

STATE OF CALIFORNIA

CALIFORNIA LAW REVISION COMMISSION

REQUEST FOR PUBLIC COMMENT

Environmental Law Consolidation

September 1997

This request for public comment is being distributed so that interested persons can make their views known to the Commission. Any comments sent to the Commission will be a part of the public record and will be considered at a public meeting when the Commission determines whether or how to proceed with this project. It is just as important to advise the Commission that you agree with the project as it is to advise the Commission that you disagree with it.

RESPONSES TO THIS REQUEST FOR PUBLIC COMMENT SHOULD BE RECEIVED BY THE COMMISSION NOT LATER THAN November 21, 1997.

California Law Revision Commission
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SUMMARY

The Legislature has directed the California Law Revision Commission to propose a reorganization of California's environmental quality and natural resources statutes. See 1997 Cal. Stat. res. ch. 102. This project is not a policy revision. Its purpose is to simplify and consolidate existing statutes by bringing them together in an organized way that will make them more usable and accessible than existing law. The Commission also may propose to eliminate obsolete and duplicative statutes, and may suggest ways to resolve inconsistencies between statutes.

Attached is a draft outline of a California Environmental Code. The Law Revision Commission requests public comment on the following questions:

(1) Is the project to consolidate the state's environmental laws desirable? Please bear in mind that a statutory consolidation will require substantial renumbering of essentially all existing environmental statutes.

(2) Is the concept of a comprehensive Environmental Code sound? Are there preferable alternatives, such as consolidating statutes within existing codes?

(3) Are the organization and contents of the Environmental Code as outlined correct? What specific categories or statutes would you include or exclude?

(4) Are you willing to review drafts or otherwise assist in the preparation of a new code or a statutory consolidation of this type?

Comments are requested by **November 21, 1997**.

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ENVIRONMENTAL LAW CONSOLIDATION

INTRODUCTION

1 The Legislature has asked the Law Revision Commission to study:

2 Whether the laws within various codes relating to environmental quality
3 and natural resources should be reorganized in order to simplify and
4 consolidate relevant statutes, resolve inconsistencies between the statutes,
5 and eliminate obsolete and unnecessarily duplicative statutes.¹

6 This project is not a policy revision. Its purpose is to simplify and consolidate
7 existing statutes by bringing them together in an organized way that will make
8 them more usable and accessible than existing law. The Commission also may
9 propose to eliminate obsolete and duplicative statutes, and may suggest ways to
10 resolve inconsistencies between statutes.

11 The project will take the form of a series of reports on subject matter areas
12 covering the entire range of California environmental statutes. The Commission
13 anticipates development of a complete code over several years by enactment of a
14 series of subject matter statutes. Work on this project will commence during 1997
15 and will be executed on a priority basis.

16 The Commission seeks the involvement of interested persons in this project. All
17 Commission decisions will be made at public meetings, and recommendations will
18 be made to the Governor and Legislature only after interested persons have had an
19 opportunity to review and comment on the proposals, and the Commission has
20 considered the comments.

21 OUTLINE OF ENVIRONMENTAL CODE

22 Preparation of Draft Outline

23 In order to focus public comment on this project and its desirability, the Com-
24 mission retained Professors John P. Dwyer² and Brian E. Gray,³ to prepare an
25 outline of an Environmental Code. The outline is attached; commentary on the
26 outline follows.⁴

1. 1997 Cal. Stat. res. ch. 102.

2. Boalt Hall, School of Law. Professor Dwyer is editor of *Dwyer & Bergsund California Environmental Laws Annotated* (Bancroft-Whitney 1997).

3. Hastings College of Law. Professor Gray is editor of *California Environmental Laws 1997 Edition* (West 1997).

4. The outline and commentary prepared by Professors Dwyer and Gray are edited somewhat for purposes of this Request for Public Comment.

1 Statutory provisions governing environmental quality and natural resources are
2 scattered in several codes, including the Civil Code, Code of Civil Procedure, Fish
3 and Game Code, Food and Agricultural Code, Government Code, Harbors and
4 Navigation Code, Health and Safety Code, Penal Code, Public Resources Code,
5 Revenue and Taxation Code, Vehicle Code, and Water Code. The Environmental
6 Code outlined is the result of a review of these and other state codes. It reflects
7 judgments as to which provisions should be included and what the organization of
8 the new code should be. Some provisions may have been overlooked, but the out-
9 line is believed to be reasonably complete.

