
SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Josh Becker, Chair

2025 - 2026 Regular

Bill No: SB 1253 **Hearing Date:** April 14, 2026
Author: Laird
Version: March 23, 2026 Amended
Urgency: No **Fiscal:** Yes
Consultant: Genevieve Wong

Subject: Salinas Reservoir: recreational use

SUMMARY

This bill would exempt the Salinas Reservoir from the general prohibition against bodily contact with water stored in a reservoir for domestic use if certain conditions are met.

BACKGROUND AND EXISTING LAW

Salinas Reservoir.

The Salinas Dam was built in 1941 by the U.S. Army as a water conservation project to supply water to Camp San Luis Obispo and the City of San Luis Obispo. The construction of the dam formed the Salinas Reservoir (also known as Santa Margarita Lake). The Salinas Reservoir is located about 9 miles southeast of the Santa Margarita community in the County of San Luis Obispo, near the headwaters of the Salinas River. It captures water from a 112 square mile watershed and can store up to 22,320 acre-feet of water. Both the Salinas Dam and delivery system were subsequently transferred from the U.S. Army to the U.S. Army Corps of Engineers (US ACE).

In 1947, the US ACE entered into an agreement with the San Luis Obispo County Flood Control and Water Conservation District (District) for the operation and maintenance of the dam, its reservoir, and related facilities. The District operates the reservoir for the City of San Luis Obispo through the County Public Works Department under a lease from US ACE. According to the County of San Luis Obispo's website, the Salinas Reservoir serves as one of the City of San Luis Obispo's primary water supply sources.

Recreation facilities at Salinas Reservoir are operated by the County of San Luis Obispo as a county park with opportunities for boating, fishing, picnicking, and camping. No bodily contact (swimming, waterskiing, etc.) is allowed in the lake because it is a domestic water supply reservoir. While swimming is not allowed in the Salinas Reservoir, there is a swimming pool that is open on a limited schedule.

According to its website, the Salinas Reservoir is known for its excellent fishing and peaceful boating atmosphere. San Luis Obispo County Parks conducts mandatory boat inspections at the reservoir to prevent the spread of Quagga, Zebra, and Golden Mussels and other invasive species, and, earlier this year, started requiring a 30-day quarantine for boats with internal ballasts or ballast bags (e.g. wakeboard and ski boats). There are individual picnic sites with shade, ample seating, larger barbecues, and other amenities throughout the park. The park also has a range of hiking and riding trails that offer views of the lake and surrounding mountains.

According to the reservoir's Water Quality Monitoring Report for Water Year 2024 (October 2023 – September 2024), prepared by the County of San Luis Obispo Department of Public Works Water Quality Division, "water quality parameters were typical of historical data throughout the reservoir, with no significant anomalies observed."

Bodily contact with water in California reservoirs.

The California Health and Safety Code (HSC) establishes as state policy that all public waters are to be used for multiple purposes, as long as the uses are consistent with public health and safety. To this end, existing law prohibits recreational uses in which the participant has bodily contact with water in a reservoir in which water is stored for domestic use. Bodily contact with domestic water supplies can be a source of fecal pathogens and other contaminants that, if not treated, can be a serious threat to public health. Existing law does provide exemptions from this bodily contact prohibition, however, for all reservoirs in San Diego County, the Nacimiento Reservoir, the Modesto Reservoir, the Sly Park Reservoir, the Canyon Lake Reservoir, and the Bear Lake Reservoir. In each of these cases, statute delineates health and safety requirements, including monitoring and treatment requirements, which must be met in order for the exemption to stay in effect. These reservoirs have unique circumstances relating to treatment, location, population served, and climate that have decreased the risk associated with bodily contact in the reservoir. California Water Code makes an additional exemption for bodily contact with water in reservoirs constructed and operated as part of the State Water Project, to the extent that the recreation is compatible with public health and safety requirements.

In all cases, the water system operating the reservoir and providing treatment to the drinking water are responsible (and have accepted responsibility) for ensuring that drinking water meets drinking water standards and public health is protected.

Existing law:

- 1) Declares it to be the policy of the 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 safety (HSC §115825(a)).
- 2) Prohibits, for reservoirs that store water for domestic use, from allowing recreation where there is bodily contact with the water, except as specifically provided for in statute (HSC §115825(b)). Statutory exemptions have been provided for:
 - a) San Diego County (HSC §115840).
 - b) Modesto Reservoir (HSC §115840.5).
 - c) Nacimiento Reservoir (HSC §115841).
 - d) Sly Park Reservoir (HSC §115842).
 - e) Canyon Lake Reservoir (HSC §115843.5).

- f) Bear Lake Reservoir (HSC §115843.6).
- 3) Requires all water supply reservoirs of a public agency to be open for recreational use by the people of the state, subject to regulations of the State Water Resources Control Board (State Water Board) (HSC §115830).
- 4) Authorizes a public agency operating any water supply reservoir that is open for recreation use to charge a use fee to cover the costs of policing the area around the reservoir (HSC §115845).

