The seal of San Luis Obispo County, California, is a circular emblem. It features a central figure of a Native American man holding a bow and arrow. The background of the seal depicts a landscape with a ship on the left, a building in the center, and a mountain range on the right. The text "COUNTY OF SAN LUIS OBISPO" is written along the top inner edge, and "CALIFORNIA" is written along the bottom inner edge. There are stars around the perimeter of the seal.

**Nacimientto Water Supply Project:
Report on Recreational Use
at Lake Nacimientto**

**Prepared By:
San Luis Obispo County
Flood Control and Water Conservation District**

June 2002

**County of San Luis Obispo
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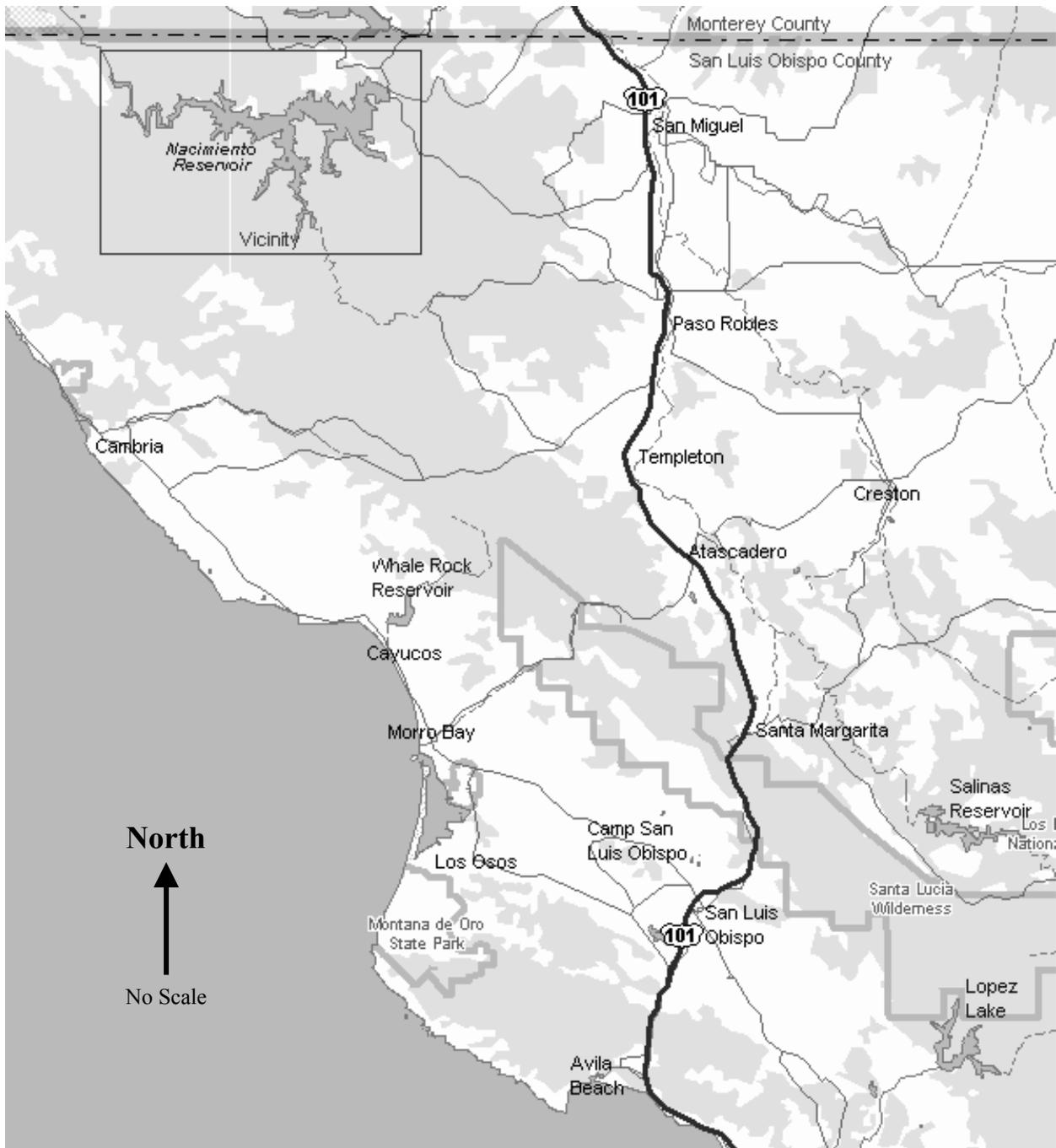
INTRODUCTION

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.

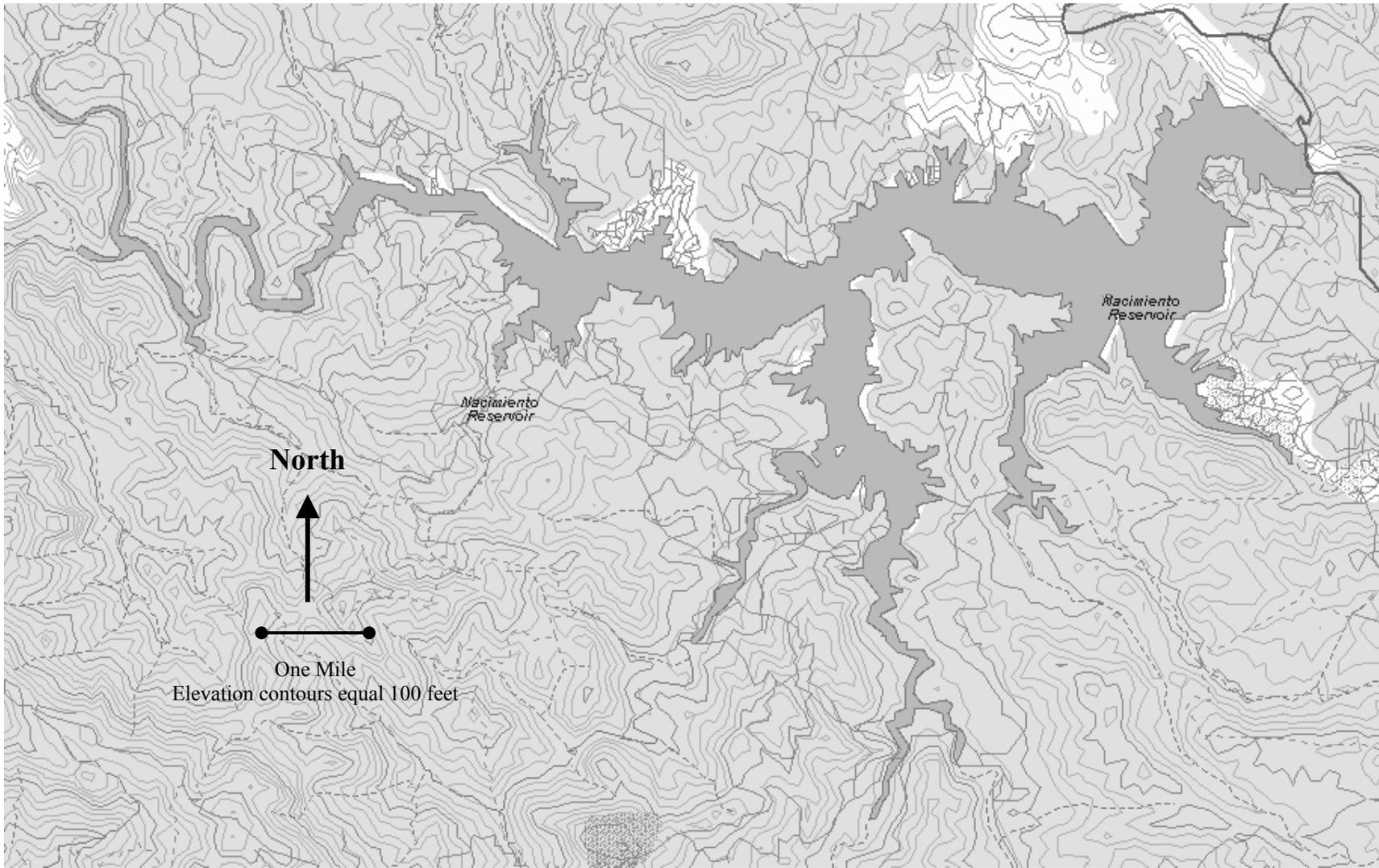
The information in this Report was based on existing codes, discussions with facility owners and operators, the Heritage Ranch Community Services District Sanitary Survey and other resources available at the time. It was prepared at the request of the Department of Health Services. The District anticipates 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

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.

Title 11 PARKS AND RECREATION

Chapter 11.20 NACIMIENTO RECREATION AREA

11.20.010 Definitions.

As used in this chapter, unless the context clearly requires a different meaning, the following words have the following meanings:

- (1) "Aquaplane" means any plank, surfboard, water ski or other device used for transporting, conveying or carrying a person who is towed or pulled by any boat by means of a rope, chain, cable, wire, or other connection;
- (2) "Board" means the board of supervisors of the county of San Luis Obispo;
- (3) "Department" means the Monterey County department of parks;
- (4) "Director" means director of the Monterey County department of parks or his authorized representative;
- (5) "District" means the Monterey County flood control and water conservation district;
- (6) "Horse" means any member of the equine family;
- (7) "Lake" means Nacimiento Lake;
- (8) "Nacimiento Lake" means the reservoir created by Nacimiento Dam located in the county of San Luis Obispo;
- (9) "Nacimiento recreation area" means that portion of Nacimiento Reservoir and adjoining land which is used or planned for use for recreational purposes;
- (10) "Operator" means the lessee of district park lands;
- (11) "Park" means land leased or used by the district for recreational purposes plus all surface water are of the lake;
- (12) "Park personnel" means all those department personnel charged with the responsibility of the maintenance and management of the Nacimiento recreational area, and "park personnel" includes the director and assistant director of the department. (Ord. 1650 § 2 (part), 1976)

11.20.020 Picnicking and overnight camping limits.

It is unlawful at any time to picnic or at any time after dark to camp on any parcel adjacent to the shoreline of Nacimiento Lake, except at areas specifically designated for picnicking or for overnight camping by the owner or operator of such areas and which are also approved for such uses by the county planning department and county health department. For the purposes of this section, "after dark" means any time from one-half hour after sunset to one-half hour before sunrise. "Camping" means erecting a tent or shelter or arranging bedding or both, or the use of a recreational vehicle for the purpose of, or in such a way as will permit, remaining overnight. (Ord. 2274 § 6, 1986; Ord. 1650 § 2 (part), 1976)

11.20.030 Issuance of citations.

The following procedures shall be applicable to the issuance of a citation within the park by department personnel authorized by the board to any person, including either adults or

juveniles, suspected of the violation of any of the provisions of this chapter or misdemeanor violations of the laws of the state:

(1) The person issuing the citation shall prepare, in triplicate, a written notice to appear in court, containing the name and address of the person cited, the offense charged, and the time and place where and when such person shall appear in court.

(2) The time specified in the notice to appear must be at least five days after such citation is issued.

(3) The place specified in the notice to appear shall be the municipal court of San Luis Obispo County, Paso Robles Branch.

(4) The person issuing the citation shall deliver one copy of the notice to appear to the person cited, and the person cited, in order to secure release, must give his written promise to so appear by signing the duplicate notice. Thereupon the person issuing the citation shall forthwith release the person cited. The triplicate copy of the notice shall be retained by the person issuing the citation.