10 **Organization of Environmental Code**

11 The Environmental Code is organized along sub-categories commonly used in
12 the practice of environmental law. Other organizational schemes are possible, but
13 this one should make it easiest for environmental lawyers to find the law they are
14 looking for. There are provisions that could easily fit in more than one category,
15 such as provisions regulating hazardous substances in water. Should they be filed
16 under “Water Quality,” “Hazardous Substances and Materials,” or “Hazardous and
17 Solid Wastes”? To minimize confusion to lawyers who use the codes — which is
18 an implicit goal in making state environmental law more accessible — integrated
19 acts are generally left intact.

20 The outline comprises the following categories that, for simplicity, are called
21 Divisions:

22 **General.** This Division includes provisions describing agency functions and obli-
23 gations (e.g., Resources Agency, Cal-EPA), certification of certain professionals,
24 consolidated permit procedures, and environmental assessments (CEQA). The
25 purpose of the Division is to consolidate provisions that describe the basic gover-
26 nance structure of state environmental agencies and that apply generally to a range
27 of environmental quality issues.

28 In some respects, this is the least satisfactory of the Divisions. A somewhat dif-
29 ferent conception might include all provisions that describe regulatory functions,
30 not just of Resources Agency or Cal-EPA, but also of sub-units, such as the State
31 and Regional Water Boards, the Air Resources Board, the Fish and Game Com-
32 mission, and so forth. The organization of the Code would be more consistent
33 internally, but it would separate agency organization from the substantive
34 requirements.

35 **Air Quality.** This Division takes wholesale the materials currently found in Health
36 and Safety Code, Division 26, as well as two other chapters governing indoor air
37 quality and chlorofluorocarbons, Health and Safety Code, Division 103, Part 5,
38 and Division 104, Part 15.

39 There are Vehicle Code provisions that address smog check stations, and it
40 might be reasonable to include those provisions here. However, that change would
41 come at the cost of fragmenting into different codes the legal obligations of auto-
42 motive repair shops.

1 **Water Resources.** This Division includes not only provisions relating to water
2 quality, but also to the management, use, and conservation of water resources.
3 Thus, it collects provisions governing water rights, state regulatory authority over
4 water use (including operation of dams and reservoirs), water quality, drinking
5 water, and preservation (e.g., wild and scenic rivers, and streamflow protection
6 standards). Provisions more directly connected to coastal, estuarine, and riparian
7 resources (including wetlands) were put in another division.

8 **Toxic and Hazardous Substances.** This Division includes a range of acts, most of
9 which are from the Health and Safety Code, governing toxic and hazardous sub-
10 stances. Setting aside the problem of overlap, it does not include provisions related
11 to hazardous or solid wastes; the point is to separate provisions related to the use
12 of toxic and hazardous substances from those governing the disposal, treatment,
13 and management of wastes.

14 Provisions related to environmental taxes and fees (mostly found in the Revenue
15 and Taxation Code) are not included. Although it would be logical to include such
16 provisions near the substantive statutes, it would come at the substantial cost of
17 fragmenting the Revenue and Taxation Code. Also not included are provisions
18 related to pesticides and radiation, which are put in their own divisions.

19 **Pesticides.** For the most part, Divisions 6 and 7 from the Food and Agricultural
20 Code are transferred wholesale, although a small set of provisions from the Health
21 and Safety Code regarding accidental spills and exposures are also included.

22 **Radiation.** This Division includes all the materials in Health and Safety Code,
23 Division 104, Part 9, related to radiation.

24 **Solid and Hazardous Wastes.** This Division comprises provisions related to solid
25 and hazardous waste management (including medical waste), as well as several
26 acts governing recycling.

27 **Land Use and Conservation.** This Division includes a range of provisions from the
28 Civil Code and Government Code dealing with conservation easements, open
29 space, agricultural land preservation. Matters more directly related to coastal, estu-
30 arine, or riparian management are included in the next Division.

31 The Government Code provisions dealing with land use planning and zoning are
32 a difficult choice. On the one hand, land use planning is fundamentally about the
33 use of natural resources, and quite often the disputes are about issues that indis-
34 putably involve environmental protection. On the other hand, the addition of these
35 provisions would enlarge an already large Environmental Code, and they include
36 matters that many lawyers would consider distinct from environmental quality and
37 natural resources.

38 **Coastal, Estuarine, and Riparian Management.** This Division brings together a range
39 of provisions in the Public Resources, Government, and Health and Safety Codes,
40 including the Coastal Act, the Coastal Conservancy Act, the provisions governing
41 the SF Bay Conservation and Development Commission, wetlands, and a series of
42 smaller conservation acts.

1 There are additional wetlands provisions in the Fish and Game Code, and a more
2 ambitious and detailed reorganization would consolidate those provisions with the
3 wetlands provisions in this Division.

