

DIVISION OF WATER RIGHTS
PROSECUTION TEAM SUBMITTAL OF REBUTTAL EVIDENCE

EXHIBIT

WR-~~27~~30

Received at hearing 9/2/14

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§ 9001. Legislative declaration of policy; purposes

West's Annotated California Codes | Public Resources Code (Approx. 2 pages)

West's Annotated California Codes
Public Resources Code (Refs & Annos)
Division 9. Resource Conservation (Refs & Annos)
Chapter 1. General Provisions (Refs & Annos)
Article 1. Policy of State (Refs & Annos)

West's Ann.Cal.Pub.Res.Code § 9001

§ 9001. Legislative declaration of policy; purposes

Currentness

(a) The Legislature hereby declares that resource conservation is of fundamental importance to the prosperity and welfare of the people of this state. The Legislature believes that the state must assume leadership in formulating and putting into effect a statewide program of soil and water conservation and related natural resource conservation and hereby declares that this division is enacted to accomplish the following purposes:

(1) To provide the means by which the state may cooperate with the United States and with resource conservation districts organized pursuant to this division in securing the adoption in this state of conservation practices, including, but not limited to, farm, range, open space, urban development, wildlife, recreation, watershed, water quality, and woodland, best adapted to save the basic resources, soil, water, and air of the state from unreasonable and economically preventable waste and destruction.

(2) To provide for the organization and operation of resource conservation districts for the purposes of soil and water conservation, the control of runoff, the prevention and control of soil erosion, and erosion stabilization, including, but not limited to, these purposes in open areas, agricultural areas, urban development, wildlife areas, recreational developments, watershed management, the protection of water quality and water reclamation, the development of storage and distribution of water, and the treatment of each acre of land according to its needs.

(b) The districts, in addition to any other authority provided by law, may do all of the following:

(1) Ensure consistency with the authorities and policies of the United States, this state, counties, cities, public districts, other resource conservation districts, persons, associations, and corporations.

(2) With the consent of the owner, construct on privately or publicly owned lands any necessary works for the prevention and control of soil erosion and erosion stabilization.

(3) Facilitate coordinated resource management efforts for watershed restoration and enhancement.

(c) The districts shall not conserve water for power purposes or produce or distribute power for their own use or for the use of others.

Credits

(Added by Stats.1975, c. 513, § 2. Amended by Stats.1994, c. 719 (A.B.2030), § 2.)

West's Ann. Cal. Pub. Res. Code § 9001, CA PUB RES § 9001

Current with urgency legislation through Ch. 299 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on 2014 ballots

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D. 9, Refs & Annos

West's Annotated California Codes | Public Resources Code (Approx. 1 page)

West's Annotated California Codes
Public Resources Code
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Currentness

Editors' Notes

GENERAL NOTES

2001 Main Volume

<Division 9 was added by Stats.1975, c. 513, § 2.>

<Former Division 9, Soil Conservation, added by Stats.1953, c. 1210, § 2, consisting of §§ 9000 to 9807, was repealed by Stats.1955, c. 1680, § 1.>

<Former Division 9, Soil Conservation, added by Stats.1951, c. 1646, § 2, consisting of §§ 9000 to 9807 was repealed by Stats.1953, c. 1210, § 1.>

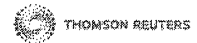
<Former Division 9, Soil Conservation, added by Stats.1949, c. 1031, § 2, consisting of §§ 9000 to 9707, was repealed by Stats.1951, c. 1646, § 1.>

<Former Division 9, Soil Conservation, added by Stats.1940, 1st Ex.Sess., c. 21, p. 45, § 1, consisting of §§ 9000 to 9492, was repealed by Stats.1949, c. 1031, § 1.>

West's Ann. Cal. Pub. Res. Code D. 9, Refs & Annos, CA PUB RES D. 9, Refs & Annos
Current with urgency legislation through Ch. 299 of 2014 Reg.Sess., Res. Ch. 1 of 2013-2014 2nd Ex.Sess., and all propositions on 2014 ballots

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DIVISION 9. SOIL CONSERVATION

NOTE: Division 9 was added by Stats. 1940 (1st Ex. Sess.), Ch. 21.