(5) The person issuing the citation shall as soon as practicable file the duplicate notice with the court specified in subsection (3) of this section.

(6) If the person cited does not actually appear in response to such notice at the time specified therein, then the person who issued the citation shall request that a warrant be issued for the arrest of the person so notified to appear. (Ord. 1650 § 2 (part), 1976)

11.20.040 Revocation of permits.

Park personnel authorized by the director are authorized to revoke any park permit and to expel any person from the park for violation of any applicable law, rule, regulation, or county code provision. Any person aggrieved by such revocation or expulsion may appeal to the board by filing a request for hearing with the clerk of the board within five days of the revocation or expulsion. The determination of the board thereon shall be final. (Ord. 1650 § 2 (part), 1976)

11.20.050 Authority of park personnel.

Park personnel are authorized to direct the visiting public in its use of the park according to statutes, ordinances and rules and regulations applicable to the park. In the event of fire or other emergency, to expedite traffic, to insure safety of the persons in the park, to insure against pollution of the lake, or to protect property and facilities in the park, park personnel may direct the public as conditions may require notwithstanding other provisions of this chapter. (Ord. 1650 § 2 (part), 1976)

11.20.051 Enforcement--Arrest and citation authority.

(1) It is the duty of the director and all of the uniformed employees working within Nacimiento Recreation Area to enforce the provisions of this chapter. Pursuant to Section 836.5 of the Penal Code, said director and uniformed employees are authorized to arrest persons for violations of this chapter which constitutes misdemeanors or infractions without a warrant whenever such director or any such uniformed employees has reasonable cause to believe that the persons to be arrested have committed such a violation in his presence.

(2) In any case in which a person is arrested, pursuant to subsection (1) of this section, and the person arrested does not demand to be taken before a magistrate, the public officer or employee making the arrest shall prepare a written notice to appear and release

the person on his promise to appear as prescribed by Chapter 5C (commencing with Section 853.6) Title 3 of Part 2 of the Penal Code. (Ord. 2121 § 1 (part), 1983)

11.20.052 Penalty for violation.

Every person who violates any of the provisions of this chapter, except provisions directed to the Monterey County parks department, is guilty of a misdemeanor and upon conviction thereof is punishable by imprisonment in the County Jail for not more than six months, or by a fine of not more than five hundred dollars, or by both. (Ord. 2121 § 1 (part), 1983)

11.20.060 Obedience to orders.

It is unlawful for any person within the park to wilfully fail or refuse to comply with any lawful order, signal or direction from any park personnel, or to refuse to submit to any lawful inspection under this chapter. (Ord. 1650 § 2 (part), 1976)

11.20.070 Delegation of powers by board.

Powers granted to the department or to park personnel under this chapter shall be construed to be powers delegated by the board for the purpose of management control. (Ord. 1650 § 2 (part), 1976)

11.20.080 Indecent language or gestures--Public demonstrations--Collection of money.

It is unlawful for any person within the park to commit any of the following acts:
(1) To use threatening, abusive, boisterous, insulting or indecent language or gestures;
(2) To make any oration, harangue or other public demonstration without a permit issued by the board; provided, that in issuing any such permit, the board may require the recipient thereof to carry appropriate insurance in amounts required by the board;
(3) To collect money without a permit issued by the board; provided, that this shall not apply to park personnel authorized by the director to collect money in the name of the department, or to the operator. (Ord. 1650 § 2 (part), 1976)

11.20.090 Amplifying equipment operation.

It is unlawful for any person to operate any public address system within the park without a permit from the operator. No sound amplifying equipment shall at any time be operated at such volume as to interfere with the enjoyment of the park by members of the general public using the park, or with the peaceful enjoyment of persons lawfully occupying private property outside the park. (Ord. 1650 § 2 (part), 1976)

11.20.100 Motor vehicles.

It is unlawful for any person within the park to commit any of the following acts:
(1) To operate any motor vehicle, motor-driven vehicle, motorcycle, or motor-driven cycle unless the operator is duly licensed pursuant to the California Vehicle Code;
(2) To operate any motor vehicle, motor-driven vehicle, motorcycle, or motor-driven cycle which is not registered pursuant to California Vehicle Code;
(3) To operate any motorcycle or motor-driven cycle unless the motorcycle or motor-driven cycle has been inspected for quietness and has installed upon it a spark arrestor approved by the U.S. Forest Service and a muffler approved by park personnel;
(4) To operate any motor vehicle, motor-driven vehicle, motorcycle, bicycle, or motor-driven cycle except on designated blacktop roads, or other designated areas only;

(5) To operate any motor vehicle, motor-driven vehicle, motorcycle, bicycle, or motor-driven cycle cross-country;

(6) To operate any motorcycle or motor-driven cycle except between the hours of eight a.m. and eight p.m.;

(7) To operate any motorcycle or motor-driven cycle within five hundred feet of any campground or service area except to enter or leave said campground or service area. (Ord. 1650 § 2 (part), 1976)

11.20.110 Smoking in hazardous areas.

It is unlawful for any person to smoke in any part of the park where there exist conditions of fire hazard, as indicated by posted signs. (Ord. 1650 § 2 (part), 1976)

11.20.120 Public use fees.

(a) Public use fees for the park shall be those established by the operator or by the department. Such public use fees are necessary to recover costs of services rendered, other than inspection, and costs of control of sanitation and pollution.

(b) The public use fees referred to in subsection (a) of this section shall be due and payable upon entering the park. They shall be considered earned upon receipt subject to refund only as provided by the operator or department. (Ord. 1650 § 2 (part), 1976)

11.20.130 Permit--Required.

(a) Upon the payment of the fees referred to in Section 11.20.120 and, in the case of boats, upon the boat passing the boat inspection for the park as set out in this chapter, park personnel or operator shall issue the appropriate permit.

(b) It is unlawful for any person to do either of the following acts:

(1) To enter the park without first paying the appropriate fees and obtaining the appropriate permits, unless specifically exempted by this code;

(2) To enter the park at locations other than those designated by the department as park entrances. (Ord. 1650 § 2 (part), 1976)

11.20.150 Annual boat permit--Exemptions.

(a) The annual boat permit shall be affixed to the outboard side of the boat approximately midboat on the port side, or on the port side of the boat windshield, and is not transferable to other boats owned concurrently by the same or other owners.

(b) Concession boats or boats owned by the United States, the state of California, the county of San Luis Obispo, or the county of Monterey shall not be required to obtain boat permits, but shall be subject to all other rules and regulations of this chapter. (Ord. 1650 § 2 (part), 1976)

11.20.160 Boat and vehicle permits--Transferability--Replacement.

(a) Annual boat permits are issued to specific boats and are transferable in the event of transfer or sale of the boat to a new owner upon application to the department and the payment of a transfer fee if required.

(b) In the event that an annual boat permit is lost or destroyed, a duplicate permit may be issued by park personnel or operator without the payment of an additional fee upon written application on a form furnished by park personnel stating the facts of such loss or destruction and stating any other information required by park personnel. (Ord. 1650 § 2 (part), 1976)

11.20.170 Camping permits.

Camping permits shall be affixed by the camper to his site marker. Park personnel or operator are authorized to remove from any campsite any person and his property who is camped at such campsite without the payment of the fee or fees required by this chapter. (Ord. 1650 § 2 (part), 1976)

11.20.180 Permits--Removal--Alteration.

It is unlawful for any person within the park to do any of the following acts:

- (1) Remove another person's camping permit from a site marker;
- (2) Change, mutilate or alter any camping permit, boat permit or annual permit. (Ord. 1650 § 2 (part), 1976)

11.20.200 Annual permits for calendar year.

Annual permits shall be valid for the calendar year in which issued, terminating on December 31st of each such year unless revoked for cause at an earlier date. (Ord. 1650 § 2 (part), 1976)

11.20.210 Revoked permits--Retaking.

Park personnel or operator may take possession of any certificate card, permit or decal issued hereunder upon revocation, cancellation or suspension thereof or which is fictitious or which has been unlawfully or erroneously issued. (Ord. 1650 § 2 (part), 1976)

11.20.220 Restriction of public use of park.

Park personnel or operator are authorized to restrict the public use of the land area of the park by closing the park or any park area or any of its facilities or restricting the hours of operation for good and sufficient reason including, but not limited to, the following:

- (1) Sanitary protection of the watershed;
- (2) Fire prevention;
- (3) Construction;
- (4) Dangerous or unsafe conditions;
- (5) To prevent damage to the park or its facilities;
- (6) Conservation of fish and game. (Ord. 1650 § 2 (part), 1976)

11.20.230 Litter, garbage, polluting substances.

It is unlawful for any person within the park to commit any of the following acts:

- (1) To throw or discharge into the waters of the lake or any stream, or place upon the shore area thereof, any litter, garbage, waste products, trash, motor oil or other debris, or to discharge into the lake or any stream or along the shore area thereof any contaminating or polluting substance of any kind whatsoever, or to use any motor or container which leaks oil or gas into the waters of the lake.
- (2) To dump or deposit any trash, refuse, garbage, litter or any kind of waste material in any portion of the park except in approved containers specifically placed and designated to receive such waste materials;
- (3) To permit or to cause any camper, trailer or tent trailer with any of the following equipment: sink, shower, drain or flush toilet, camped at a site other than one with a sewer hookup, to fail to comply with any of the following requirements:

- (A) All holding tanks in any such camper, trailer or tent trailer shall be sealed by the owner and inspected by the park personnel upon entry into the park,
- (B) When any such holding tank is full, the sewage waste must be disposed of at a sewer disposal station provided within the park,
- (C) All wastewater from sinks and/or shower drains shall be caught in a bucket or can designated so as not to allow any spillage,
- (D) All such wastewater in such buckets or cans shall be disposed of in receptacles provided within the park. (Ord. 1650 § 2 (part), 1976)

11.20.240 Cleaning fish.

- (a) It is unlawful for any person to clean fish in the park, except at places designated by park personnel or by operator.
- (b) It is unlawful to fish off public docks or commercial marinas. (Ord. 1650 § 2 (part), 1976)

11.20.250 Operation of bilge pumps.

It is unlawful for any person to operate a bilge pump on the lake, except in emergency or in a place or places designated by park personnel or by operator. (Ord. 1650 § 2 (part), 1976)

11.20.270 Animals and pets.

- (a) It is unlawful for any person within the park to commit any of the following acts:
 - (1) To allow any animal or pet under his supervision to be in the park unless controlled by a leash not to exceed six feet in length, or by a bridle;
 - (2) To allow any animal or pet under his supervision to molest, inconvenience or endanger any occupant of the park;
 - (3) To abandon any animal or pet under his supervision within the park;
 - (4) To allow any animal or pet under his supervision to be outside of an enclosed vehicle or tent at night;
 - (5) To leave any animal or pet under his supervision unattended at any time;
 - (6) To allow any animal or pet under his supervision to be in any portion of the park except in general campground areas day use areas, or other appropriately posted areas;
 - (7) To allow animals or pets under his supervision to be on hiking or nature trails, or to be in any park buildings or structures;
- (b) Provided, however, that Seeing Eye dogs shall be exempt for the provisions in subdivisions (1) and (7) of this section.
- (c) Park personnel or operator are authorized within the park to impound animals or pets involved in any violation of the provisions in this section and to charge the custodian of said animal or pet a reasonable fee or fees for the release of the animal or pet. Said fee or fees shall be set by the department or the operator, and shall be on file in the office of the county clerk. (Ord. 1650 § 2 (part), 1976)

11.20.280 Boat standards--Permit.

It is unlawful for any person to have, use or operate a boat on the lake that does not meet the minimum sanitation and pollution standards as set out hereinafter and that does not have a park boat permit, unless otherwise exempted. (Ord, 1650 § 2 (part), 1976)

11.20.290 Boat inspection--Standards designated.

(a) Each boat, prior to being issued a boat permit, shall be inspected by park personnel to determine that it meets the following sanitation and pollution standards:

(1) It shall be in a seaworthy, clean and sanitary condition;

(2) It shall be a boat of standard design as determined by the park personnel and shall not be a raft;

(3) It shall be a boat not possessing a sink drain or toilet facility unless such sink drain or toilet facility is sealed or otherwise rendered inoperable or designed so that no waste can be discharged therefrom into the lake.