4 **Wildlife Protection.** For the most part, this Division consists of the Fish and Game
5 Code, including provisions related to habitat protection, endangered species, and
6 hunting and management of wildlife. Some provisions directly related to water
7 quality are moved to the Water Resources Division, and a set of provisions from
8 the Food and Agricultural Code related to native desert plants are also added
9 (related provisions are also in the Fish and Game Code).

10 **Resource Development and Protection.** The purpose in this Division is to gather
11 together provisions related to resource exploitation and protection generally gov-
12 erned by the Department of Conservation, in particular forestry and range man-
13 agement, mining, oil and gas, and geothermal resources. All of the provisions
14 come from the Public Resources Code.

15 **Parks, Wilderness, and Public Lands.** This Division collects in one place various
16 acts related to public parks, wilderness areas, conservancy areas, and other lands
17 generally withheld from commercial development. All of the provisions come
18 from the Public Resources Code.

19 **Energy.** This Division contains provisions from the Government and Public
20 Resources Code related to energy development and use. The provisions in the
21 Public Utilities Code are omitted; these are best left intact because it is an inte-
22 grated code and it includes provisions not related to energy, such as water and
23 utilities.

24 Energy development and consumption is a fundamental, some would say the
25 most fundamental, environmental issue. It plays a substantial role in industrial
26 development, land use patterns, and air, water, and land pollution. At the same
27 time, there are reasons to put it in a separate Code.

28 **Noise Pollution.** This Division consists solely of the provisions governing noise
29 pollution from the Health and Safety Code, Division 28.

30 **Why Certain Provisions Are Omitted**

31 For various reasons, numerous acts and legislative areas are omitted that have a
32 direct or strong indirect relationship to environmental quality and natural
33 resources. In many cases, the omissions are influenced by the size of the Environ-
34 mental Code, the fact that some provisions and acts also are related to non-envi-
35 ronmental matters, and that they are contained in integrated codes. Plainly, there is
36 ample basis to disagree about these choices.

37 **Environmental Taxes and Fees.** There are several Acts governing environmental
38 taxes, including Hazardous Substances Tax Law (Rev. & Tax. Code §§ 43001-
39 43651), Oil Spill Response, Prevention, and Administration Fees (Rev. & Tax.
40 Code §§ 46001-46751), Underground Storage Tank Maintenance Fee Law (Rev.
41 & Tax. Code §§ 50101-50161). These provisions are directly related to environ-
42 mental quality and natural resources, and many of them have corresponding sub-

stantive environmental laws. See, e.g., Hazardous Waste Control Law (Health & Safety Code §§ 25100-25250.25), Hazardous Substances Account Act (Health & Safety Code §§ 25300-25395.15), Oil Spill Prevention and Response Act (Gov't Code §§ 8670.1-8670.72), Petroleum Underground Storage Tank Cleanup (Health & Safety Code §§ 25299.10-25299.82). While their transfer to the Environmental Code would help make the code more comprehensive, it would come at the cost of enlarging an already large Code, and of making the Revenue and Taxation Code less than comprehensive and thus perhaps causing some confusion.

Public Utilities Commission. Many of the provisions in the Public Utilities Code have a direct impact on environmental quality. But there seems to be little advantage and substantial disadvantage to breaking up this self-contained code.

Irrigation, Water Service, and Municipal Utility Districts. The laws governing the formation and governance of various types of districts (many are located in the Water Code and Public Resources Code) have some relation to environmental quality and natural resources. However, the relationship is relatively remote, at least when compared to other matters, such as provisions governing air or water quality. The volume of these materials also could enlarge substantially the comprehensive Environmental Code.

Transportation. There are important provisions in the Government Code, Title 2, Division 3, Parts 5, 5.3, and Title 7.7, related to transportation planning. Obviously, transportation planning raises important environmental issues, but they seem a little too remote to include in this Code. For the same reason, provisions related to regional transportation agencies in Government Code, Titles 7.1, 7.8, 7.87, 7.88, 7.91, 7.94, and 7.95, and regional transit districts and boards, Public Utilities Code, Divisions 10-25, are omitted.

Municipal Authority Over Parks, Health and Safety. Such matters continually raise environmental questions, but they seem more directly related to municipal power and thus should be left in the Government Code or Health and Safety Code.

Size and Scope of Environmental Code

Development of an outline for an Environmental Code, reveals the advantages in gathering in one place the various acts and provisions related to environmental quality and natural resources. But it also reveals difficulties, and that no particular organization (including the status quo) is perfect.

