

Appendix D Recreational Resources

State of California—Health and Human Services Agency
Department of Health Services



California
Department of
Health Services

DIANA M. BONTÁ, R.N., Dr. P.H.
Director



GRAY DAVIS
Governor

April 29, 2003

Christine Ferrara, Utilities Division Manager
San Luis Obispo County, Public Works
County Government Center, Room 207
San Luis Obispo, CA 93408

Dear Ms. Ferrara

Subject: Nacimiento Water Project, Recreation Plan

The State Department of Health Services, Drinking Water Field Operations Branch, has received and commented on the Nacimiento Water Project (NWP) Recreation Plan Draft Report and now has reviewed and approved the final report dated June 2002.

The NWP needs to update their watershed sanitary survey every five years in compliance with the Surface Water Treatment Rule. The NWP Recreation Plan needs to be reviewed and updated every five years.

The SLO County Public Works Department needs to continue to update this office as information on the proposed project continues to be developed. An updated permit will be needed prior to startup of any facilities.

If you have any questions regarding this letter, please call this office at (805) 566-1326.

Sincerely,

Kurt Souza, P.E.
District Engineer
Santa Barbara District

Cc: County EHD

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Southern California Drinking Water Field Operations Branch
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(805)566-1326, (805)745-8196 fax
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June 2002

**County of San Luis Obispo
Flood Control and Water Conservation District**

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Submitted to:

California Department of Health Services
Drinking Water Field Operations Branch
Santa Barbara District
Carpenteria, CA
Kurt Souza, Director