(b) Any person to whom such a permit is refused may appeal to the board by filing a request for a hearing with the clerk of the board within five days of such refusal. The determination of the board thereon shall be final. (Ord. 1650 § 2 (part), 1976)

11.20.300 Boat reinspection--Permit revocation.

Each boat issued a permit hereunder shall be subject to reinspection and re-evaluation at any time the boat is in or enters the park, to ascertain whether such boat is properly rated and complies with the regulations for granting a boat permit. If any boat, upon such inspection and re-evaluation is found not to meet the requirements of this chapter, then the permit for such boat shall be revoked and the boat shall be removed from the lake unless the deficiency is corrected immediately.

Any person aggrieved by such revocation or removal may appeal to the board by filing a request for hearing with the clerk of the board, within five days of the revocation or removal. The determination of the board thereon shall be final. (Ord. 1650 § 2 (part), 1976)

11.20.310 Boat operation in prohibited areas.

It is unlawful for any person within the park to operate a boat within a prohibited area designated by official standard waterway markers on the lake.

Such prohibited area shall be designated by resolution by the board, and copies of all such resolutions shall be kept on file in the office of the county clerk and in the department. (Ord. 1650 § 2 (part), 1976)

11.20.320 Areas for small boats.

It is unlawful for any person within the park to operate a boat of less than eight feet in length except in areas specifically designated therefor by official standard waterway markers for such boats. Such areas permitted for such boats shall be designated by resolution of the board, and copies of all such resolutions shall be kept on file in the office of the county clerk and in the department. (Ord. 1650 § 2 (part), 1976)

11.20.330 Boat carrying capacity.

It is unlawful for any person within the park to operate, occupy or load any boat not propelled by machinery, or any boat manufactured or imported and offered for sale prior to January 1, 1966 regardless of its method of propulsion, beyond the safe carrying-capacity of such boat, as shown on its park boat permit. (Ord. 1650 § 2 (part), 1976)

11.20.340 Avoidance of trolling lines.

It is unlawful for any person within the park to operate any boat without allowing sufficient clearance between fishing boats to avoid fouling the trolling lines. (Ord. 1650 § 2 (part), 1976)

11.20.350 Commercial boat permit.

It is unlawful for any person within the park other than operator to rent to any other person or persons any boat, or to carry any passenger or passengers for hire, without a district commercial permit or district concession contract. (Ord. 1650 § 2 (part), 1976)

11.20.360 Landing boats.

It is unlawful for any person within the land area of the park to land any boat except at an approved dock or ramp, or at such beaching areas as may be specifically designated by park personnel or by operator. (Ord. 1650 § 2 (part), 1976)

11.20.370 Launching boats.

It is unlawful for any person within the land area of the park to launch any boat except at an approved launching area designated by park personnel or by operator. (Ord. 1650 § 2 (part), 1976)

11.20.380 Boats on shore--Designated areas--Sleeping in.

It is unlawful for any person within the park to do any of the following acts:

(1) To keep any boat on shore overnight except in an area designated and posted for such purpose;

(2) To sleep in any boat after dark, as defined by Section 11.20.020;

(3) To use a houseboat on the lake at any time (for the purposes of this title, "houseboat" is defined as a watercraft on or in the waters of Lake Nacimiento, floating or non-floating, which is designed or fitted out as a place of habitation and is not principally used for transportation, including platforms);

(4) To moor any boat overnight in a location other than in an area designated and posted for mooring; any boat so moored shall be at owner's sole risk and the district assumes no liability or bailment obligation pertaining to damage, loss or theft of such boat. (Ord. 2274 § 7, 1986; Ord. 1650 § 2 (part), 1976)

11.20.390 Unattended boats.

It is unlawful for any person within the park to leave any boat unattended for more than forty-eight hours. Park personnel are authorized to impound any boat involved in violation of this section, and to charge a reasonable fee or fees for the release of said boat to the owner. The fee or fees shall be set by resolution of the department and shall be on file in the office of the county clerk. Any such boat not claimed by the owner within thirty days after written notification of such impounding may be sold by the director at public auction. From the proceeds of such sale, the cost of impounding and auction shall first be deducted and retained, and the remainder, if any, shall be paid to the owner. (Ord. 1650 § 2 (part), 1976)

11.20.400 Speed limits--Posted zones.

(a) It is unlawful for any person to operate a boat on Nacimiento Lake in a restricted or special speed zone at speeds in excess of that posted; provided the zone is posted by official standard waterway markers.

(b) In addition, the following specific speed restrictions shall apply:

(1) Within two hundred feet of any boat landing dock, ramp or logboom: five nautical miles per hour;

- (2) Within one hundred feet of any boat not under way: five nautical miles per hour;
- (3) The provisions of Harbors and Navigation Code Section 267 shall also apply. (Ord. 1650 § 2 (part), 1976)

11.20.410 Restricted speed zones.

The board of supervisors is authorized to designate by resolution restricted speed zones for Nacimiento Lake as deemed desirable for the safety of persons or property. A copy of all such resolutions shall be kept on file in the office of the county clerk and in the office of the sheriff of San Luis Obispo County. No person shall violate any speed zone so designated provided it is posted by official standard waterway markers. (Ord. 1650 § 2 (part), 1976)

11.20.415 Sailing patterns.

It is unlawful for any person to operate a boat in violation of sailing patterns and buoy markings designated by official waterway markers on the lake. (Ord. 2004 § 1, 1980)

11.20.420 Boat races.

No boat regatta, race, tournament or exhibition shall be held on Nacimiento Lake without approval of the director or the sheriff of San Luis Obispo County. (Ord. 1650 § 2 (part), 1976)

11.20.430 Closure of lake.

The sheriff of San Luis Obispo County, or the director, is authorized to close Nacimiento Lake, or portions thereof, to boating for any of the following reasons:

- (1) Dangerous water or weather conditions;
- (2) Unsatisfactory ramp, parking or road conditions;
- (3) Construction or movement of ramp facilities. (Ord. 1650 § 2 (part), 1976)

11.20.440 Sailboat areas.

The sheriff of San Luis Obispo County, or the director, may designate and close certain areas of the lake for use by sailboats during specified hours. Other boats may also operate in said areas provided they do not exceed speed limits posted by official standard waterway markers. (Ord. 1650 § 2 (part), 1976)

11.20.450 Motor vehicle speed limits.

It is unlawful for any person within the park to operate a motor vehicle at a speed greater than five miles per hour in a picnic area, campground or parking lot, or at a speed greater than fifteen miles per hour in any other area unless a different maximum speed, not more than thirty-five miles per hour, has been established by the department and signs have been erected giving notice thereof. (Ord. 1650 § 2 (part), 1976)

11.20.460 Motor vehicles operation areas.

It is unlawful for any person within the park to operate a motor vehicle except on designated roads and parking areas, unless otherwise directed by park personnel or operator. (Ord. 1650 § 2 (part), 1976)

11.20.470 Littering from vehicles.

It is unlawful for any person within the Nacimiento recreational area to throw or otherwise dispose of any burning material, trash, waste, litter, or other debris from a vehicle. (Ord. 1650 § 2 (part), 1976)

11.20.480 Vehicle parking areas--Boat launching ramp use.

(a) It is unlawful for any person within the park to commit any of the following acts:

- (1) To park a motor vehicle in other than a designated parking area;
- (2) To park or to leave a motor vehicle in a parking lot between the hours of one a.m. and three a.m, in a noncamping parking lot, except with permission of park personnel or operator;
- (3) To permit a motor vehicle, trailer or a boat to remain on a boat launching ramp or at a public dock for more than twenty consecutive minutes except with permission of park personnel or operator.

(b) Park personnel or operator are authorized to impound any motor vehicle or any trailer or boat involved in any violation of this section, and to charge a reasonable fee or fees for the release of any such motor vehicle or any such trailer or boat to the owner thereof.

Said fee or fees shall be set by resolution of the board and shall be on file in the office of the county clerk. (Ord. 1650 § 2 (part), 1976)

11.20.490 Reckless use of vehicle.

It is unlawful for any person within the park to drive a vehicle in a careless or reckless fashion so as to endanger the vehicle, its occupants, or any person, equipment, facilities or property. (Ord. 1650 § 2 (part), 1976)

11.20.500 Vehicle camp parking at campsites.

It is unlawful for any person within the park to park more than two vehicles per campsite without specific authority from park personnel or operator. (Ord. 1650 § 2 (part), 1976)

11.20.510 Road closure--Speed limit reduction.

(a) Park personnel are authorized to close any park road or to reduce the speed limit on any such road for the following reasons:

- (1) Construction of facilities;
- (2) Dangerous road conditions.

(b) Such closure or change in speed limits shall be posted prior to becoming effective and no person shall violate any such posted speed limits. (Ord. 1650 § 2 (part), 1976)

11.20.520 Conservation.

It is unlawful for any person within the park:

- (1) To receive, bring, or cause to be brought into the recreational area any fish, amphibian or aquatic plant from any place for the purposes of propagation without the approval of the Department of Fish and Game of the state of California and the director;
- (2) To cut, pick, mutilate or destroy any vegetation, except when authorized by the director;
- (3) To remove, disfigure or cut soil or rock except when authorized by the director. (Ord. 1650 § 2 (part), 1976)

11.20.530 Damaging equipment of others.

It is unlawful for any person within the park to mutilate or destroy any equipment or facility of others. (Ord. 1650 § 2 (part), 1976)

11.20.540 Burning materials.

It is unlawful for any person within the park to throw, place or otherwise dispose of any burning material except into authorized firepits or incinerators. (Ord. 1650 § 2 (part), 1976)

11.20.550 Fireworks and explosives.

It is unlawful for any person to receive, bring or cause to be brought into the park, any fireworks or other explosives, or to fire any fireworks or other explosives within the park. (Ord. 1650 § 2 (part), 1976)

11.20.560 Fire restrictions.

It is unlawful for anyone within the park to build, ignite or utilize fires except in portable stoves of the type approved by park personnel in camping or picnicking areas. (Ord. 1650 § 2 (part), 1976)

11.20.570 Unattended fires.

It is unlawful for anyone within the park to leave any fire unattended or to fail to put out a fire prior to departure, or to leave a fire burning unattended while one sleeps. (Ord. 1650 § 2 (part), 1976)

11.20.580 Combustible material disposal.

It is unlawful for anyone within the park to dispose of combustible materials other than in trash cans. (Ord. 1650 § 2 (part), 1976)

11.20.590 Mistreatment of animals or birds.

It is unlawful for anyone within the park to molest, injure or kill any animal or bird or to allow any child or animal under his supervision to molest, injure or kill any animal or bird. (Ord. 1650 § 2 (part), 1976)

