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AB-639 Dams: exceptions. (2025-2026)

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Assembly Bill No. 639

CHAPTER 617

An act to amend Section 6003 of the Water Code, relating to dams.

[Approved by Governor October 11, 2025. Filed with Secretary of State October 11, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 639, Soria. Dams: exceptions.

Existing law defines a dam to mean any artificial barrier, together with appurtenant works, that does or may impound or divert water, and meets other specified criteria. Existing law excludes from the definition a barrier that is or will be not in excess of 6 feet in height, regardless of storage capacity, or that has or will have a storage capacity not in excess of 15 acre-feet, regardless of height. Existing law requires the Department of Water Resources to supervise the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property.

This bill would additionally exclude from the definition of a dam a barrier that does not impound water above the top of a levee where maximum storage behind the barrier has a minimum of 3 feet of freeboard on the levee and is a weir, as defined, but would apply only to specified weirs named in the bill.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 6003 of the Water Code is amended to read:

6003. (a) Any barrier that is or will be not in excess of six feet in height, regardless of storage capacity, or that has or will have a storage capacity not in excess of 15 acre-feet, regardless of height, shall not be considered a dam.

(b) (1) Any barrier that does not impound water above the top of a levee where maximum storage behind the barrier has a minimum of three feet of freeboard on the levee and is a weir shall not be considered a dam.

(2) This subdivision shall apply only to Peoples Weir, Reynolds Weir, Last Chance Weir, Lemoore Diversion Weir, Island Weir, Crescent Weir, Stinson Weir, Empire Weir No. 1, and Empire Weir No. 2.

(c) For purposes of this section, a "weir" is defined as an agricultural water delivery structure with either mechanically or manually removable flashboards or gates that serves to regulate the flow of water in a stream and that functions as part of a federal flood control system as defined by Part 208 (commencing with Section 208.10) of Chapter II of Title 33 of the Code of Federal Regulations.