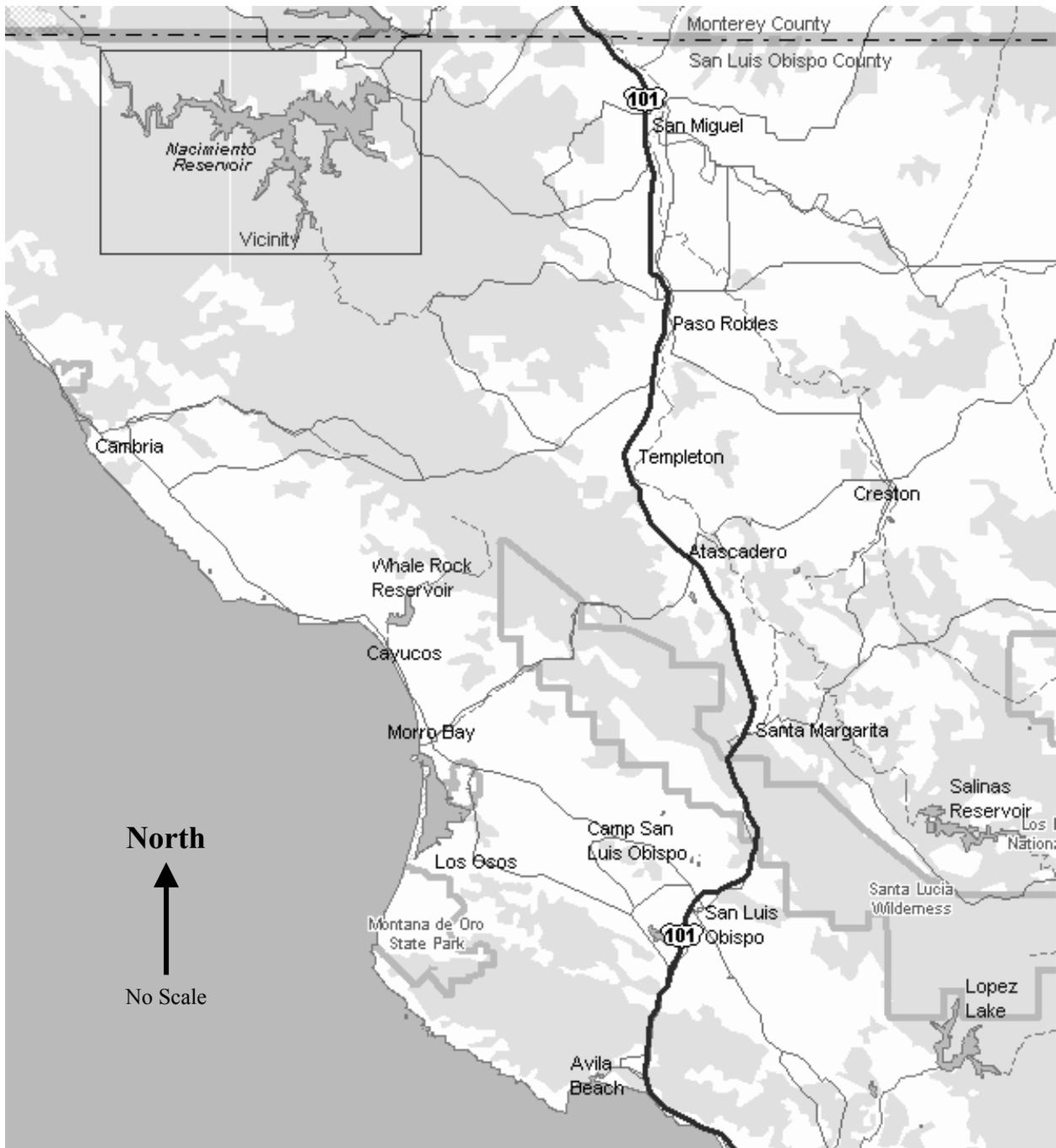
INTRODUCTION

Nacimiento Dam, in northern San Luis Obispo County, was constructed in 1957 by Monterey County Flood Control and Water Conservation District (now Monterey County Water Resources Agency (MCWRA)). The dam and the reservoir continue to be operated by the MCWRA. The lake has a capacity of 377,900 acre feet, and a surface area of 5,727 acres at spillway crest elevation. Water is collected from a 324 square mile watershed (MCWRA 1996). The watershed is comprised of grazing lands and rugged wilderness.

San Luis Obispo County Flood Control and Water Conservation District (District) has an entitlement for 17,500 acre feet per year of water from the lake. Of this amount, the proposed Nacimiento Water Supply Project will transport a maximum of 16,200 acre feet of water per year from the lake for delivery to about 9 purveyors throughout San Luis Obispo County. This proposed direct domestic usage of the lake represents less than 5% of the total lake capacity. There are two proposals for water delivery. The Treated Water Alternative would utilize a water treatment plant at Camp Roberts before water is delivered to participants. The Raw Water Alternative would deliver untreated water to all participants. Participants will either provide treatment at local water treatment plants or percolate water into the Salinas River underflow and extract it from existing well fields in the aquifer (Carollo 2000). The District will develop this project on behalf of the Nacimiento project participants and will act as the Lead Agency. As Lead Agency, the District will be responsible for ensuring the implementation of the programs outlined in this Report.

Extensive recreational use and supporting facilities have developed around the lake. The largest of these is Lake Nacimiento Resort (Resort) which has a 50 year lease from the MCWRA (signed in 1972). Heritage Ranch and Oak Shores are residential subdivisions which also provide recreational opportunities for their gated communities. The primary access for all of these facilities is Nacimiento Lake Drive, or G-14, which runs from Paso Robles, to the Lake and across the Nacimiento Dam, then northerly to Monterey County.

On September 28, 1997 Governor Wilson signed AB 1460. This bill authorized continued "recreational activity in which there is bodily contact with the water by any participant...to be allowed in the Nacimiento Reservoir," along with the removal of water from the reservoir for domestic uses, in accordance with certain requirements. A copy of the text of AB 1460 is included in the Appendix.



Source: DeLorme 3D TopoQuads

**Vicinity Map
Figure 1**

BACKGROUND

The Department of Health Services (DHS) developed “Public Health Guidelines for Recreational and Other Development at Reservoirs Used as Sources of Domestic Water Supply” in 1974 and draft “Guidelines for Evaluating Applications for Recreational Use Permits at Domestic Water Supply Reservoirs” in 2000. These guidelines were developed to provide guidance for managers of domestic supply reservoirs which have existing or proposed recreational uses. The MCWRA Water Rights Permit (Number 10137) is for the purpose of irrigation, domestic, municipal, industrial and recreational uses. The MCWRA operates the reservoir for all of these uses. Relative to the volume of the reservoir, the amount of water to be used for domestic purposes is small. The District has prepared this Report to review the existing and potential lakeside uses and to identify monitoring criteria. This Report is intended to facilitate the revision of the Water Supply Permit of each participant as required in the California Code of Regulations, Title 17, Article 5, Sections 7626 through 7629.