11.20.600 Firearms.

It is unlawful for any person within the park to bring into or possess any firearm, missile-launching device or other weapon unless such firearm, missile-launching device or other weapon has been declared upon entrance into the park, and unless such firearm, missile-launching device or other weapon is sealed upon entrance into the park by park personnel or operator. (Ord. 1650 § 2 (part), 1976)

11.20.610 Closed areas.

It is unlawful for any person to enter in the area of the park which is posted against entry. (Ord. 1650 § 2 (part), 1976)

11.20.620 Equestrians.

It is unlawful for any equestrian to do any of the following acts within the park without permission of park personnel or operator:

- (1) To ride, lead, allow or possess any horse in any camping or picnicking area;
- (2) To ride, lead, allow or possess any horse except on established equestrian trails or in areas specifically designated for equestrians. (Ord. 1650 § 2 (part), 1976)

11.20.630 Designated camping areas.

It is unlawful for any person to camp within the park except in designated sites. (Ord. 1650 § 2 (part), 1976)

11.20.640 Camping permit required.

It is unlawful for any person to occupy a campground within the park without first obtaining a camping permit. (Ord. 1650 § 2 (part), 1976)

11.20.650 Camping time limit.

Camping is limited to fourteen days per party, except that the department or operator is authorized to extend the limit providing that sufficient camps are available to accommodate the estimated number of new campers. (Ord. 1650 § 2 (part), 1976)

11.20.660 Camping permit termination.

Park personnel or operator, in their exclusive discretion, may terminate, at any time, the camping permit of any camper, if the campsite occupied by the camper is not maintained by him in a clean, sanitary and attractive manner, or if the camper does not comply with the "quiet hours" schedule. (Ord. 1650 § 2 (part), 1976)

11.20.670 Quiet hours.

"Quiet hours" shall be observed in all areas of the park between ten p.m. and seven a.m. (Ord. 1650 § 2 (part), 1976)

11.20.680 Camping checkout time.

Checkout time for all varieties of camping is two p.m. (Ord. 1650 § 2 (part), 1976)

11.20.690 Camping by persons under eighteen.

It is unlawful for any person under eighteen years of age to camp within the park unless accompanied by an adult. (Ord. 1650 § 2 (part), 1976)

11.20.700 Commercial activity.

It is unlawful for any person or persons except operator to engage in any commercial activity within the park, except as authorized by the department. (Ord. 1650 § 2 (part), 1976)

11.20.710 Aircraft.

It is unlawful for any person to land aircraft on or to take off with aircraft from Nacimiento Lake, except in emergency situations only. (Ord. 1650 § 2 (part), 1976)

11.20.720 Skin diving, scuba diving.

It is unlawful within the park:

- (1) To engage in skin diving without permission therefor from park personnel;
- (2) To engage in scuba diving without permission therefor from park personnel. (Ord. 1650 § 2 (part), 1976)

11.20.730 Swimming.

It is unlawful for any person within the park:

(1) To swim or float farther than one hundred feet from the shoreline except while engaging in aquaplaning or water skiing, and except at designated areas signed for swimming;

(2) To swim off public docks or commercial marinas;

(3) To engage in swimming, rafting or other water contact activity or within a distance of three hundred feet from the spillway of Nacimiento Dam. (Ord. 2274 § 8, 1986: Ord. 1650 § 2 (part), 1976)

11.20.735 Prohibited swimming by spillway of Nacimiento Dam.

It is unlawful to swim, dive, raft or engage in other water contact activity on or within a distance of three hundred feet from the spillway of Nacimiento Dam. (Ord. 2292 § 1, 1987)

11.20.740 Sign posting--Temporary structure construction.

It is unlawful for any person other than the department or the operator to post or erect any sign, or to construct any temporary structure within the park. (Ord. 1650 § 2 (part), 1976)

Title 19 BUILDINGS AND CONSTRUCTION

Chapter 19.20 CONSTRUCTION STANDARDS

19.20.214 Definitions.

(a) "Community sewage disposal system" means a single sewage disposal system serving more than five parcels, or single or multiple-sewage disposal systems serving more than five dwelling units on a single parcel.

(b) "Gravels" means soils with over ninety-five percent by weight coarser than a No. 200 sieve.

(c) "Gravels with few fines" means soils with over ninety percent by weight coarser than a No. 200 sieve, over half of the coarse fraction is larger than a No. 4 sieve, and six to ten percent is finer than a No. 200 sieve.

(d) "Reservoir" means a pond, lake, tank, basin, or other space either natural or created in whole or in part by the building of engineering structures other than sealed storage tanks constructed of impervious metal or synthetic materials, which is used for storage, regulation, and control of water, for recreation, power, flood control or drinking. For the purpose of this chapter, the term reservoir does not include small and shallow structures or basins for the temporary detention of stormwater runoff from on-site roof drains and paved areas, provided there is no flow at any time between the structure or basin and any sewage disposal system.

(e) "Surface water" means a concentration of freshwater or seawater, the surface of which is in direct contact with the atmosphere, including reservoirs and watercourses as defined in this section, as well as wetlands and ocean bays.

(f) "Watercourse" means a natural stream or artificial channel for passage of water, fed from permanent or natural sources, including rivers, creeks, runs and rivulets. There must be a stream, usually flowing in a particular direction more frequently than during storms (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some other stream or body of water (excludes lined channels and other artificial channels for the conveyance of stormwater). (Ord. 2275 § 2 (part), 1986)

19.20.216 Liquefied petroleum gas systems.

The installation of liquefied petroleum gas facilities, piping and storage vessels are subject to the provisions of Chapter 5-16 (Unfired Pressure Vessels) of Title 24 of the California Code of Regulations. (Ord. 2433 § 26, 1989; Ord. 2275 § 2 (part), 1986)

19.20.220 Sewage disposal systems.

The design and installation of sewage disposal systems within the unincorporated areas of San Luis Obispo County are subject to the provisions of the following

19.20.222 Private sewage disposal systems

19.20.224 Community sewage disposal systems

(Ord. 2275 § 2 (part), 1986)

19.20.222 Private sewage disposal systems.

The use of a private, on-site sewage disposal system is allowed only within the rural areas of the county and within urban and village areas where no community sewage collection, treatment and disposal systems exist. Private sewage disposal systems shall be designed and constructed as provided by this section, in addition to satisfying all applicable requirements of the Uniform Plumbing Code. In the event of any conflict between the provisions of this section and the Uniform Plumbing Code, the most restrictive shall prevail.

(a) Legislative Findings. These regulations are enacted in part to implement the requirements of the "Water Quality Control Plan, Central Coastal Basin," adopted by the California Regional Water Quality Control Board. To the extent that these regulations change applicable provisions of the California Health and Safety Code and California Code of Regulations as they would otherwise apply to local construction, the board of supervisors finds that the changes herein are necessary because of local geological and topographic conditions which involve limitations on the capability of soils in the unincorporated areas of San Luis Obispo County to effectively handle sewage effluent disposal from private sewage disposal systems. Such limitations include high groundwater, soils with poor percolation capability and steep slopes.

(b) General Requirements.

(1) Percolation Tests. Percolation tests may be required by the building official pursuant to Section I4 of the Uniform Plumbing Code.

(2) Minimum Site Area With Well. As required by Sections 22.04.044 and 23.04.044 of this code, an existing parcel that contains a water well may be approved for a private sewage disposal system only if the parcel is one acre or larger. A parcel smaller than one acre may use a private sewage disposal system only where the well serving the parcel is a public water supply or is located on another parcel that is one acre or larger. The minimum site area for a new parcel where a well and septic system are both proposed is determined by Sections 22.04.020 et seq. of the Land Use Ordinance, Title 22 of this code, and Sections 23.04.020 et seq. of the Coastal Zone Land Use Ordinance, Title 23 of this code.

(3) Minimum Site Area in Reservoir Watershed. Within any domestic reservoir watershed shown on Figure 19.20A or within any other reservoir watershed, all private sewage disposal systems shall be located on individual parcels of at least two and one-half acres or within subdivisions with a maximum density of two and one-half acres or more per dwelling unit. No land within a horizontal distance of two hundred feet from a reservoir shown on Figure 19.20A, as determined by the spillway elevation, shall qualify for computing parcel size or density, or for septic system siting.

(c) Septic Tank and Leach Area Systems. On-site sewage disposal systems that utilize a buried tank for the processing of solids, and leaching areas, trenches or seepage pits for the disposal of liquid waste through soil infiltration shall be located, designed and constructed in accordance with all of the following standards:

(1) Minimum Site Characteristics. Septic tank and leach area systems shall be used only where the proposed site can maintain subsurface disposal, and satisfy the following standards on a continuous basis, unless an exception is approved as set forth in subsection (d) of this section.

(A) Subsurface Geology. The proposed site for a soil absorption disposal area shall be free from soils or formations containing continuous channels, cracks or fractures, unless a

setback distance of at least two hundred fifty feet to any domestic water supply well or surface water is assured.

(B) Site Flooding. No sewage disposal system shall be allowed within an area subject to inundation by a ten-year flood.

(C) Minimum Percolation Required. A percolation rate from zero to thirty minutes per inch of fall is sufficient to permit the use of leaching systems. Such systems shall not be used where percolation rates are slower than one hundred twenty minutes/inch unless the parcel is at least two acres. Such systems shall not be used where soil percolation rates are slower than sixty minutes/inch unless the effluent application rate is 0.1 gallon per day/square foot or less, using a minimum flow rate of three hundred seventy-five gpd/dwelling unit, or as provided by Uniform Plumbing Code Table I3 for commercial uses. Percolation rates of more than thirty minutes per inch of fall may be approved only where the system is designed and certified to have been installed as designed by a design engineer.

(D) Site Slope. Septic tanks or leaching systems installed on slopes twenty percent or more shall be designed and installation certified by a registered engineer. Design shall minimize grading disruption associated with access for installation and maintenance. No soil absorption sewage disposal area shall be located where the natural slope is thirty percent or greater.

(E) Separation From Impermeable Strata. A minimum distance of ten feet shall be maintained from the bottom of leaching systems to impermeable strata. This distance shall be verified by test borings pursuant to the Uniform Plumbing Code where required by the building official.

(F) Groundwater Separation. Depth from the bottom of the leach area to usable groundwater (including usable perched groundwater) shall be as follows, based upon the percolation rate found at the site:

Percolation Rate (minutes per inch)	Minimum Distance to Groundwater (in feet)
less than 1 min./in.	50*
1 -- 4	20*
5 -- 29	8
30+	5

*Unless a minimum horizontal separation of two hundred fifty feet between the disposal area and any domestic water supply well or surface water is assured, in which case minimum groundwater separation shall be twenty feet when the percolation rate is less than one minute/inch, and eight feet when the percolation rate is one to four minutes/inch.

The building official may require a piezometer test or other appropriate documentation to verify the groundwater separation required by this section.

(2) System Location. A private sewage disposal system shall be located on the parcel it serves. Soil absorption disposal systems, including but not limited to leach areas and seepage pits, shall be located in accordance with the setbacks in the following table, except that where disposal system location is proposed with less groundwater separation than required by subsections (C) (I) (F) or (c) (3) (B) of this section, the increased setbacks required by these subsections shall be provided.