PROPOSED LAW

This bill would:

- 1) Prohibit bodily contact with the water in the Salinas Reservoir unless both of the following conditions are satisfied:
 - a) The water subsequently receives complete water treatment, in compliance with all applicable State Water Board regulations and all federal laws and regulations, including, but not limited to, the United States Environmental Protection Agency Long Term 2 Enhanced Surface Water Treatment Rule.
 - b) The reservoir is operated in compliance with regulations of the State Water Board.
- 2) Require recreational use of the Salinas Reservoir to be subject to additional conditions and restrictions adopted by the entity operating the water supply reservoir, or required by the State Water Board, that are required to further protect or enhance the public health and safety and do not conflict with regulations of the State Water Board.
- 3) Make findings and declarations declaring the need for a special statute for the Salinas Reservoir.

ARGUMENTS IN SUPPORT

According to the author, "Senate Bill 1253 authorizes swimming and expanded recreation at Santa Margarita Lake in San Luis Obispo County under stringent sanitation requirements to ensure continued compliance with water quality standards.

"The Salinas Reservoir, which forms Santa Margarita Lake, serves as a vital drinking water source for the City of San Luis Obispo. While bodily contact was historically restricted, modern advancements in water treatment and monitoring now allow for these activities to be conducted safely. Certain recreation access is already allowed, such as boating, kayaking, rowing, and more. SB 1253 permits recreational activities involving body contact with water, subject to rigorous water quality protocols and advanced treatment requirements to protect the public water supply."

ARGUMENTS IN OPPOSITION

None received

COMMENTS

This bill is double referred. This bill is double referred with the Senate Environmental Quality Committee, with this committee being the committee of second referral. However, due to limited time for both committees to hear the bill, the bill be heard in this committee first and Senate Environmental Quality Committee second. Elements of this bill under the jurisdiction of the Senate Environmental Quality Committee are included here for context and completeness only and will be discussed before that Committee.

Domino effect. Unsurprisingly, water concerns are a big consideration when deciding whether a lake or reservoir that is used for drinking water supplies should allow swimming. Concerns that have been expressed for other lakes may also be applicable here.

For example, when considering whether swimming should be allowed at Lake Cachuma, a 3,100-acre reservoir in the Santa Ynez Valley, there is concern that swimming may lead to ancillary swimming activities, such as jet skis, and an increased use of motor-powered boats. According to the author, jet skiing, wakeboarding, and water skiing are not currently allowed at the Salinas Reservoir, and the author and sponsor do not anticipate this policy changing.

Motor-powered boats, however, are already permitted at Salinas Reservoir. A question is – will permitting swimming increase the number of visitors with motor-powered boats? An increase in boats can increase the risk of contaminated mussels, especially if those boats are used on other lakes. As discussed above, Salinas Reservoir is currently imposing a 30-day quarantine for boats with internal ballasts or ballast bags. This is an effort to prevent the spread of Golden Mussels, and other invasive species, that can cause significant harm to the ecosystem and the water delivery system.

Additionally, an increase in boats can change the atmosphere and primary recreational uses at the reservoir. The sponsor of the bill does not anticipate the primary uses of the reservoir to change, and most visitors will use the area for passive recreation, since motor-powered boats will still be prohibited from “towing” items behind them (jet skis, wakeboarding, water skiing, etc.). Thus, the bodily contact that will likely occur will be due to passive recreational activities such as kayaking and wading.

Worst case scenario. If in the event the reservoir’s water supply is compromised, whether due to invasive species compromising the infrastructure or contaminants impacting water quality, typically it is the water system operating the reservoir that is responsible. However, in this case, the District operates the reservoir through the County of San Luis Obispo, but it is the City of San Luis Obispo that treats the water through advanced microfiltration and disinfection. To add another layer, the District leases the reservoir from the US ACE.

According to the sponsor, if water supply is compromised and additional treatment or fixes to the water delivery system are needed, the City of San Luis Obispo would be responsible for those costs. It is unclear if the city is willing to take on that responsibility. It is also worth asking, if additional treatment or infrastructure is needed to address any issues that might arise, will those costs be passed onto the ratepayers?

According to the sponsor, the city has confirmed that it has the appropriate technology to treat any water quality issues that may arise from bodily contact with the water, and the city's water treatment plant, which currently treats water from the Salinas Reservoir, also treats water from the Nacimiento Reservoir. The Nacimiento Reservoir has had a bodily contact exemption since 1997.

Reporting requirements imposed on other bodily-contact exemptions are not in this bill. Over the years, the Legislature has granted a number of bodily contact exemptions to reservoirs that are used for drinking water storage. These exemptions include those for reservoirs in San Diego County, Nacimiento Reservoir, Modesto Reservoir, Sly Park Reservoir, Canyon Lake Reservoir, and Bear Lake Reservoir.

Since 1998, commencing with the Modesto Reservoir, the Legislature began including certain reporting requirements. Reporting requirements are not required for reservoirs in San Diego County (exemption granted in 1995) or Nacimiento Reservoir (1997). However, reporting requirements are required for Modesto Reservoir (1998), Sly Park Reservoir (2002), Canyon Lake Reservoir (2004), and Bear Lake Reservoir (2004 and 2013).