One serious question involves the size and scope of the proposed Environmental Code. There is no clear, widely accepted definition for “environmental quality” and “natural resources.” In some respect virtually every aspect of modern life affects or is affected by environmental or natural resource issues. Most people would agree that some matters — air quality, water quality, solid and hazardous wastes — should be included in an Environmental Code, but disagreement may arise as we move away from these areas. In addition, the Code outlined here would be quite large.

1 To some extent, these concerns can be ameliorated by removing from the Code
2 provisions not as closely related to environmental and natural resource matters,
3 such as energy and land use and planning. But these distinctions are arbitrary and
4 would make the Environmental Code much less than comprehensive.

5 REQUEST FOR PUBLIC COMMENT

6 The Law Revision Commission requests public comment on the following
7 questions:

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9 bear in mind that a statutory consolidation will require substantial renumbering of
10 essentially all existing environmental statutes.

11 (2) Is the concept of a comprehensive Environmental Code sound? Are there
12 preferable alternatives, such as consolidating statutes within existing codes?

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DRAFT OUTLINE OF CALIFORNIA ENVIRONMENTAL CODE

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DIVISION 1. GENERAL

1. General Provisions for Environmental and Natural Resource Agencies

Resources Agency, Gov't Code, Title 2, Div. 3, Part 2.5, Ch. 1, §§ 12805, 12807-12807.6
Environmental Protection Agency, Gov't Code, Title 2, Part 2.5, Ch. 1, §§ 12812-12812.5;
Health & Safety Code, Div. 37, §§ 57000-57005, Div. 38, §§ 58000-58018, Div. 39,
§§ 59000-59019

2. Certification

Health & Safety Code, Div. 20, Ch. 6.98, §§ 25570-25570.4 (environmental assessors)
Health & Safety Code, Div. 104, Part 1, Ch. 4, Art. 1, §§ 106600-106735 (environmental
health specialists)
Health & Safety Code, Div. 104, Part 1, Ch. 4, Art. 2, §§ 106750-106865 (radon
specialists)
Health & Safety Code, Div. 104, Part 1, Ch. 4, Art. 3, §§ 106875-106910 (water treatment
plant operators)
Health & Safety Code, Div. 104, Part 1, Ch. 4, Art. 5, §§ 106950-107110 (radiological
technologists)
Health & Safety Code, Div. 104, Part 1, Ch. 4, Art. 6, §§ 107115-107175 (nuclear medicine
technology)

3. Consolidated Permit Procedures and Data Reporting

Pub. Res. Code, Div. 34, §§ 71000-71068

4. Pollution Control Financing Authority

Health & Safety Code, Div. 27, §§ 44500-44563

5. Environmental Quality Study Panel

Gov't Code, Title 2, Div. 3, Part 14, §§ 16000-16081

6. California Environmental Quality Act

Pub. Res. Code, Div. 13, §§ 21000-21177

DIVISION 2. AIR QUALITY

1. General Provisions and Definitions

Health & Safety Code, Div. 26, Part 1, §§ 39000-39153

2. State Air Resources Board

Health & Safety Code, Div. 26, Part 2, §§ 39500-39905

3. Air Pollution Control Districts

Health & Safety Code, Div. 26, Part 3, §§ 40000-41267

4. Nonvehicular Air Pollution Control

Health & Safety Code, Div. 26, Part 4, §§ 41500-42708

5. Vehicular Air Pollution Control

Health & Safety Code, Div. 26, Part 5, §§ 39000-39153

6. Air Toxics “Hot Spots” Information and Assessment Act

Health & Safety Code, Div. 26, Part 6, §§ 44300-44394

7. Commercial Space Programs

Health & Safety Code, Div. 26, Part 8, §§ 44400-44404

8. Halogenated Refrigerants and Chlorofluorocarbons

Health & Safety Code, Div. 26, Part 9, §§ 44470-44474

Health & Safety Code, Div. 104, Part 15, Ch. 6, §§ 119150-119160

9. Indoor Air Pollution

Health & Safety Code, Div. 103, Part 5, Ch. 7, §§ 105400-105430

Health & Safety Code, Div. 104, Part 15, Ch. 4, §§ 118875-118950

DIVISION 3. WATER RESOURCES

1. General Provisions

Water Code §§ 1-25

2. General State Powers over Water

Water Code, Div. 1, §§ 100-530

3. Water Rights and Water Compacts

Civ. Code, Div. 2, Part 4, Title 8, §§ 1410a-1422

Water Code, Div. 2, §§ 1000-5975

Gov’t Code, Title 2, Ch. 2, § 8100 (Nevada Compact)