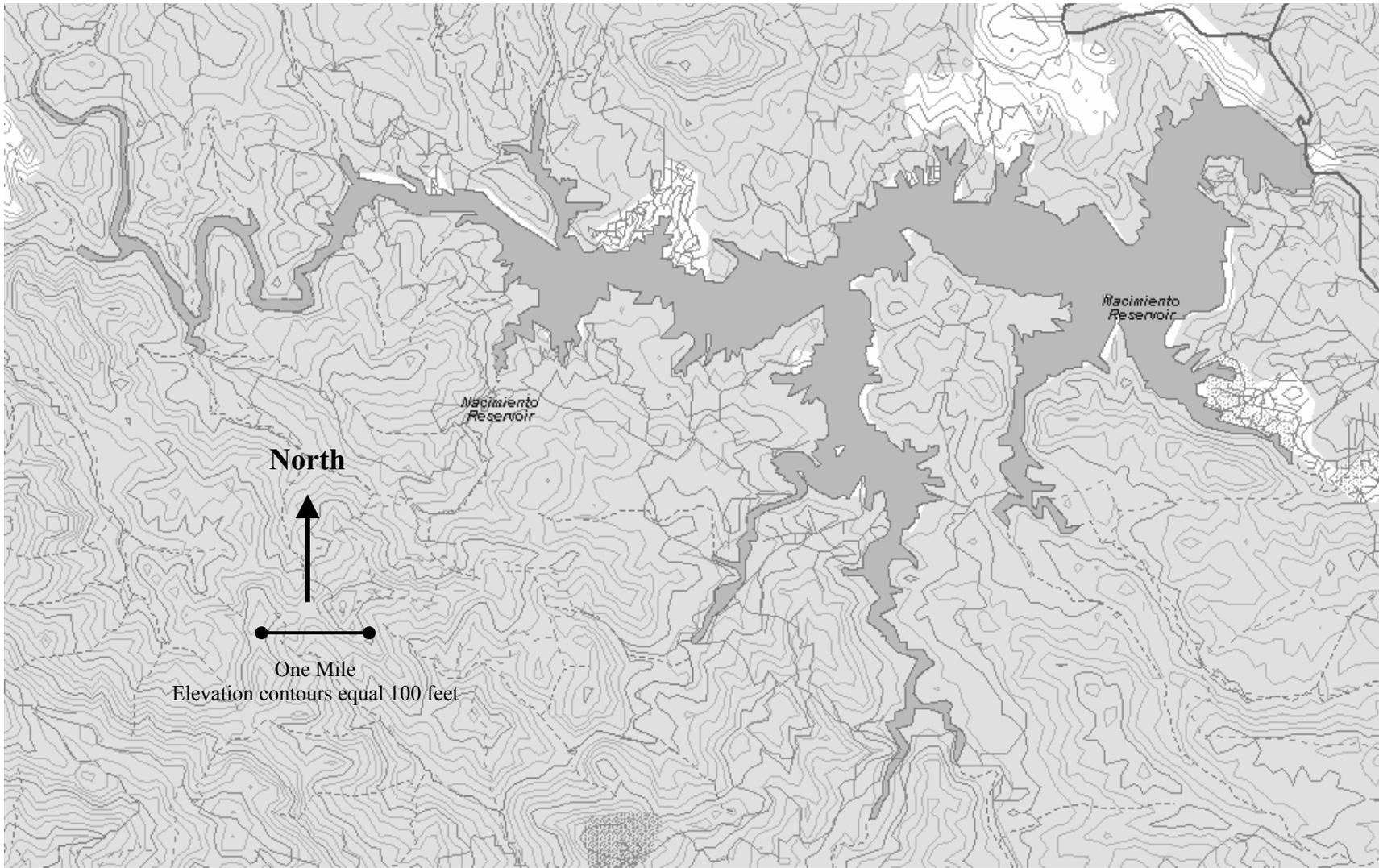
The information in this Report was based on existing codes, discussions with facility owners and operators, the Heritage Ranch Community Services District Sanitary Survey and other resources available at the time. It was prepared at the request of the Department of Health Services. The District anticipates that this Report will be updated every five years, once water deliveries begin.

RESERVOIR AND WATERSHED INFORMATION

A 324 square mile watershed channels runoff to Lake Nacimiento. The majority of the watershed consists of rural grazing lands and rugged National Forests and Wilderness Areas. There are three significant developments adjacent to the lake shore: Heritage Ranch, Oak Shores, and Lake Nacimiento Resort. The remaining watershed area adjacent to the lake shore is rugged and largely undeveloped. A topography map of the immediate watershed is shown in Figure 2.

Lake Nacimiento has a maximum storage capacity of 377,900 acre-feet and a surface area of 5,727 acres at the spillway crest elevation of 800 feet. There is approximately 10,000 acre-feet of storage below the low level outlet works invert elevation of 670 feet. Table 1 shows the relationship of capacity and surface area to various lake elevations.

The average annual release for a 29 year period from 1957 to 1985 was 213,000 acre-feet per year (Boyle 1992). For the maximum storage capacity, the residence time is 21 months. If the water level drops to 687.8 feet, a capacity of 22,300 acre-feet, a 1959 agreement between the District and the MCWRA requires that the only water to be released will be to meet the District's entitlement of 17,500 acre-feet per year. In this case the residence time would be 15 months.



Source: DeLorme 3D TopoQuads

**Lake Nacimiento Area Topographical Map
Figure 2**

Table 1: Surface Area and Reservoir Capacity by Elevation at Lake Nacimiento

Elevation (feet)	Capacity (acre-feet)	Surface Area (acres)
800 ¹	377,900	5,727
790	323,050	5,339
780 ²	272,900	4,786
770	227,500	4,289
760 ³	186,950	3,829
750 ⁴	150,950	3,362
740	119,450	2,939
730 ⁵	92,150	2,520
720	69,000	2,108
710	50,150	1,670
700	35,450	1,292
690 ⁶	24,300	960
680	16,150	680
670 ⁷	10,300	520

¹ Spillway elevation

² During winter months, maximum elevation is slightly above 780 feet, due to flood rule curve.

³ Approximate elevation of primary public boat launches is 766 feet.

⁴ Elevation 748 and below is considered a "drought condition" per agreement between MCWRA and the California Department of Fish and Game.

⁵ Elevation above which most boat launches are operational.

⁶ "Minimum pool" is at elevation 687.8; lowest elevation at which water is available for release to MCWRA.

⁷ Location of Low Level Outlet Works at dam.