Various sections of Division 9 were affected by the following chapters:

1943	1945	1947	1948
Ch. 66	Ch. 423	Ch. 472	Ch. 1022
900	1031	517	1475
929	1187	802	
		1118	
		1362	
		1555	
		1558	

Division 9 was repealed and added by Stats. 1949, Ch. 1031, and by Stats. 1951, Ch. 1646.

The text of Division 9 as added by Stats. 1951, Ch. 1649 is set forth in this code. The usual history notes carried at the end of sections are omitted. The Statutory Record may be consulted to determine the history of any particular section.

NOTE: Stats. 1951, Ch. 1646, also contains the following provisions:

SEC. 3. The Division 9 of the Public Resources Code added by this act, insofar as it is substantially the same as the Division 9 of that code repealed by this act, shall be construed as a restatement and continuation of the existing law and not as a new enactment.

SEC. 4. All persons who, at the time this act goes into effect, hold office under the Division 9 of the Public Resources Code repealed by this act, and whose offices are continued by the Division 9 of the Public Resources Code added by this act, shall continue to hold their offices according to the former tenure thereof the same as though the Division 9 of the Public Resources Code repealed by this act had not been repealed.

SEC. 5. No action or proceeding relating to or arising out of the Division 9 of the Public Resources Code repealed by this act commenced before the effective date of this act, and no right accrued, pursuant to that division, is affected by the provisions of this act, but any step thereafter taken in such action or proceeding shall conform to the provisions of this code so far as possible.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Policy of State

State policy

9000. The Legislature hereby declares that the conservation of the soil is of fundamental importance to the prosperity and welfare of the people of this State. Severe pressure has been placed upon the State's soil resources in order to supply the basic food requirements of a greatly expanded population, and the productivity of agricultural, range and forest lands must be preserved and increased if the present standard of living is to be maintained under continuing population increases. Special effort must be made to speed up the present program of soil and water conservation in order to provide for permanent productive use of all remaining resources. To promote such effort, the Legislature believes that the State must assume leadership in formulating and putting into effect a state-wide program of soil

NOTE: For legislative history of sections, see note at beginning of Division 9.

and water conservation and hereby declares that the provisions of this division of this code are enacted to accomplish the following purposes:

(a) To provide a means by which the State may cooperate with the United States and with soil conservation districts organized pursuant to this division in securing the adoption in this State of farm, range, and woodland practices best adapted to save the soil resources of the State from unreasonable and economically preventable waste.

(b) To provide for the organization and operation of soil conservation districts for the purposes of soil and water conservation, the control of runoff and the prevention and control of soil erosion, including, but not limited to, the improvement of farm irrigation, the development of storage and distribution of water, land drainage and land clearing. Such districts, in addition to their other powers, shall have legal authority:

(1) To cooperate with the United States, this State, counties, public districts, other soil conservation districts, persons, associations, and corporations in matters relating to the control of runoff and to soil conservation through the prevention and control of soil erosion.

(2) With the consent of the owner, to construct on privately or publicly owned lands necessary works for the control of runoff and the prevention and control of soil erosion.

9001. It is hereby declared as a matter of legislative determination: Expenditures for general public benefit

(a) That the construction and maintenance on privately or publicly owned land of works for the control of runoff and the prevention and control of soil erosion caused by the action of water or wind or otherwise is in the general public interest and for the general public benefit.

(b) That the expenditure of state, county, district or other public funds for the construction or maintenance of such control or preventive works on privately or publicly owned land constitutes expenditure for the general public benefit.

Article 2. Definitions

9010. As used in this division the following terms have the meanings attributed to them in this article, unless the context otherwise requires. Definitions

9011. "Commission" means the State Soil Conservation Commission. "Commission"

9012. "District" means a soil conservation district. "District"

9013. "Public district" means a district established under the law of this State, other than a soil conservation district. "Public district"

NOTE: For legislative history of sections, see note at beginning of Division 9.

ernment. With the approval of the Department of Finance, the department may enter into agreements or contracts with the Federal Government or any of its agencies for performance of map production work in accordance with the general plan and program.