Gov’t Code, Title 2, Ch. 2.6, §§ 8130-8140 (California-Nevada Compact)

4. Dams and Reservoirs

Water Code, Div. 3, §§ 6000-6501

Fish & Game Code, Div. 6, Part 1, Ch. 3, §§ 5900-6306

5. Wells, Pumping Plants, and Water Conveyances

Water Code, Div. 4, §§ 7000-7075

6. Flood Control

Water Code, Div. 5, §§ 8000-9577

7. Conservation and Development of State Water Resources

Water Code, Div. 6, §§ 10000-12995

8. Water Quality (Porter-Cologne Act and Clean Water Bonds)

Water Code, Div. 7, §§ 13000-14076
Fish & Game Code, Div. 6, Part 1, Ch. 2, Art. 1, §§ 5650-5655
Harb. & Nav. Code, Div. 1.5, §§ 90-153
Harb. & Nav. Code, Div. 2, Ch. 3, §§ 293-294
Health & Safety Code, Div. 104, Part 13, Ch. 4, Art. 2, §§ 117475-117500
Health & Safety Code, Div. 104, Part 13, Ch. 4, Art. 4, §§ 117510-117525

9. Drinking Water

Health & Safety Code, Div. 104, Part 12, §§ 116275-117130

10. Recreation

Health & Safety Code, Div. 104, Part 9.5, §§ 115700-115720 (reservoirs)
Pub. Res. Code, Div. 5, Ch. 1.5, §§ 5094-5094.5 (federal water projects)

11. Preservation

Pub. Res. Code, Div. 5, Ch. 1.4, §§ 5093.50-5093.70 (wild and scenic rivers)
Pub. Res. Code, Div. 10, §§ 10000-10005 (streamflow protection)

12. Protection of Water Supplies

Water Code, Div. 24, §§ 78500-78702

DIVISION 4. TOXIC AND HAZARDOUS SUBSTANCES

1. Safe Drinking Water and Toxic Enforcement Act of 1986

Health & Safety Code, Div. 20, Ch. 6.6, §§ 25249.5-25249.13

2. Unified Agency Review of Hazardous Materials Release Sites

Health & Safety Code, Div. 20, Ch. 6.65, §§ 25260-25268

3. Oversight Costs

Health & Safety Code, Div. 20, Ch. 6.66, §§ 25269-25269.9

4. Aboveground Storage of Petroleum

Health & Safety Code, Div. 20, Ch. 6.67, §§ 25270-25270.13

5. Underground Storage of Hazardous Substances

Health & Safety Code, Div. 20, Ch. 6.7, §§ 25280-25299.7

6. Petroleum Underground Storage Tank Cleanup

Health & Safety Code, Div. 20, Ch. 6.75, §§ 25299.10-25299.66

7. Hazardous Substances Account Act

Health & Safety Code, Div. 20, Ch. 6.8, §§ 25300-25395.15

8. Expedited Remedial Action Reform Act

Health & Safety Code, Div. 20, Ch. 6.85 §§ 25396-25399.2

9. Liability for Abatement of Hazards

Health & Safety Code, Div. 20, Ch. 6.9, §§ 25400

10. Unified Hazardous Waste and Hazardous Materials Management

Health & Safety Code, Div. 20, Ch. 6.11, §§ 25404-25404.6

11. Local Agency Hazardous Materials Regulation

Health & Safety Code, Div. 20, Ch. 6.12, §§ 25405

12. Hazardous Materials Data

Health & Safety Code, Div. 20, Ch. 6.91, §§ 25410-25417.1

13. Landfill Gas

Health & Safety Code, Div. 20, Ch. 6.92, §§ 25420-25422

14. Hazardous Materials Release Response Plans and Inventory

Health & Safety Code, Div. 20, Ch. 6.95, §§ 25500-25547.2

15. Hazardous Materials Liability of Lenders and Fiduciaries

Health & Safety Code, Div. 20, Ch. 6.96, §§ 25548-25548.7

16. Hazardous Materials Information and Consulting Services

Health & Safety Code, Div. 20, Ch. 6.97, §§ 25550-25553

17. Asbestos Use and Removal

Health & Safety Code, Div. 20, Ch. 10.3, §§ 25910-25913

Health & Safety Code, Div. 20, Ch. 10.35, §§ 25914-25914.3

Health & Safety Code, Div. 20, Ch. 10.4, §§ 25915-25919.7

Health & Safety Code, Div. 20, Ch. 10.6, §§ 25925-25929

18. Lead Exposure

Health & Safety Code, Div. 103, Part 5, Ch. 2, Art. 2, §§ 105185-105197 (occupational exposure)