Source: Monterey County Water Resources Agency

RESERVOIR OUTLET WORKS

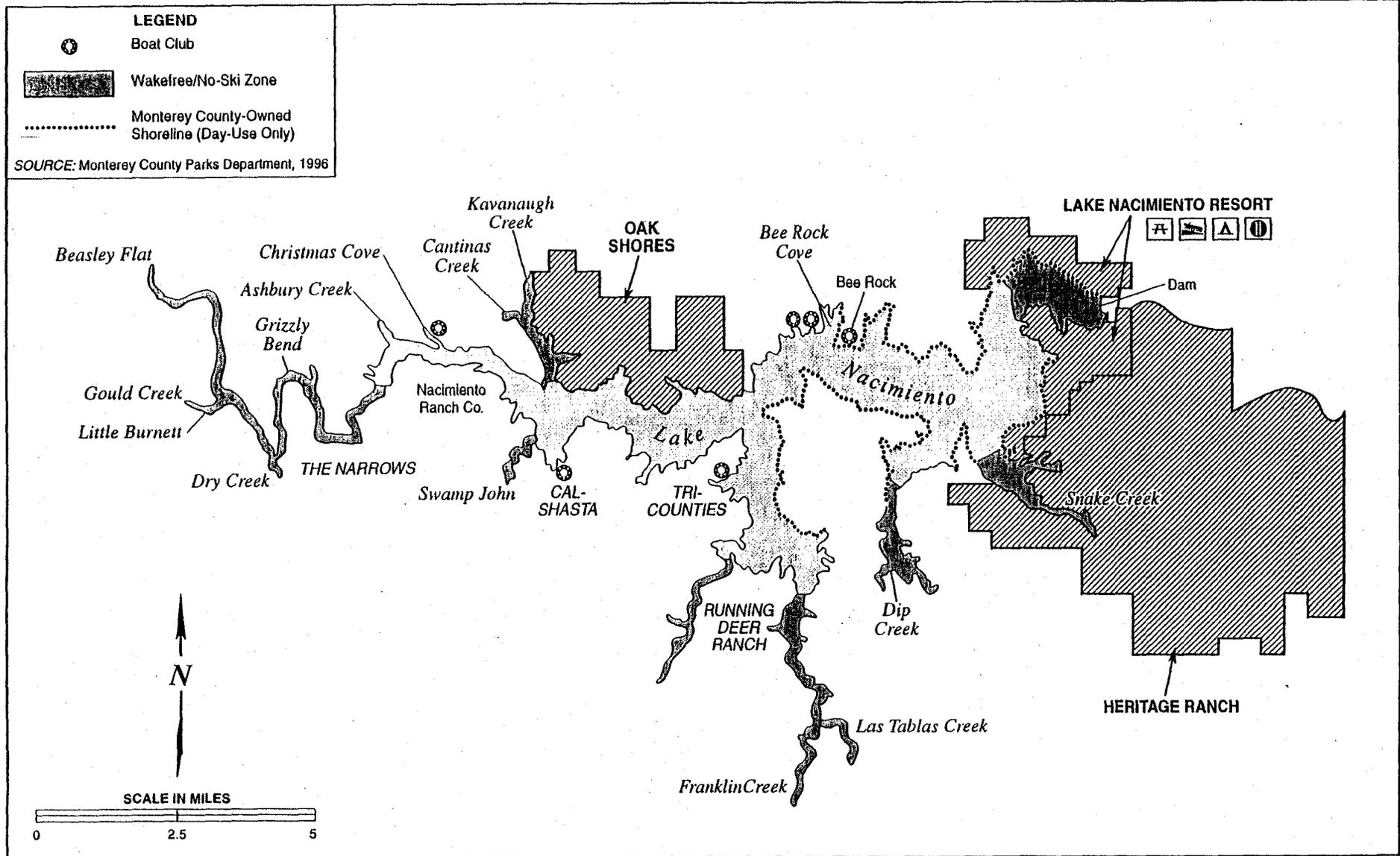
The currently proposed intake facilities would be located on the lake shore at the northerly abutment of the dam. The proposed water supply intake is a 20 foot diameter vertical shaft drilled down 170 feet and connected to three horizontal intake tunnels. A pump station facility will be constructed at the intake site, above the high water line (HWL), and includes pumps, motor control center building, transformer yard and parking area. All of these proposed facilities would be fenced and protected from unauthorized entry (Carollo 2000). The surrounding terrain, outside of the intake facility yard, is rugged and there are essentially no safe locations available for parking. Therefore, unauthorized access to the lake in the area around the intake facilities is unlikely. Section 11.20.480 of Title 11, prohibits parking in other than designated areas.

Monterey County has installed and maintains a log boom to prevent access to the dam and spillway. The boom is currently anchored 1250 feet from the dam on the south side and 500 feet away on the north side. If necessary, the boom will be repositioned around the proposed intake structure to provide a protection zone of 500 feet.

RECREATIONAL ACTIVITIES

Lake Nacimiento allows for many types of recreation, both on shore and on the water, including camping, hiking and horseback riding trails, fishing, boating, swimming, water skiing, and personal water craft. Lake Nacimiento Resort provides the most extensive recreation facilities. The Resort includes approximately 330 camping spaces, boat launch ramps, marina, picnic areas, fish cleaning station, and additional parking. According to the MCPD Revenue and Attendance Report the maximum number of visitors at the Resort on a peak weekend is approximately 20,000. Heritage Ranch, Oak Shores, other lakeside residential developments, and recreational clubs also contribute visitors to the lake area at their respective facilities.