DIVISION 9. SOIL CONSERVATION

NOTE: Division 9 was added by Stats. 1940 (1st Ex. Sess.), Ch. 21. Various sections of Division 9 were affected by the following chapters:

1943	1945	1947	1949
Ch. 66	Ch. 423	Ch. 472	Ch. 1032
900	1031	517	1473
929	1187	802	
		1118	
		1362	
		1555	
		1558	

Division 9 was repealed and added by Stats. 1949, Ch. 1031, and by Stats. 1951, Ch. 1646. All of Division 9 except Section 9053 was repealed and added by Stats 1953, Ch. 1210.

The text of Division 9, as added by Stats. 1953, Ch. 1210, is set forth below. The usual history notes carried at the end of sections are omitted. The Statutory Record may be consulted to determine the history of any particular section.

NOTE: Stats. 1953, Ch. 1210, also contains the following provisions:

SEC. 3. The Division 9 of the Public Resources Code added by this act, insofar as it is substantially the same as the Division 9 of that code repealed by this act, shall be construed as a restatement and continuation of the existing law and not as a new enactment.

SEC. 4. All persons who, at the time this act goes into effect, hold office under the Division 9 of the Public Resources Code repealed by this act, and whose offices are continued by the Division 9 of the Public Resources Code added by this act, shall continue to hold their offices according to the former tenure thereof the same as though the Division 9 of the Public Resources Code repealed by this act had not been repealed.

SEC. 5. No action or proceeding relating to or arising out of the Division 9 of the Public Resources Code repealed by this act commenced before the effective date of this act, and no right accrued, pursuant to that division, is affected by the provisions of this act, but any step thereafter taken in such action or proceeding shall conform to the provisions of this code so far as possible.

Chapter 1. General Provisions

Article 1. Policy of State

9000. The Legislature hereby declares that the conserva-^{State}tion of the soil is of fundamental importance to the prosperity ^{policy} and welfare of the people of this State. Severe pressure has been placed upon the State's soil resources in order to supply the basic food requirements of a greatly-expanded population, and the productivity of agricultural, range and forest lands must be preserved and increased if the present standard of living is to be maintained under continuing population increases. Special effort must be made to speed up the present program of soil and water conservation in order to provide for permanent productive use of all remaining resources. To pro-

NOTE: For legislative history of sections, see note at beginning of Division 9.

mote such effort, the Legislature believes that the State must assume leadership in formulating and putting into effect a state-wide program of soil and water conservation and hereby declares that the provisions of this division of this code are enacted to accomplish the following purposes:

(a) To provide a means by which the State may cooperate with the United States and with soil conservation districts organized pursuant to this division in securing the adoption in this State of farm, range, and woodland practices best adapted to save the soil resources of the State from unreasonable and economically preventable waste.

(b) To provide for the organization and operation of soil conservation districts for the purposes of soil and water conservation, the control of runoff and the prevention and control of soil erosion, including, but not limited to, the improvement of farm irrigation, the development of storage and distribution of water, land drainage and land clearing. Such districts, in addition to their other powers, shall have legal authority:

(1) To cooperate with the United States, this State, counties, public districts, other soil conservation districts, persons, associations, and corporations in matters relating to the control of runoff and to soil conservation through the prevention and control of soil erosion.

(2) With the consent of the owner, to construct on privately or publicly owned lands necessary works for the control of runoff and the prevention and control of soil erosion.

Such districts shall not have legal authority to conserve water for power purposes or to produce or distribute power for their own use or for the use of others.

9001. It is hereby declared as a matter of legislative determination:

(a) That the construction and maintenance on privately or publicly owned land of works for the control of runoff and the prevention and control of soil erosion caused by the action of water or wind or otherwise is in the general public interest and for the general public benefit.

(b) That the expenditure of state, county, district or other public funds for the construction or maintenance of such control or preventive works on privately or publicly owned land constitutes expenditure for the general public benefit.

Article 2. Definitions

Definitions

9010. As used in this division the following terms have the meanings attributed to them in this article, unless the context otherwise requires.

9011. "Commission" means the State Soil Conservation Commission.

9012. "District" means a soil conservation district.

9013. "Public district" means a district established under the law of this State, other than a soil conservation district.

NOTE: For legislative history of sections, see note at beginning of Division 9.