Setback from	Distance (in feet)
Domestic water supply wells in unconfined aquifer	100
Watercourse where geologic conditions permit water migration	100
Springs, natural or any part of manmade spring	100
Reservoir, spillway elevation	200
Public water supply wells	200

(3) Seepage Pit Standards. The following standards apply only to seepage pit disposal facilities, in addition to all other applicable standards of this section:

(A) Soil Particle Size. Seepage pits shall be used only where soils or formations at the pit location contain less than sixty percent clay (a soil particle less than two microns in size) in the percolation zone used for seepage calculation, unless the parcel is at least two acres.

(B) Groundwater Separation. Seepage pits shall be used only where distances between pit bottom and usable groundwater (including perched groundwater) is equal to or greater than the following minimum separations, based upon the soil type found at the site:

Soil Type	Minimum Distance to Groundwater (in feet)
Gravels	50*
Gravels with few fines	20*
Other	10

*Unless a minimum horizontal separation of two hundred fifty feet between the disposal area and any domestic water supply well or surface water is assured, in which case minimum groundwater separation shall be twenty feet when the soil type is gravels and ten feet when the soil type is gravels with few fines.

The building inspector may require a piezometer test or other appropriate documentation to verify the groundwater separation required by this section.

(4) System Design and Sizing.

(A) Replacement Area Required. Individual systems on new land divisions, and commercial, institutional, and sanitary industrial systems shall be designed and constructed to either reserve sufficient site area for dual leachfields (one hundred percent replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation. Installation of dual leach fields will be required if site access for installation of the expansion area could be limited after initial site development.

(B) Nonresidential Systems. Commercial, institutional, or sanitary industrial systems shall be designed based upon the daily peak flow estimate for the proposed use.

(C) Residential Systems. A minimum leaching area of one hundred twenty-five square feet per bedroom shall be provided for sewage disposal systems serving residential uses.

(5) Replacement of Failed Private Sewage Disposal Systems. Where an existing private sewage disposal system has failed and a replaced system cannot be installed to meet the criteria of this section, the building official may approve a replacement system that meets all of the following minimum standards and is designed to satisfy as many of the other requirements of this section as possible:

(A) The system is designed by a registered engineer;

(B) The proposed system is approved by the county health department;

(C) The installation of the approved system is inspected and certified to be installed as designed by the design engineer.

(d) Use of Nonstandard Engineered Systems. Systems proposed under Section 1(h), Appendix I of the Uniform Plumbing Code, including mound and evapotranspiration systems shall be designed as provided by the "Water Quality Control Plan, Central Coastal Basin," adopted and as amended by the California Regional Water Quality Control Board, by an engineer or sanitarian registered by the state competent in sanitary engineering, and shall be approved by the building official and the director of environmental health.

(e) Relief from Standards. Any applicant for a permit to install, repair or replace a private sewage disposal system who is aggrieved by the administration of the requirements of this section by the chief building official may appeal the matter to the board of construction appeals as provided in Section 19.01.140. In cases where an exception is requested to any provision of this section that prohibits use of a private sewage disposal system under specified conditions, no exception granted by the board of construction appeals shall be effective unless the California Regional Water Quality Control Board has also approved an exemption to basin plan prohibitions for the proposed exception. (Ord. 2433 § 27, 1989; Ord. 2351 §§ 14 -- 16, 1988; Ord. 2275 § 2 (part), 1986)

19.20.224 Community sewage disposal systems.

Community sewage disposal systems may be reviewed and approved by the county health and engineering departments only when a proposed system is designed and constructed as follows, and is approved by the California Regional Water Quality Control Board:

(a) Public Agency Operation Required. Sewerage facilities shall be operated by a public agency unless the county engineer or the Regional Water Quality Control Board finds that an existing public agency is unavailable and formation of a new agency is unreasonable. If such finding is made, a private entity shall be established with adequate financial, legal and institutional resources to assume responsibility for waste discharges.

(b) Minimum Number of Users Served. A community sewage disposal system may be approved only where at least fifty dwelling units will be served by the proposed system, unless fewer hookups are authorized by the county engineer.

(c) Disposal System Design and Performance. Community sewage disposal systems shall be designed and shall discharge effluent of a quality pursuant to the provisions of the "Water Quality Control Plan, Central Coastal Basin," adopted by the California Regional Water Quality Control Board. (Ord. 2275 § 2 (part) , 1986)

LAKE NACIMIENTO RESORT
Rules & Regulations

Lake Nacimiento Resort is a privately owned and operated facility. San Luis Obispo County Ordinance #1650 specifically applies to the Resort and Lake Nacimiento. Water World Resorts, Inc., owner of Lake Nacimiento Resort, reserves the right to refuse entry to anyone and immediately terminate the permits of any persons violating Ordinance #1650.

Please read the following carefully and enjoy your visit.

ORDINANCE NO. 1650

Acceptance of an Entry Permit is conditioned upon the holder's agreement to the following conditions and promise to abide by all of the applicable laws and ordinances which apply to Lake Nacimiento Resort including, but not limited to, the following:

CONDITIONS

It is understood and agreed that in consideration of the issuance of this Permit, Permittee will be solely responsible for and shall protect, defend, indemnify and save Lake Nacimiento Resort free and harmless from and against, any claim, demand, or liability for any loss, damage or injury sustained to the person or property or Permittee, his or her spouse, and family or guests and for damage, loss or injury caused by Permittee, his or her spouse, family, or guests, to other persons or their property, howsoever occurring.

COUNTY OF SAN LUIS OBISPO, LAKE NACIMIENTO ORDINANCE #1650

Rules and regulations relative to public use of the Lake Nacimiento Recreation Area. A complete copy of Ordinance No. 1650 is available through the Office of Lake Nacimiento Resort.

11.20.690 PERSONS UNDER 18 No one under 18 is permitted to camp overnight unless accompanied by an adult.

11.20.670 QUIET HOURS shall be observed from 10 pm to 7 am in all areas.

11.20.550 FIREWORKS are prohibited within the Resort.

11.20.600 FIREARMS are prohibited within the Resort.

USE OF CAMPFIRES

11.20.560 FIRE RESTRICTIONS It is unlawful for any person to build, ignite or utilize fires except in approved concrete fire rings provided by Resort in campsites.

11.20.570 UNATTENDED FIRES It is unlawful for anyone to leave any fire unattended or to fail to put out a fire prior to departure, or to leave a fire burning unattended while one sleeps.

11.20.080 INDECENT LANGUAGE OR GESTURES are prohibited as is any form of threatening, abusive, boisterous or insulting language or gestures.

11.20.090 AMPLIFYING EQUIPMENT OPERATION No equipment shall be operated in such a way as to interfere with any other persons quiet enjoyment of the Resort.

11.20.230 LITTER All forms of littering within the Resort or campsites or the Lake are prohibited.

11.20.270 ANIMALS must be leashed and attended at all times.

11.20.660 CAMP PERMIT TERMINATION Resort operator may terminate permit at any time for violations of State and local laws as well as San Luis Obispo County Ordinance #1650.

SUBSTANCE ABUSE OR INTOXICATION IS PROHIBITED ON PREMISES.

WELCOME TO LAKE NACIMIENTO
CAREFUL CAMPING MEANS MORE FUN FOR EVERYONE

PLEASE TAKE A FEW MINUTES TO REVIEW THIS LIST OF RULES, REGULATIONS AND SAFETY TIPS WITH EVERYONE IN YOUR GROUP OR FAMILY.

CAMPING AND DAY USE AT THE LAKE CAN BE A GREAT EXPERIENCE FOR ALL. TO MAKE SURE THAT YOUR VISIT IS ESPECIALLY ENJOYABLE, WE ASK THAT YOU FOLLOW THE RULES AND USE COMMON SENSE TO AVOID UNNECESSARY ACCIDENTS. WE HAVE ENCLOSED A SUMMARY OF CERTAIN RULES AND REGULATIONS APPLYING TO THE RESORT, AND HAVE INCLUDED BELOW SOME TIPS TO HELP MAKE YOUR STAY SAFE AND MEMORABLE.

SAFETY TIPS

1. Please don't let young children out of the sight of a responsible adult. Share the excitement of the park with your children, and keep a watchful eye on them at all times.
2. Never let young children in your care go near the Lake, on the Marina, or on a boat without a life vest securely fastened on them. Lake Nacimiento has many steep cliffs along its shoreline and is very deep. Adults should also wear life vests when near the water. Remember, life vests are like seat belts -- they save lives!
3. Do not drink alcoholic beverages and drive boats. Drinking while on the Lake and in the hot sun can be very dangerous. Remember -- if you do drink, use moderation and always designate a non-drinking boat driver.
4. Never leave your campfire burning overnight or unattended. Unattended campfires cause wildfires and present a danger to children and adults who may not be aware that hot coals remain in the campfire. Toddlers should not be allowed to play near campfires, fire rings or barbecues. Always put out your fires with water before you go to bed or leave your campsite.
5. Do not climb on steep cliffs along the shoreline. It is too easy to slip, and lengthy falls are very possible. Use the gentle slopes around the resort for Lake access.
6. When hiking, always watch for rattlesnakes. Also, watch for nocturnal animals such as skunks, as they may be rabid if seen during the daytime. If you see a skunk, please report it to resort personnel immediately.
7. Do not feed wild animals such as deer. They can butt or kick with sharp hooves when frightened. Also, please do not let your children chase or catch small animals such as rabbits, squirrels or mice -- they bite!
8. Never smoke while on hiking trails, or near brush.
9. Please don't sit, park, or pitch a tent under pine trees with pine cones in them, or any trees with dead limbs. Pine cones and limbs can be very heavy and cause real damage when they fall.
10. Please don't let your small children ride bicycles or tricycles in the roadways.
11. Always keep your dog(s) leashed and never approach or allow your children to approach a strange dog -- they often bite.
12. There is no lifeguard in attendance at the swimming pool. Do not let your children use the pool without a responsible and qualified adult present.
13. If you notice any dangerous condition at the park, please report it as soon as possible to a Lake Nacimiento Resort Ranger or to the Resort Office so that it can be corrected.

Excerpts from the Heritage Ranch Owners Association Rules and Regulations, adopted 1992, updated 2001.

INTRODUCTION

Heritage Ranch is a unique community designed to preserve and utilize open space in conjunction with our members needs and enjoyment. A multiplicity of recreational amenities and residential uses requires, therefore, that Rules and Regulations be established for the protection of the property and as a guideline for the use and enjoyment of the facilities and open spaces by the members of Heritage Ranch Owners Association and their guests.

The Board of Directors of Heritage Ranch Owners Association have formulated the Rules and Regulations contained herein after considerable review and diligent consideration of this community, the open spaces, the recreational amenities and facilities, and the intended use of the properties it controls.

Pursuant to the By-laws of the Association, the Board of Directors may make changes in these Rules and Regulations from time to time without prior notice in keeping with the consideration of health, safety and the general welfare of the Association members and their guests. The Board of Directors has the responsibility and the authority to enforce these Rules and Regulations by means prescribed to it by the By-laws of the Association and the Covenants, Conditions and Restrictions officially recorded on the various properties.

Your Board of Directors intends that Heritage Ranch will be a safe, enjoyable community, and that property values will be maintained through the effective use and enforcement of these Rules and Regulations.

ARTICLE XI

GENERAL USE RESTRICTIONS

(FROM CC&R*S - PARTIALLY REPRINTED HERE FOR CONVENIENCE)

SECTION 1. Lots shall be used only for those purposes prescribed by Declarant*s Development plan, this Declaration of Conditions, Covenants and Restrictions and Conditional use permits issued by San Luis Obispo County.