Recreation on Lake Nacimiento and within the Resort is governed by San Luis Obispo County Ordinance 1650, which is codified in Title 11 of the SLO County Code. A full copy of Section 20 of Title 11 is included in the Appendix and referenced throughout this report. An abbreviated list of pertinent regulations from this ordinance is distributed by the Resort to each lake user at the Resort entry gate. A copy of this handout is included in the Appendix. The Resort and its operations are also bound by the conditions of their lease agreement with the MCWRA. The Heritage Ranch Owners Association Rules and Regulations regulate activities within their community; a copy of the pertinent sections is included in the Appendix.



Lake Nacimiento Recreational Areas
Figure 3

CONTROL PROGRAM

1) Boating Activities. Title 11 of the SLO County Code provides regulations concerning the appropriate type of boat for use on Lake Nacimiento. These include the seaworthiness of boats (11.20.290 (1)); prohibition of toilets or sink drains that can discharge into the lake (11.20.290 (3)); reference to the California Harbor and Navigation Code (11.20.400); and limitations on the number of passengers to be carried by each boat (11.20.330). All boaters must obtain a boat permit from the Monterey County Parks Department (MCPD) on either a daily or yearly basis. The permits must be carried on the boat for presentation to Lake Patrol. The MCPD operates a Boat Entry Station at the boat launch ramp at the Resort and maintains year round patrols of the Lake.

A fueling facility is located at the marina at the Resort. Fuel storage tanks, pumps, and piping must comply with local, State, and Federal Regulations for containment.

The number of boats which can safely operate on the lake is a function of the surface area. According to the California State Department of Parks and Recreation the maximum recommended density is one boat for every 4 or 5 acres. The MCPD follows this guideline, which allows approximately 1,000 boats on the lake at one time during the summer months, based on historical average elevations. The nature of the boat launch ramps at Lake Nacimiento naturally limits the number of boats which can access the lake as the elevation decreases. Table 2 shows the lake elevations at which selected launch areas are no longer functional.

Table 2: Lake Nacimiento Water Surface Elevations at which Boat Launch Areas Can No Longer Function

Boat Launch Area	Water Surface Elevation (feet above sea level)
MCPD Condo Dock	777
MCPD Resort Main Launch (high level)	767
Heritage Ranch	735
Oak Shores	725
MCPD North Ramp	719
MCPD Resort Main Launch (low level)	680

Source: MCPD 1996 (taken from Ogden 1997)

Heritage Ranch has a fish cleaning facility located approximately 200-feet from the HWL and more than four river miles from the proposed intake. Wastes flows into the sewage system through a grinder pump and bacteriological filter. The Resort has a fish cleaning facility at the top of the boat ramp, and the spring loaded faucets prevent any excessive

waste flows. The fish cleaning facility drain flows to one of the Resort septic systems. Section 11.20.240 of the SLO County Code prohibits cleaning fish anywhere in the park except at designated locations.

2) Swimming. Developed day use areas, including parking lots, picnic facilities, and boat launch ramps, are located within the first two river miles from the Nacimiento Dam. The majority of shoreline along the first eight river miles from the Dam is open for day use and swimming. Water skiing and personal water craft use are allowed on the main body of the Lake, up to the log boom at the Dam. All pets must be on a leash and attended at all times, per Section 11.20.270 of the SLO County Code.

3) Toilets. All of the residential communities provide restrooms and/or portable toilets for their members. They also do routine inspection and maintenance at these facilities. Some of these private facilities are also available for public usage. The Resort has restroom facilities at all campgrounds, picnic and service facilities. There are at least ten portable toilets distributed around the beach areas. These are relocated as necessary as Lake levels fluctuate. The Resort services these daily during the summer. The MCPD maintains two floating restrooms to serve boaters; these are located approximately 1.5 miles and 4 miles, respectively, from the dam. The floating restrooms are serviced daily and are towed to facilities on shore to pump the holding tanks, as needed (MC Parks, 2001). Title 11 of the SLO County Code, Section 11.20.230 (3), requires that all campers and RV's be equipped to prevent discharge of graywater or sewage onto the ground.

4) Trailer Sanitation Stations. A recreational vehicle "Dump Station" is located at the Resort gas and propane station, approximately 250 feet from the HWL for the use of Resort visitors. This Station is connected to the Resort sewerage system.

5) Individual, Onsite Sewage Disposal Systems. Section 20 of Title 19 of the SLO County Code, Buildings and Construction Ordinance, addresses the design and installation of sewage disposal systems within the unincorporated areas of San Luis Obispo County. A copy of the pertinent sections is included in the Appendix. Additionally, new individual systems shall meet RWQCB Basin Plan 83-12 requirements.

These regulations include site area restrictions, groundwater separation minimums, surface flow constraints, and percolation minimums. Septic systems are required to have sufficient area for a 100% replacement system. Each system is required to be located at least 200 feet from HWL. All site plans and construction projects are inspected by the County building officials.

