for
26 bacteria.

27 (3) The most current sanitary survey of the watershed and water
28 quality monitoring.

29 (4) Annual reports as required by the water permit issued by
30 the department.

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

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

34 (d) If there is a change in operation of the treatment facility or
35 a change in the quantity of water to be treated at the treatment
36 facility, the department may require the entity operating the water
37 supply reservoir to file a report that includes, but is not limited to,
38 the information required pursuant to subdivision (c), and the entity
39 shall demonstrate to the satisfaction of the department that water
40 quality will not be adversely affected.

1 SEC. 2. The Legislature finds and declares that a special law
2 is necessary and that a general law cannot be made applicable
3 within the meaning of Section 16 of Article IV of the California
4 Constitution because of the unique circumstances in the Bear Lake
5 Reservoir. The facts constituting the special circumstances are:
6 Recreational activities have occurred at Bear Lake Reservoir
7 but ceased due to the requirements of Section 115825 of the Health
8 and Safety Code. The Lake Alpine Water Company will continue
9 effective water treatment through microfiltration and ozonation in
10 order for bodily contact to resume, and the company will provide
11 information to the Legislature regarding certain issues to ensure
12 that any recreational uses at the reservoir do not affect the provision
13 of domestic water to customers.