SECTION 2. No trash, rubbish, garbage or other refuse shall be dumped or stored on any lot. No outside burning of trash or garbage shall be permitted on any lot.

SECTION 3. No noxious or offensive activities shall be carried on upon any lot nor shall anything be done on any lot that shall be or become an unreasonable annoyance or

nuisance to the neighborhood, or which shall in any way interfere with the quiet enjoyment of each of the owners of each respective lot.

SECTION 4. All lots, whether occupied or unoccupied, and any improvements or structures placed thereon, shall at all times be maintained in such a manner as to prevent their becoming unsightly by reason of unattractive growth on such lot or the accumulation of rubbish or debris thereon. In the event any such lot or improvement or any structure thereon is not so maintained, the Association shall have the right through its agents or employees to enter thereon for the purpose of maintenance, restoration or repair, the cost of which shall be added to and become a part of the annual assessment to which such lot is subject.

SECTION 5. Every tank for the storage of fuel installed outside any building, structure or other improvement in this tract shall be buried below the surface of the ground or otherwise completely screened, to the satisfaction of the Architectural and Environmental Control Committee. Every outdoor receptacle for ashes, trash, rubbish or garbage in a tract shall be installed underground, screened or so placed and kept as not to be visible from any street, Common Area, or lake within the property at anytime except during refuse collections.

SECTION 6. The parking, storage or keeping of any camper, boat trailer or recreational vehicle upon a lot in any tract is permitted under a carport or in a garage. If parked in a side yard or backyard it must be screened so as not to be visible to the occupants of other lots or streets. (Screening not applicable to tract 424, 446, 447, 474 or 475)

SECTION 7. No mobile home, recreational vehicle unit, tent or other temporary living quarters may be placed, maintained or occupied on any lot except that the owner thereof, upon completion and occupation of the principle dwelling, may store such items on the lot in a reasonable manner, within areas allowed, as described in Section 6 of this ARTICLE, unless otherwise prohibited in this Declaration.

SECTION 8. No motorcycle riding shall take place within the tract if such motorcycle shall emit sounds having a decibel rating higher than that established from time to time by the Board of Directors.

SECTION 9. There shall be no outside drying or laundry areas visible from any street or lot.

SECTION 10. No sign of any kind or for any use or purpose whatsoever shall be erected, posted, pasted, painted or displayed upon any of said lots in this tract or upon any building, improvement or other structure, except house numbering devices and signs giving notice that the property is for sale or lease, which signs shall be approved as to size, style and location by the Architectural and Environmental Control Committee, provided, however, the foregoing shall not apply to "For Sale" signs which are consistent with the provision of Section 712 of the California Civil Code, provided, that the foregoing covenant shall not apply to the business activities, signs and billboards, if any,

of Declarant, its agents and assigns, during the period of construction and sale of lots within the Heritage Ranch Planned Community.

SECTION 11. No animals, livestock or poultry of any kind shall be raised, bred or kept on any of said lots in this tract, except that two dogs, cats or other usual household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose. The Association shall have the power and right to adopt rules and regulations for the control of household pets within the tract, including but not limited to, the control of pets in the Common Area, or in areas open to the general public. (Not applicable to tract 557, 1063 and 20 acre parcels.)

SECTION 12. Lot owners shall not construct, install or maintain an outside television or radio antenna after the time that cable television becomes available to them at rates of charge for installation and monthly service commensurate with the rates and charges by comparable systems.

SECTION 13. No well for the production of, or from which there is produced water (not applicable in tracts 557, 1063 and 20 acre parcels), oil or gas, shall be operated or constructed upon any lot in this tract, nor shall any machinery, appliances or structure be placed, operated or maintained thereon for the use in connection with any commercial, retail, service, trading, manufacturing or repairing business.

SECTION 14. Lot owners shall not alter or construct on or remove from the Common Area anything except upon written consent of the Association.

SECTION 15. No part of the Common Area of this tract shall ever be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, store, vending or any other purpose other than maintaining same as an undeveloped natural Common Area, road, sidewalk, trail or other recreational usage. Nothing contained in this Section 15 shall be construed to impede or prohibit commercial or business vehicles, automobiles, trucks or other means of conveyance from using the private streets and easements located in the Common Area for the purpose of ingress and egress to and from lots, parking areas and other areas served by such roads and easements.

SECTION 16. No trees in excess of three (3) inches in diameter, measured at a point of twelve (12) inches above the ground shall be removed from any lot without first obtaining the written consent of the Architectural and Environmental Control Committee.

SECTION 17. No outside toilet shall be constructed upon any lot. All plumbing, fixtures, dishwashers, toilets or sewage disposal systems shall be connected to the community sewage system.

SECTION 18. No residence, improvement or structure shall be occupied until the same has been substantially completed in accordance with its plans and specifications and the

certificate permitting occupancy shall have been issued by the San Luis Obispo Building Department, or other appropriate

SECTION 19. An improvement or structure which has been partially or totally destroyed by fire, earthquake or otherwise, shall not be allowed to remain in such state for more than three (3) months from the time of such destruction.

SECTION 21. No temporary structure or other outbuilding shall be placed or erected on a lot in this tract; provided, however that the Architectural and Environmental Control Committee may grant permission for any such temporary structure for storage of materials during construction. No such temporary structures which may be approved shall be used at any time as a dwelling place. For purpose of this section, outbuildings and temporary structures do not include items which may be stored on a lot as provided in section 6 and 7 of this ARTICLE.

SECTION 22. No stripped down, partially wrecked or junked motor vehicles or sizeable part thereof, shall be permitted to be parked on any road or on a lot in such manner as to be visible to the occupants of other lots, or users of any street or Common Area. No truck larger than 3/4 ton shall be parked, for overnight (or longer) storage, on any lot in this tract.

HROA CAMPGROUNDS

FIRES are only permitted in HROA provided rings. BBQ*s are permitted. NO OPEN FIRES.

PETS Not allowed in the marina area from Friday evening through Sunday evening - or through Monday evening if it is a holiday weekend. The exception to this rule would be that an animal is allowed if on a leash in transit from a vehicle to their watercraft or vice versa. Animals must not be left unattended. Proper pooper scooper rules will apply at all times.

SPEED LIMIT is 15 mph on Marina Road. 5 mph on roads through campsites.

LOUD NOISE and/or amplified music is not permitted between the hours of 10:00 P.M. and 6:00 A.M.

PARKING: Vehicles, boats and/or boat trailers must park in designated parking areas.

CAMPSITES are available on a first-come basis and the host property owner must be present at Heritage Ranch. Reservations must be made and paid for in advance at the entry gate.

Two campsites will be allowed per member, unless special permission of the General Manger has been obtained. Maximum two (2) vehicles per campsite is allowed.

As a safety precaution, all tents must be securely anchored or staked, all vehicles shall be leveled with jacks or blocks, shall have the brakes properly set and the wheels blocked.

MINORS: The curfew for unsupervised youth under the age of eighteen (18) is 9:00 P.M. Sunday through Thursday and 11:00 P.M. on Friday and Saturday. The member responsible for the youth found to be in violation of the curfew rule will be cited.

CAMPGROUND FEES: (Maximum two vehicles per campsite.)

Campsites	<u>Full hook-up</u>	<u>Non hook-up</u>
Owners/Tenants	\$15/ day/for 2 *vehicles	\$10/day/for 2 *vehicles
Guests	\$ 25/day/vehicle	\$ 20/day/vehicle

*For owner/tenant rate, vehicles must have stickers.

SUBJECT TO \$10.00 CANCELLATION FEE PER SITE

CHECKOUT TIME IS 4:00 P.M.

Special arrangements for members may be made during their home construction. See Ranch Manager for details.

Members will be subject to a citation if:

(1) Any member attempts to have a guest use a campsite when the member is not on the Ranch.

(2) Any member rents a campsite and lets a guest use the site in the property member*s name.

MEMBER WATERCRAFT RULES

All members, in good standing, must register all owned watercraft on the ranch. One non-owned watercraft may be registered by a member with no owned watercraft. All HROA watercraft decals must be surrendered upon permanent removal of the watercraft from Heritage Ranch.

GUEST BOAT FEE (applicable to boats, empty trailers, jet skis, cartop boats or any special device which must be licensed by the State of California)

Guest Use for Watercraft (Pre-registration encouraged to insure entry) \$15/day if pre-registered.

Monday thru Thursday rate	-	\$ 20.00/day
Friday thru Sunday rate	-	\$ 40.00/weekend
Friday thru Monday "Holiday" rate	-	\$ 60.00/weekend

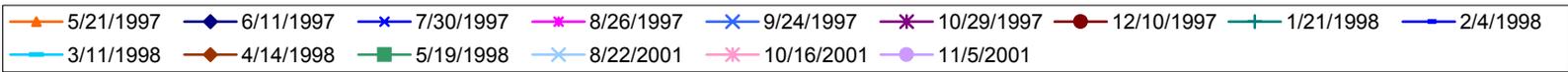
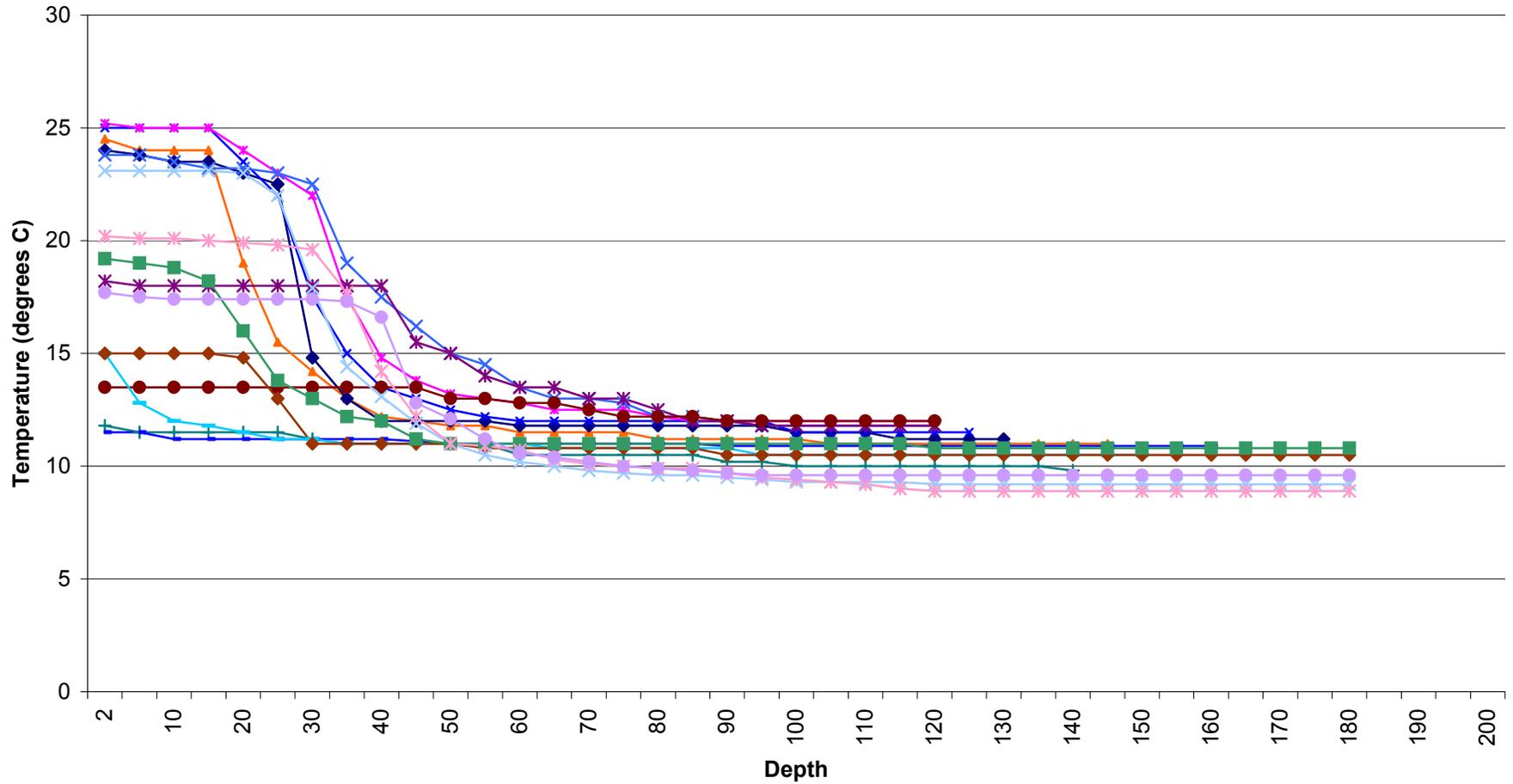
(Note: empty guest watercraft trailers will be treated the same as if a watercraft were on-board and will be charged the above fees.)