6) Sewerage Systems. The majority of recreational activity near the shores of Lake Nacimiento is concentrated in four developments: Heritage Ranch and Oak Shores residential communities, and the Lake Nacimiento Resorts and North Shore Ski & Boat Club recreational facilities.

Heritage Ranch

Heritage Ranch Community Services District (HRCSD) operates the Heritage Ranch Sewage Treatment Plant which is located over 500 feet from the reservoir HWL. All sewers and appurtenances are located at least 300 feet horizontally and 25 feet above the HWL. Effluent is pumped out of the watershed to a holding pond and sand filter beds. There are a total of five lift stations: a major station, two large residential stations, and two small stations serving the RV and campground areas. Each of these lift stations has two pumps and a minimum of four hours of storage capacity. The HRCSD owns four trailer-mounted generators (80 kW and 100 kW) which can be rotated between the pump stations as necessary during an extended power outage. The treatment plant utilizes two aeration ponds which are oversized to provide up to two weeks of storage. The plant and the main lift station have a Supervisory Control and Data Acquisition (SCADA) system that is linked to an auto dialer which provides 24-hour emergency notification. HRCSD operates the system under the California Regional Water Quality Control Board Waste Discharge Order No. 95-36 and NPDES number CA0048941. They employ a Grade 2 Wastewater Treatment Plant Operator for system supervision and two Grade 1 Wastewater Treatment Plant Operators for system operations (HRCSD, 2001).

Oak Shores

San Luis Obispo County, through County Service Area 7A, operates the waste water facilities that serve the Oak Shores development. This facility was constructed in 1975 and has been meeting discharge requirements since then. Because the residential development extends to the HWL, the gravity sewage system includes an interceptor which is buried within the HWL. This was constructed using pressure pipe materials and is inspected by CSA 7A for leakage annually using dye in accordance with RWQCB requirements. The sewage collection system includes five small pump stations and one large one on the interceptor. Each pump station has dual pumps. Three are equipped with auto dialer alarms, and the remaining three have annunciator lights. The alarms have battery backup and utilize an auto dialer to provide 24-hour emergency notification. The smaller wet wells have 8-12 hours of emergency storage and three are constructed to operate using CSA 7A's gasoline powered pumps or a generator. The large interceptor wet well has about three days of storage and a generator onsite for operation during extended power outages.

The Oak Shores sewage treatment plant is located approximately 1000 feet horizontally and 100 feet above the HWL. The treatment plant has 24 hour design flow storage capacity. Although the facility is located near the lake shore, the Oak Shores Development is located almost ten river miles from the dam and intake structure. The plant was constructed with dual facilities for redundancy. The effluent disposal area is a spray field within the Kavanaugh Creek area, which is another mile further up the watershed from the lake. This area has a capacity for two million gallons, whereas the system typically handles 50,000 gallons per day, thus giving approximately 40 days of storage. All surface runoff

is diverted around the spray field. The County employs a Grade 2 Wastewater Treatment Plant Operator for this system. All facilities are operated in accordance with California Regional Water Quality Control Board Waste Discharge Requirements (CSA 7A, 2001).

Lake Nacimiento Resorts

Water World Resorts, Inc. operates the community septic system at Lake Nacimiento Resort. The septic tanks are located near the facilities they serve. The effluent from each tank is consolidated in a holding tank approximately 100' from the HWL and then pumped to a spray field located outside the watershed. The septic tank pump stations are inspected weekly by the Resort and pumped as needed, with the wastes being trucked out of the watershed. There are alarms on the effluent pump facilities, with a portable generator available for secondary power. A Grade 2 Wastewater Treatment Plant Operator operates the system including the inspection and reporting, as specified in the California Regional Water Quality Control Board Waste Discharge Requirements No. 96-26. Additionally, the San Luis Obispo County Environmental Health Department performs monthly inspections of the public service facilities at the Resort.

North Shore Ski & Boat Club

North Shore Ski & Boat Club utilizes a septic tank system with effluent pumped to a leach field located within 100 feet of the lake HWL. This system is designed for 10,000 gallons per day, but is currently operating at about 25% of design capacity. Although the leach field is near the water's edge, it is located six river miles from the water intake structure. Facilities are operated in accordance with California Regional Water Quality Control Board Waste Discharge Requirement Order No. 89-74.

7) Refuse Disposal. Refuse collection containers are conveniently located and well maintained at all public facilities. The Resort has a large number of 55 gallon trash cans located throughout their campgrounds, beaches, launching ramp, store, marina and cottages. These are maintained by the Resort staff; during the peak season, they are emptied twice a day and during the off season they are emptied daily or as needed. The collected refuse is removed from the watershed for disposal at an approved landfill. Heritage Ranch and Oak Shores are residential communities with weekly private home refuse service. Heritage Ranch has dumpsters at the fish cleaning station and campground. Oak Shores has four receptacles at the main launching ramp, two more, plus a recycling station, at the west ramp, and two at the campground. These dumpsters are serviced weekly or as needed (OSCA, 2001).

SLO County Code, Section 11.20.230, prohibits littering at the resort and the lake. Section 11.20.470 prohibits littering from vehicles. Section 11.20.540 prohibits improper disposal of burning material.