To be consistent with previously granted bodily-contact exemptions, the committee may wish to amend the bill to include a reporting requirement for the Salinas Reservoir that is similar to those imposed on other reservoirs previously granted an exemption. See *Amendment 1*.

See you later. To ensure that the water supply is not being adversely affected by the allowance of bodily contact, the committee may wish to amend the bill to sunset its provisions after 5 years, on January 1, 2032, giving the Legislature an opportunity review the appropriateness of the exemption. See *Amendment 2*.

Committee amendments will be taken in Senate Environmental Quality Committee. Due to time constraints, if the committee wishes to amend the bill and the bill is passed out of this committee, the amendments will be taken in the Senate Environmental Quality Committee's hearing on this bill.

Related legislation

AB 440 (Bigelow, Chapter 54, Statutes of 2021) modifies the conditions required for the Bear Lake Reservoir bodily contact exemption and extended the operation of the exemption indefinitely.

SB 143 (Stone, 2105) would have exempted the Diamond Valley Reservoir from the prohibition against bodily contact with water if certain conditions were met. This bill did not get out of the Senate Environmental Quality Committee after its bill hearings were cancelled at the request of the author.

SB 930 (Gaines, Chapter 149, Statutes of 2016) extends the sunset on the bodily contact exemption for Bear Lake Reservoir until January 1, 2022, and requires the Lake Alpine Water Company to file a biennial report file with the Legislature on the recreational uses at Bear Lake Reservoir and the water treatment program for that reservoir.

SB 14 (Gaines, Chapter 172, Statutes of 2013) authorizes, until January 1, 2017, recreational uses at Bear Lake Reservoir, if certain conditions are met, including water treatment, monitoring, and reporting requirements.

SB 1063 (Gaines, 2012) would have authorized, until January 1, 2016, recreational uses at Bear Lake Reservoir if certain conditions are met, including water treatment, monitoring, and reporting requirements. SB 1063 was vetoed by Governor Brown.

AB 80 (Blakeslee, 2009) would have amended the water storage and treatment requirements for Nacimiento Reservoir. AB 80 died on concurrence on the Assembly Floor after being moved to the inactive file.

SB 1046 (Environmental Quality, Chapter 253, Statutes 1046) extends the authorization for bodily contact with water at Canyon Lake Reservoir indefinitely.

AB 1934 (Leslie, Chapter 374, Statutes of 2004) authorizes recreational uses, until January 1, 2007, at Bear Lake Reservoir if certain conditions are met.

AB 2439 (Haynes, Chapter 519, Statutes of 2004) allows bodily contact with water in the Canyon Lake Reservoir, until January 1, 2008, if certain conditions are met and required the Elsinore Valley Municipal Water District to file a specified report.

SB 1074 (Environmental Quality, Chapter 742, Statutes of 2003) extends the authorization for bodily contact with water at Modesto Reservoir indefinitely.

SB 1093 (Costa, Chapter 968, Statutes of 2002) allows bodily contact with water in the Sly Park Reservoir if certain conditions are met and required the El Dorado Irrigation District to file a specified report.

SB 2201 (Monteith, Chapter 70, Statutes of 1998) authorizes recreational uses that included bodily contact with water, until January 1, 2004, at Modesto Reservoir if certain conditions are met.

AB 1460 (Bordonaro, Chapter 524, Statutes of 1997) authorizes recreational activity in which there is bodily contact with the water in the Nacimiento Reservoir if certain conditions are met.

SUGGESTED AMENDMENTS

AMENDMENT 1

Amend proposed HSC §115843.7 to add a new subdivision (c) as follows, and to re-letter the remaining section.

(c) Two years after approval of the changed use of the reservoir to a body contact reservoir by the Division of Drinking Water, and biennially thereafter, the San Luis Obispo County Flood Control and Water Conservation District shall file, with the Legislature in accordance with Section 9795 of the Government Code and the board, a report on the recreational uses at Salinas Reservoir and the water treatment program for

that reservoir. That report shall include, but is not limited to, all of the following information:

- (1) The estimated levels and types of recreational uses at the reservoir on a monthly basis.**
- (2) A summary of monitoring in the Salinas Reservoir watershed for cryptosporidium, giardia, and total coliform bacteria, including E. coli and fecal coliform.**
- (3) The most current sanitary survey of the watershed and water quality monitoring.**
- (4) As deemed necessary by the board, an evaluation of recommendations relating to inactivation and removal or cryptosporidium and giardia.**
- (5) Annual reports provided to the board as required by the water permit issued by the board.**
- (6) An evaluation of the impact of source water quality due to recreational activities on Salinas Reservoir, including any microbiological monitoring.**
- (7) A summary of activities for operation of recreational uses and facilities in a manner that optimizes the water quality.**
- (8) The reservoir management plan and the operations plan.**
- (9) The annual water reports submitted to the consumers each year.**

AMENDMENT 2

Amend proposed HSC §115843.7 to add a new subdivision (e) as follows:

(e) This section shall remain in effect only until January 1, 2032, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2032, deletes or extends that date.

SUPPORT

County of San Luis Obispo (sponsor)

OPPOSITION

None Received

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