Upon entry to Heritage Ranch the "Ranch Use Fee", will be imposed for each day the boat is on the Ranch. Up to 30 day preregistration is encouraged to insure entry. Empty guest watercraft haulers/trailers will be treated the same as if a watercraft were on board and are subject to the same fees as boats. In the event the daily fee is not paid by the guest, the host member will be responsible for the fee. A 90 minute pass is available for authorized guests visiting members while towing a boat.

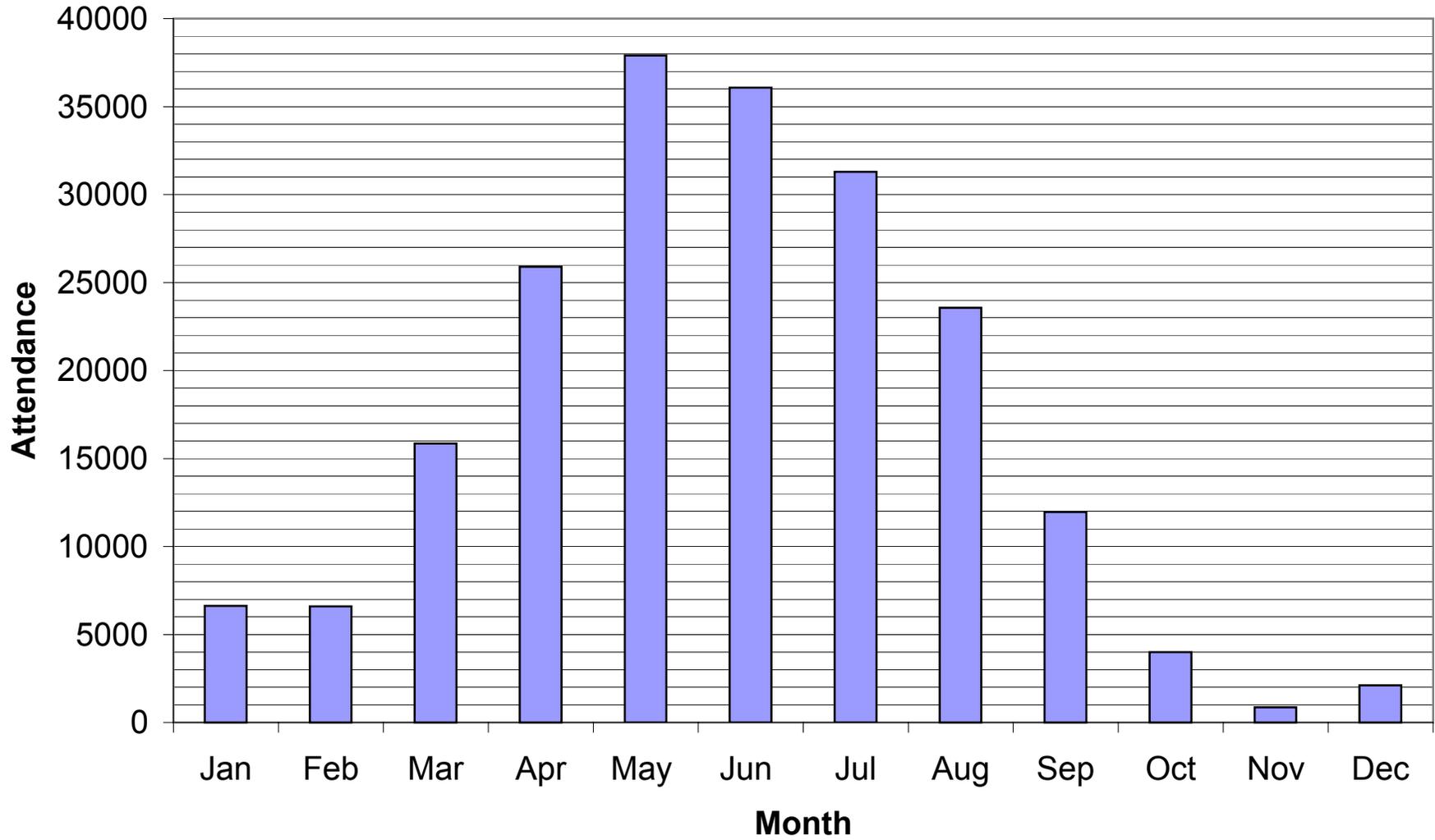
APPENDIX B

Data and Calculations

Nacimiento Project Temperature Profile

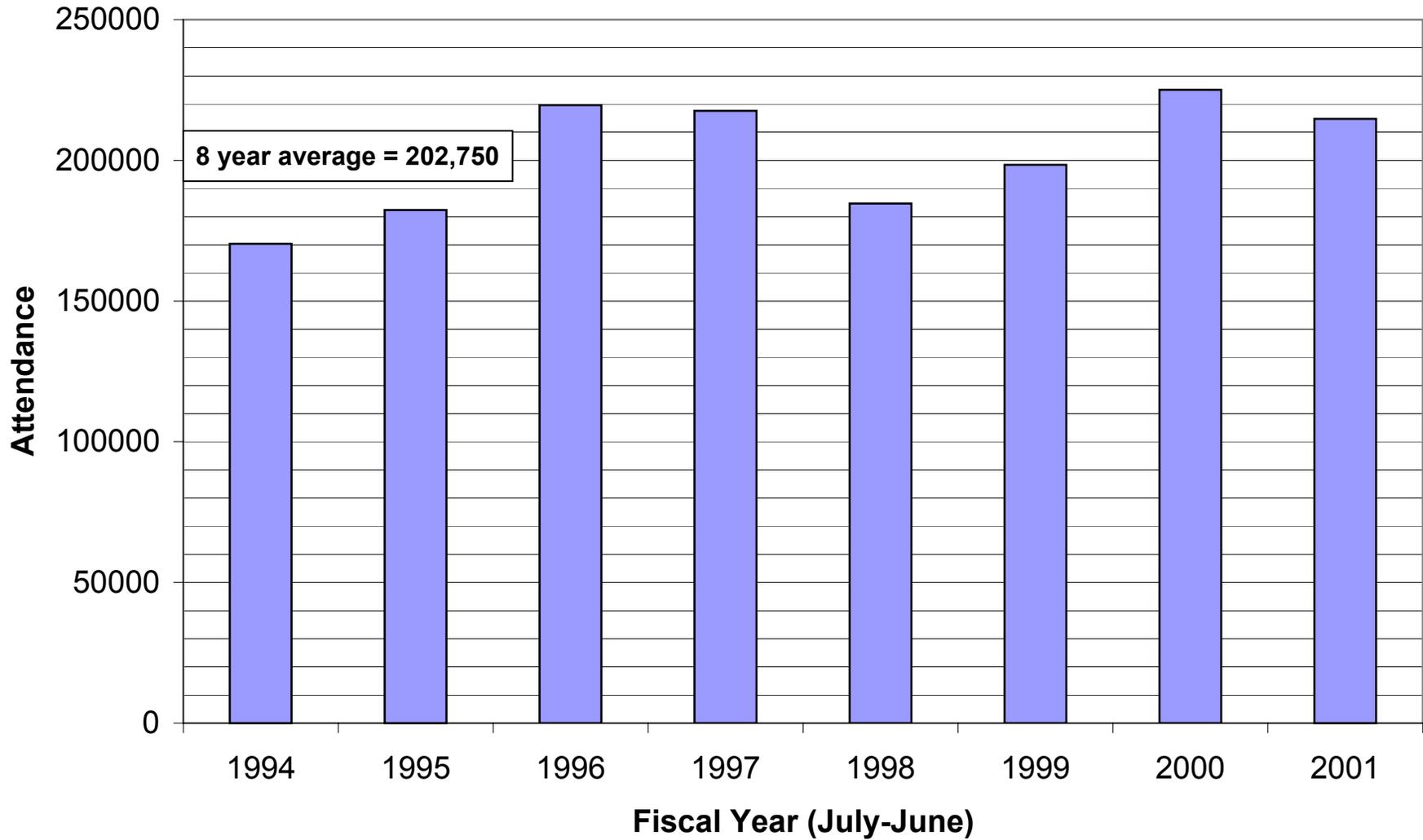


Lake Nacimiento Average Monthly Attendance (1994-2001)



Source: Monterey County Parks Department Revenue and Attendance Report

Lake Nacimiento Annual Attendance



Lake Nacimiento

Annual number of visitors per acre-foot in storage capacity.