8) Equestrian Activities. The Nacimiento Lake watershed is in a rural portion of Central California. The entire watershed has open rangelands populated by wildlife and cattle.

The lower, more developed reaches are primarily large parcels with abundant wildlife, some cattle, and horses. Open range livestock and wildlife have access to the lake shore and tributaries. Due to the rugged terrain and arid climate there are no feed lots. The Resort does not have any equestrian facilities other than trails, and in accordance with Section 11.20.620, horses are required to stay on designated equestrian trails and are specifically prohibited from the campground and picnic areas.

9) Visitor Limitation. The MCPD is responsible for patrolling and controlling recreational use of the lake. They conform to State boating guidelines for limiting the density of boats on the Lake. Access to the lake from boat ramps decreases substantially as lake levels recede; this results in a direct limitation on the number of boats as the surface area of the lake diminishes. There are limited support facilities around Lake Nacimiento for overnight camping. The residential communities have campgrounds, but they are relatively small and their use is limited to owners and guests. The Resort has a defined capacity and limits overnight campers to that number.

The average annual number of visitors to Lake Nacimiento according to the MCPD Revenue and Attendance Report for an eight year period from 1994 to 2001 was 202,700. The months with the highest average attendance are May, June and July. The District measured the temperature profile in the lake in May, June, and July of 1997 and May 1998. The average storage above the thermocline for these four months was 100,800 acre-feet, and the average annual attendance for 1997 and 1998 was 201,150. The average number of annual visitors per acre-foot of storage above the thermocline for these years is 2.0. The District resumed regular water quality and temperature monitoring at the lake in August 2001, therefore more data will be available for future updates of this Report. Attendance tables and charts, temperature profiles, and calculation worksheets are shown in the Appendix.

10) Water Quality Monitoring. The District has consulted with DHS and has developed a schedule for water quality monitoring on Lake Nacimiento, which is included in the Appendix. The results of water quality testing conducted under this schedule are also included in the Appendix.

11) Reservoir Area Closure. SLO County Code, Section 11.20.220, authorizes park personnel or the operator to restrict public use of the park for sanitary protection of the watershed, fire prevention, construction, dangerous or unsafe conditions, to prevent damage to the park, or for conservation of fish and game. Section 11.20.430 authorizes the SLO County Sheriff or the MCPD Director to close the park due to dangerous conditions.

12) Reservoir Patrol. The Resort employs two permanent rangers year-round and eight additional full-time employees during the peak summer season. These employees patrol the Resort facilities and enforce the Resort rules. In addition, there are approximately five permanent and five seasonal employees on the maintenance crew, which is responsible for servicing restrooms, collecting refuse, and maintaining the grounds. SLO County Code, Sections 11.20.050 and 11.20.051, convey enforcement

authority to park personnel. The MCPD employs two permanent full-time and three seasonal part-time employees to patrol the lake seven days per week. A MCWRA employee lives at the dam and makes daily inspections of the dam area, including the log boom. During peak summer weekends the SLO County Sheriff places patrols on the lake. Due to extensive fishing at the lake, the California Department of Fish and Game conducts frequent, unscheduled visits to the lake. Heritage Ranch Homeowners Association has three full-time and twelve part-time employees to patrol their community. During the summer, two additional part-time employees are hired (HRCSD, 2001). Oak Shores Community Association has three full-time and three part-time security employees; they also employ four maintenance workers. There is an onsite volunteer fire department with a fire/rescue boat (OSCA, 2001).

13) Emergency Plan. The MCWRA has developed the 1996 *Emergency Action Plan for Nacimiento Dam*. This plan is for emergency situations that may be caused by the possible failure of Nacimiento Dam. In conjunction with the development of the proposed water delivery system, the District will develop an action plan for emergency situations which may affect the water quality of the Nacimiento Water Supply Project.

14) Public Health Surveillance. The majority of the Lake shoreline is privately owned and nominally developed. A relatively small portion of the Lake is developed for public recreation; this public area is the most intensively used area and is geographically closest to the intake facilities. Due to these factors, the Public Health Surveillance Program is structured to provide monthly inspections at the more heavily used public areas and an annual inspection of the entire lake. The monthly lake inspections will be scheduled to occur within two weeks after major holiday events (such as Memorial Day, Fourth of July, or Labor Day weekends). The annual inspections will occur during the summer season. The inspection forms included in the Appendix have been tailored to reflect the existing site improvements and will be amended as facilities change. The District will coordinate with the MCPD, the SLO County Environmental Health Division, or contract with a qualified private consultant to perform the inspections. A copy of each inspection report will be submitted to DHS. The Public Health Surveillance Program will be implemented upon completion of the Nacimiento Water Supply Project, prior to beginning water deliveries.

If problems are noticed during an inspection, the District will inform the appropriate agency to ensure that applicable ordinances, building codes, and health and safety codes are enforced.

15) Public Notification. Currently, there is a public information network, which includes handouts, newsletters and signs in the Lake Nacimiento area. The District will work closely with the organizations which maintain this network to keep the recreational users of Nacimiento Lake informed of important water quality issues. This information network serves both residents and visitors at Nacimiento Lake.