Health & Safety Code, Div. 103, Part 5, Ch. 4, § 105250 (residential lead paint)

Health & Safety Code, Div. 103, Part 5, Ch. 5, §§ 105275-105310 (childhood lead poisoning)

19. Repair or Maintenance Projects

Health & Safety Code, Div. 37.5, §§ 57050-57053.9

20. Elder Pipeline Safety Act

Gov't Code, Title 5, Div. 1, Part 1, Ch. 5.5, §§ 51010-51019.1

21. Oil Spill Prevention and Response

Gov't Code, Title 2, Div. 1, Ch. 7, Art. 3.5, §§ 8574.1-8574.23

Gov't Code, Title 2, Div. 1, Ch. 7.4, §§ 8670.1-8670.72

Pub. Res. Code, Div. 7.8, §§ 8750-8760

22. Highway Transportation and Highway Spill Containment

Veh. Code, Div. 2, Ch. 2, Art. 4, §§ 2450-2454

Veh. Code, Div. 2, Ch. 2.5, Arts. 4-5, §§ 2531-2549

Veh. Code, Div. 14.1, §§ 32000-32053

Veh. Code, Div. 14.3, §§ 32100-32109

Veh. Code, Div. 14.5, §§ 33000-33002

Veh. Code, Div. 14.7, §§ 34000-34100

DIVISION 5. PESTICIDES

1. Pest Control Operations

Food & Agric. Code, Div. 6, §§ 11401-12258

2. Agricultural Chemicals

Food & Agric. Code, Div. 7, §§ 12500-14155

3. Pesticide Poisoning

Health & Safety Code, Div. 103, Part 5, Ch. 3, §§ 105200-105225

DIVISION 6. RADIATION

1. Radiation Protection Act

Health & Safety Code, Div. 104, Part 9, Ch. 4, §§ 114650-114685

2. Containment of Radioactive Materials

Health & Safety Code, Div. 104, Part 9, Ch. 5, §§ 114705-114835

3. Radiologic Technology

Health & Safety Code, Div. 104, Part 9, Ch. 6, §§ 114840-114895

4. Atomic Energy Development

Health & Safety Code, Div. 104, Part 9, Ch. 7, §§ 114900-114955

5. Radiation Control Law

Health & Safety Code, Div. 104, Part 9, Ch. 8, §§ 114960-115271.4

6. Nuclear Powerplant Radiation

Health & Safety Code, Div. 104, Part 9, Ch. 9, §§ 115275-115295

DIVISION 7. SOLID AND HAZARDOUS WASTE

1. Hazardous Waste Control Law

Health & Safety Code, Div. 20, Ch. 6.5, §§ 25100-25250.25

2. Garbage and On-Site Sewage Disposal

Health & Safety Code, Div. 104, Part 13, Ch. 4, §§ 117400-117590 (except Arts. 2 and 4, moved to Water Resources)

3. Medical Waste

Health & Safety Code, Div. 104, Part 14, §§ 117600-118360

4. Used Oil Recycling

Pub. Res. Code, Div. 3, Ch. 1, Art. 9, §§ 3460-3473

Pub. Res. Code, Div. 3, Ch. 1.5, §§ 3475-3494 (demonstration program)

5. California Beverage Container Recycling and Litter Reduction

Pub. Res. Code, Div. 12.1, §§ 14500-14595

6. Dry Cell Batteries

Pub. Res. Code, Div. 12.2, §§ 15000-15024

7. Plastic Waste

Pub. Res. Code, Div. 12.7, §§ 18000-18017

8. Fiberglass Recycled Content Act

Pub. Res. Code, Div. 12.9, §§ 19500-19535

9. Clean Glass Recycling Act

Pub. Res. Code, Div. 33, §§ 70000-70031

10. Integrated Waste Management Act

Pub. Res. Code, Div. 30, §§ 40000-48695

11. Waste Management Facilities

Pub. Res. Code, Div. 31, §§ 50000-50002

12. Sacramento Regional County Solid Waste Management District

Pub. Res. Code, Div. 32, §§ 60000-60033

13. Ventura County Waste Management Authority

Pub. Res. Code, Div. 32.5, §§ 60200-60256

DIVISION 8. LAND USE AND CONSERVATION

1. Conservation Easements

Civ. Code, Div. 2, Part 2, Title 2, Ch. 4, §§ 815-816

2. Open Space Maintenance Districts

Gov't Code, Title 5, Div. 1, Part 1, Ch. 2.5, §§ 50575-50628

3. Open Space Easements

Gov't Code, Title 5, Div. 1, Part 1, Chs. 6.5-6.6, §§ 51050-51097

4. Agricultural Lands

Gov't Code, Title 5, Div. 1, Part 1, Ch. 7, §§ 51200-51295 (Williamson Act)
Pub. Res. Code, Div. 10.2, §§ 10200-12159 (agricultural stewardship)