Month	May-97	Jun-97	Jul-97	May-98
Lake Elevation (ft)	775	768	761	798
Total Storage (AF)	249,550	218,950	190,850	366,500
Thermocline Depth (ft)	25	30	30	20
Storage Below TC (AF)	150,950	113,600	94,650	263,450
Storage Above TC (AF)	98,600	105,350	96,200	103,050

Fiscal Year	1997	1998
Annual Attendance	217,600	184,700

Average Annual Attendance (1997-1998)	201,150
Average Storage Above TC (AF)	100,800

Annual Visitors per Acre-foot	2.0
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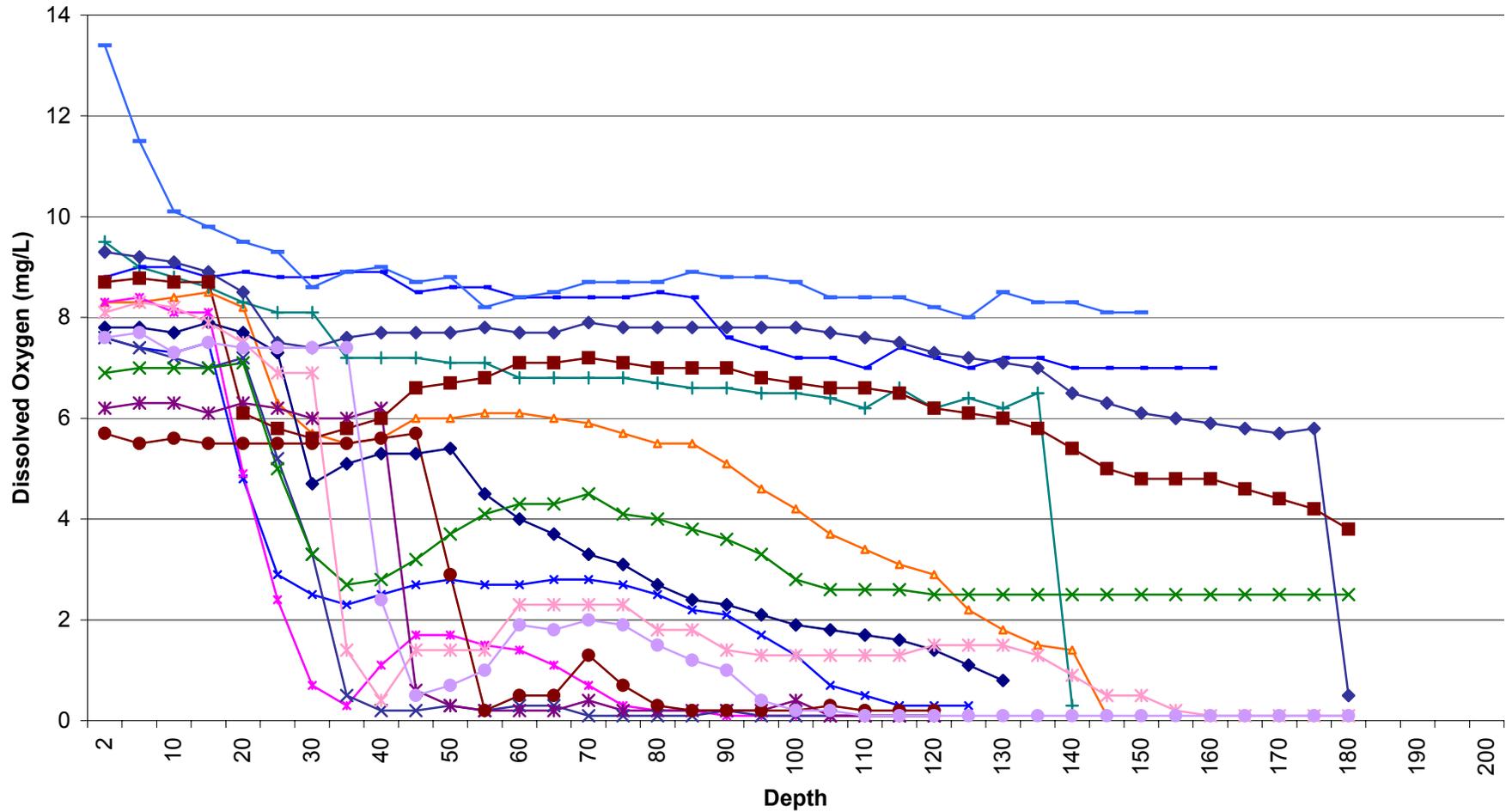
Lake Nacimiento Attendance

Source: Monterey County Parks Department Revenue and Attendance Report

MONTH	FISCAL YEAR									AVERAGE
	1994	1995	1996	1997	1998	1999	2000	2001	2002	
Jul	23234	29181	28348	33832	32036	33909	33743	30393	37015	31299
Aug	23831	16306	26865	23181	20599	24671	24673	25600	26363	23565
Sep	8524	7531	11879	10844	12279	13694	15524	15563	11774	11957
Oct	2511	1299	5753	4523	4121	4679	4699	3524	4927	4004
Nov	1164	341	1126	911	854	781	909	1032	684	867
Dec	831	1065	1059	1708	6077	2206	2391	1532		2109
Jan	5725	1641	5636	10006	8521	5876	8854	6728		6623
Feb	3036	12103	8211	10171	3216	4091	6809	5100		6592
Mar	15212	19791	14191	15553	8864	11334	21273	20569		15848
Apr	20121	26291	39066	33259	20171	20441	26923	20941		25902
May	23084	34520	41387	43241	33499	25761	52464	49272		37904
Jun	43077	32303	36083	30398	34468	51004	26828	34505		36083
TOTALS	170,350	182,372	219,604	217,627	184,705	198,447	225,090	214,759	80,763	202,753

June 1996 estimated

Nacimiento Project Dissolved Oxygen Profile



APPENDIX C

Inspection Schedules and Forms

Master Schedule Report for: NACIMIENTO PROJECT

Proj ID	Sample Site	Area	Sample Type	Sample Period	Ac. Period	Reason	Analysis Desired												SH	ED1	L-S	L-C	CH	RB	Other 1	Other 2					
Start Date	Finish Date			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	W1	W2	W3	W4	W5	Mar	Tue	Fri	Sat	Sun	LAB	Sample	Standard	Comments		
NAC-P-01	EPILIMNION	NAC-EP1	GRAB	P195612		OPERATIONAL																									Zenker
				07/26/2001	12/31/2007	<input checked="" type="checkbox"/>																									
NAC-P-02	HYPO-LIMNION	NAC-HV1	GRAB	P195612		OPERATIONAL																								Zenker	
				07/26/2001	12/31/2007	<input checked="" type="checkbox"/>	GR, R, SR, N, GLOW, BR																								
NAC-P-03	EPILIMNION	NAC-EP1	GRAB	P195612		OPERATIONAL																								Zenker	
				07/26/2001	12/31/2007	<input checked="" type="checkbox"/>	MOA, ZVQA																								
NAC-P-04	EQUIPMENT BLANK	NAC-EB	GRAB	P195612		OPERATIONAL																								ZENKER	
				07/27/2001	12/31/2007	<input checked="" type="checkbox"/>	MOA, ZVQA																								

Date: _____

Nacimiento Water Supply Project Recreation Area Monthly Inspection: Part 1

Inspected By: _____ Title: _____

Use of Lake: Heavy _____ Moderate _____ Light _____

Number of patrol boats on lake: _____ Number of patrol boats in operating condition: _____

	Lake Nacimiento Resort	Heritage Ranch	Oak Shores
Extent of use			
Total marked campsites	306		
Campsites occupied			
Total overflow campsites	330		
Overflow sites occupied			
Park attendance during inspection		XXXXX	XXXXX
Total recorded campsite use last month			
Maximum daily attendance last month	Date:	XXXXX	XXXXX
Toilets and Restrooms			
Number of toilets in use			
Vault toilets			
Chemical toilets			
Waterflush toilets			
Floating toilets condition and comments			
Number of toilets inspected			
At campground			
At shoreline			
Adequacy of service			
Cleanliness and odor			
Health hazards and comments			
Corrections required this inspection			
Corrections made since last inspection			

Please use a separate sheet if additional room for comment is needed.

Nacimiento Water Supply Project Recreation Area Monthly Inspection: Part 1

	Lake Nacimiento Resort	Heritage Ranch	Oak Shores
Refuse Storage and Collection			
Adequacy of service			
Location of disposal site			
Cleanliness and odor			
Insect or rodent problems			
Health hazards and comments			
Corrections required this inspection			
Corrections made since last inspection			
Campgrounds and Picnic Areas			
Percent of areas inspected			
Cleanliness and general conditions			
Waste disposal: number of violations			
Buckets overflowing			
Garbage and refuse			
Other			
Insect or rodent problems			
Health hazards and comments			
Corrections required this inspection			
Corrections made since last inspection			
Shoreline Fishing Area			
Cleanliness and general conditions			
Number of vehicles too near water's edge			
Waste disposal: number and type of violations			
Comments			
Corrections required this inspection			
Corrections made since last inspection			

Please use a separate sheet if additional room for comment is needed.

Date: _____

Nacimiento Water Supply Project Recreation Area Monthly Inspection: Part 1

	Lake Nacimiento Resort	Heritage Ranch	Oak Shores
Fish Cleaning Stations			
Cleanliness and general conditions			
Location of waste disposal			
Insect or rodent problems			
Corrections required this inspection			
Corrections made since last inspection			
RV Sewage Dump Station			
Cleanliness and general conditions			
Gas Dock/Fuel Loading Facilities			
Health hazards and comments		XXXXX	XXXXX
Community Patrol			
Number of patrol personnel on duty			

Please use a separate sheet if additional room for comment is needed.

Submit to:

San Luis Obispo County Department of Public Works
 Attn: John Beaton, Water Quality Lab
 Room 207, County Government Center
 San Luis Obispo, CA 93408

Phone: (805) 781-5109

Fax: (805) 781-1088

Date: _____

Page 4 of 4

Nacimiento Water Supply Project Recreation Area Monthly Inspection: Part 2

Inspected By: _____

Title: _____

Lake Inspection	
Clarity of Water	
Intake area restricted to public access	
Means of controlling storm debris	
Evidence of algae growth	
Evidence of floating and shoreline debris	

Please use a separate sheet if additional room for comment is needed.

Submit to:

San Luis Obispo County Department of Public Works
Attn: John Beaton, Water Quality Lab
Room 207, County Government Center
San Luis Obispo, CA 93408

Phone: (805) 781-5109

Fax: (805) 781-1088

Date: _____

Page 1 of 2

Nacimiento Water Supply Project Recreation Area Annual Inspection

Inspected By: _____

Title: _____

Log Boom at Dam

Location: _____

General observations: _____

North Shore Day Use

Occupancy: Full _____ In Use _____ Few _____ Empty _____

Restroom/Shower: Condition of Facilities _____

Cleanliness _____

Refuse: Adequate receptacles: _____

Cleanliness and odor: _____

Parking Lot & Picnic Areas: _____

General observations: _____

Bee Rock Cove

Shoreline & Private docks: _____

General observations: _____

North Shore Boat & Ski Club

Shoreline & Private docks: _____

General observations: _____

Oak Shores (Use Monthly Inspection Forms)

Wake Boom: _____

Marina: _____

Shoreline & Private docks: _____

General observations: _____

Christmas Cove

Shoreline & Private docks: _____

General observations: _____

South Shore Village

Shoreline & Private docks: _____

General observations: _____

Cal Shasta

Shoreline & Private docks: _____

General observations: _____

Tri Counties

Shoreline & Private docks: _____

Restroom: Condition of Facilities: _____

Cleanliness: _____

Refuse: Adequate receptacles: _____

Cleanliness and odor: _____

Community Facilities: _____

General observations: _____

Date: _____

Nacimiento Water Supply Project Recreation Area Annual Inspection

Running Deer

Shoreline & Private docks: _____

Portable restrooms: Number of units _____

Cleanliness: _____

Refuse: Adequate receptacles: _____

Cleanliness and odor: _____

General observations: _____

Floating Restrooms

Location of units: _____

Cleanliness: _____

General observations: _____

Heritage Ranch (Use Monthly Inspection Forms)

Shoreline: _____

General observations: _____

Lake Nacimiento Resort (Use Monthly Inspection Forms)

Shoreline: _____

General observations: _____

General Lake Condition

Level of Lake Usage: Heavy _____ Moderate _____ Low _____

Water Clarity: _____

Amount of floating & shoreline debris: _____

General observations: _____

Monterey County Parks

Number of rangers on duty: _____

Number of patrol boats on lake: _____

Number of patrol boats operational: _____

Please use a separate sheet if additional room for comment is needed.

Submit to:

San Luis Obispo County Department of Public Works
Attn: John Beaton, Water Quality Lab
Room 207, County Government Center
San Luis Obispo, CA 93408

Phone: (805) 781-5109

Fax: (805) 781-1088