All of the residential communities have newsletters and/or informational flyers that define the rules for using community facilities (such as lake shore improvements). The

District will coordinate with each of these communities to include the following statement in their rules or newsletters: "Nacimiento Lake is a drinking water supply, please refrain from any activities that may adversely affect the quality of water in the lake." The District will also communicate relative information to each community to be included in the newsletters or flyers.

The Resort distributes information and rule sheets to all persons entering the recreation area. The District will work with the Resort to have the above statement included on their form. Additionally, District will work with the Resort, and the lake shore communities to locate public notification signs at existing message boards in the campgrounds, restrooms, launching ramp and the marina.

The MCPD sells annual and day boat passes. The District will work with the MCPD to add the statement "Nacimiento Lake is a drinking water supply" to the receipts for annual passes and day passes.

BIOLOGICAL RISK ASSESSMENT

The average annual number of visitors at the lake, per related lake water storage, falls within the guidelines for requiring a Biological Risk Assessment. If the annual number of visitors per related lake water storage exceeded the guidelines, a Biological Risk Assessment would have been required.

REFERENCES

- Boyle Engineering Corporation, 1992. *Preliminary Evaluation for the Nacimiento Water Supply Project; Phase I: Reliability Evaluation*. November, 1992.
- Carollo Engineers, 2000. *Administrative Draft: EIR Preparation Phase Engineering Report; Nacimiento Project*. December, 2000.
- Community Service Area 7A: San Luis Obispo County, 2001. Memorandum from San Luis Obispo County Flood Control and Water Conservation District to Community Service Area 7A operator. December, 2001.
- Heritage Ranch Community Services District, 2001. Fax memorandum from the Heritage Ranch Community Services District to San Luis Obispo County Flood Control and Water Conservation District. December, 2001.
- Monterey County Parks Department, 2001. Telephone conversations between San Luis Obispo County Flood Control and Water Conservation District personnel and Monterey County Parks Department personnel. December, 2001.
- Oak Shores Community Association, 2001. Telephone conversation between San Luis Obispo County Flood Control and Water Conservation District personnel and Oak Shores Community Association personnel. December, 2001.
- Ogden Environmental and Energy Services Co., Inc., 1997. *Draft Environmental Impact Report: Nacimiento Water Project ED 92-271*. August, 1997.
- Monterey County Water Resources Agency, 1996. "Nacimiento Reservoir Capacity Table."

**APPENDIX A, LAWS, RULES AND REGULATIONS
OF THE NACIMIENTO WATER SUPPLY PROJECT: REPORT ON RECREATIONAL USE AT
LAKE NACIMIENTO (JUNE 2002)**

Assembly Bill No. 1460

CHAPTER 524

An act to amend Section 115825 of, and to add Section 115841 to, the Health and Safety Code, relating to water.

[Approved by Governor September 28, 1997. Filed
with Secretary of State September 29, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1460, Bordonaro. Nacimiento Reservoir.

Under existing law, the Monterey County Water Resources Agency operates the Nacimiento Reservoir. Under existing law, bodily contact with water is generally prohibited in a reservoir in which water is stored for domestic use.

This bill would authorize recreational activity in which there is bodily contact with the water by any participant, in the Nacimiento Reservoir, in accordance with certain requirements.

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

SECTION 1. Section 115825 of the Health and Safety Code 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 and 115841, 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.

SEC. 2. Section 115841 is added to the Health and Safety Code, to read:

115841. Recreational activity in which there is bodily contact with the water by any participant shall continue to be allowed in Nacimiento Reservoir in accordance with all of the following requirements:

(a) Any agency that removes water from the reservoir for domestic use shall comply with any, or at a minimum, one of the following with regard to the water removed:

(1) The water subsequently receives complete water treatment in compliance with all applicable department regulations, including coagulation, flocculation, sedimentation, filtration, and disinfection, before being used for domestic purposes.

(2) The water is discharged in a manner that allows percolation into a subsurface groundwater basin for subsequent extraction from only those groundwater wells that have been determined by the department not to be under the influence of surface water pursuant to Chapter 17 (commencing with Section 64650) of Division 4 of Title 22 of the California Code of Regulations and subsequently receives disinfection and complies with all applicable department regulations before being used for domestic purposes.

(3) The water is discharged in a manner that allows percolation into a subsurface groundwater basin for subsequent extraction from groundwater wells under the influence of surface water that receives treatment pursuant to Chapter 17 (commencing with Section 64650) of Division 4 of Title 22 of the California Code of Regulations and complies with all applicable department regulations.

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

(c) The water stored for domestic purposes that may be excepted from the requirements of subdivision (b) of Section 115825 is removed from the reservoir by an agency for domestic purposes only in San Luis Obispo County and only in an amount for which that agency has a contractual right.

SEC. 3. The Legislature finds and declares that Section 2, which is applicable only to the Nacimiento Reservoir, is necessary because of the unique recreational needs in the County of San Luis Obispo. It is therefore, declared that a general law within the meaning of Section 16 of Article IV of the California Constitution cannot be made applicable, and that the enactment of this special law is necessary for the use of water for the public good.