5. Tahoe Regional Planning Compact

Gov't Code, Title 7.4-7.5, §§ 66800-67132

6. Fort Ord Reuse Authority

Gov't Code, Title 7.85, §§ 67650-67700

7. Military Base Reuse Authority Act

Gov't Code, Title 7.86, §§ 67800-67870

8. Resource Conservation

Pub. Res. Code, Div. 9, §§ 9001-9978

9. Planning and Land Use

Gov't Code, Title 7, §§ 65000-66499.7

DIVISION 9. COASTAL, ESTUARY, AND RIPARIAN MANAGEMENT

1. Coastal Sanctuary Act

Pub. Res. Code, Div. 6, Part 1, Ch. 3.4, §§ 6240-6244

2. SF Bay Conservation and Development

Gov't Code, Title 7.2, §§ 66600-66682

3. Safe Recreational Uses of Beaches and Ocean Waters

Health & Safety Code, Div. 104, Part 10, Art. 2, Ch. 5, §§ 115875-115915
Health & Safety Code, Div. 104, Part 10, Art. 6, Ch. 5, §§ 116070-116090

4. Morro Bay Management Plan

Pub. Res. Code, Div. 18, §§ 28000-28007

5. Suisun Marsh Preservation

Pub. Res. Code, Div. 19, §§ 29000-29612

6. Delta Protection Act

Pub. Res. Code, Div. 19.5, §§ 29700-29780

7. California Coastal Act

Pub. Res. Code, Div. 20, §§ 30000-30900

8. Coastal Conservancy

Pub. Res. Code, Div. 21, §§ 31000-31405

9. Urban Waterfront Area Restoration Financing Authority

Pub. Res. Code, Div. 22, §§ 32000-32208

10. San Joaquin River Conservancy

Pub. Res. Code, Div. 22.5, §§ 32500-32538

11. Coastal Resources and Energy Assistance

Pub. Res. Code, Div. 25, §§ 35000-35034

12. Ocean Resources Management

Pub. Res. Code, Div. 27, §§ 36000-36500

13. Wetlands Preservation

Pub. Res. Code, Div. 5, Ch. 7, §§ 5810-5818

DIVISION 10. WILDLIFE PROTECTION

1. General Provisions and Definitions

Fish & Game Code §§ 1-89

2. Fish and Game Commission

Fish & Game Code, Div. 1, Ch. 1, §§ 100-104 (organization)
Fish & Game Code, Div. 1, Ch. 2, §§ 200-250 (regulatory powers)
Fish & Game Code, Div. 1, Ch. 3, §§ 300-398 (other regulatory powers)
Fish & Game Code, Div. 1, Ch. 4, §§ 400-401 (federal acts)
Fish & Game Code, Div. 1, Ch. 5, §§ 450-460 (management of deer)
Fish & Game Code, Div. 1, Ch. 6, §§ 500 (damages from poaching)

3. Department of Fish and Game

Fish & Game Code, Div. 2, Ch. 1, §§ 700-715 (organization)
Fish & Game Code, Div. 2, Ch. 2, §§ 850-882 (employees)
Fish & Game Code, Div. 2, Ch. 3, §§ 1000-1206 (other powers)

4. Wildlife Conservation and Management

Fish & Game Code, Div. 2, Ch. 4, §§ 1300-1375 (wildlife conservation)
Fish & Game Code, Div. 2, Ch. 4.1, §§ 1385-1391 (riparian habitat)
Fish & Game Code, Div. 2, Ch. 4.3, §§ 1400-1431 (inland wetlands)
Fish & Game Code, Div. 2, Ch. 5, §§ 1500-1585 (fish and game management)
Fish & Game Code, Div. 2, Ch. 6, §§ 1600-1607 (fish and wildlife protection)
Fish & Game Code, Div. 2, Ch. 7, §§ 1700-1701 (aquatic resources)
Fish & Game Code, Div. 2, Ch. 7.2, §§ 1725-1728 (trout management)
Fish & Game Code, Div. 2, Ch. 7.3, §§ 1740-1743 (black bass)
Fish & Game Code, Div. 2, Ch. 7.5, §§ 1750-1772 (native species)
Fish & Game Code, Div. 2, Ch. 7.8, §§ 1775-1796 (Sacramento-San Joaquin Valley wetlands mitigation bank)
Fish & Game Code, Div. 2, Ch. 8, §§ 1800-1802 (wildlife conservation)
Fish & Game Code, Div. 2, Ch. 10, §§ 1900-1913 (native plant protection)
Fish & Game Code, Div. 2, Ch. 11, §§ 1925-1926 (native desert plants)
Fish & Game Code, Div. 2, Ch. 12, §§ 1930-1933 (significant natural areas)
Food & Agric. Code, Div. 23, §§ 80001-80201 (native desert plants)
Fish & Game Code, Div. 3, Ch. 1, §§ 2000-2020 (taking generally)
Fish & Game Code, Div. 3, Ch. 1.5, §§ 2050-2116 (endangered species)
Fish & Game Code, Div. 3, Ch. 2, §§ 2116-2203 (importation, transportation, and sheltering of wild animals)
Fish & Game Code, Div. 3, Ch. 3, §§ 2225-2272 (importation and transportation of live plants and animals)
Fish & Game Code, Div. 3, Ch. 4, §§ 2345-2401 (importation of dead birds, mammals etc.)
Fish & Game Code, Div. 3, Ch. 5, §§ 2535-2546 (hunting and fishing guides)
Fish & Game Code, Div. 3, Ch. 6, §§ 2575-2576 (wild rodents)
Fish & Game Code, Div. 3, Ch. 6.5, §§ 2580-2589 (illegally taken fish and wildlife)
Fish & Game Code, Div. 3, Ch. 7, §§ 2600-2651 (fish and wildlife habitat enhancement)
Fish & Game Code, Div. 3, Ch. 7.5, §§ 2700-2729 (wildlife and natural conservation areas)
Fish & Game Code, Div. 3, Ch. 8, §§ 2760-2765 (fisheries restoration)
Fish & Game Code, Div. 3, Ch. 9, §§ 2780-2799.6 (wildlife protection)
Fish & Game Code, Div. 3, Ch. 10, §§ 2800-2840 (natural community conservation)
Fish & Game Code, Div. 3, Ch. 11, §§ 2900-2901 (habitat maintenance districts)

5. Birds and Mammals

Fish & Game Code, Div. 4, §§ 3000-4904

6. Protected Reptiles and Amphibians

Fish & Game Code, Div. 5, §§ 5000-5062

7. Fish

Fish & Game Code, Div. 6, §§ 5500-9101 (but not Part 1, Ch. 2, Art. 1, §§ 5650-5655, Part 1, Ch. 3, §§ 5900-6306, which were moved to Water Resources)

8. Sturgeon Egg Processors

Fish & Game Code, Div. 6.54, §§ 10000-10005

9. Refuges

Fish & Game Code, Div. 7, §§ 10500-10932

10. Districts

Fish & Game Code, Div. 8, §§ 11000-11039

11. Fines and Penalties

Fish & Game Code, Div. 9, §§ 12000-12300

12. Revenue

Fish & Game Code, Div. 10, §§ 13000-13203

13. Expenditures

Fish & Game Code, Div. 10.5, §§ 13220-13231

14. Pacific Marine Fisheries Compact

Fish & Game Code, Div. 11, §§ 14000-14105

15. Aquaculture

Fish & Game Code, Div. 12, §§ 15000-15908

16. Tribal Agreements

Fish & Game Code, Div. 13, §§ 16000-16011

Fish & Game Code, Div. 13.5, §§ 16500-16541

DIVISION 11. RESOURCE DEVELOPMENT AND PROTECTION

1. Department of Conservation

Pub. Res. Code, Div. 1, Ch. 2, §§ 600-690

2. Forestry and Range Management

Pub. Res. Code, Div. 1, Ch. 2.5 §§ 700-783 (Dept. of Forestry and Fire Protection)

Pub. Res. Code, Div. 4, §§ 4000-4958 (forests, forestry, and range and forage lands)

Gov't Code, Title 5, Div. 1, Part 1, Ch. 6.7, §§ 51100-51155 (timberland production)

3. Mining

Pub. Res. Code, Div. 2, §§ 2001-2815 (geology, mines, and mining)

Pub. Res. Code, Div. 3.5, Ch. 3, §§ 3960-3968 (placer mining water pollution)

4. Oil and Gas

Pub. Res. Code, Div. 3, Ch. 1 (except Art. 9), §§ 3000-3451 (oil and gas conservation)

Pub. Res. Code, Div. 3, Ch. 2, §§ 3500-3503 (wasting natural gas)

Pub. Res. Code, Div. 3, Ch. 3, §§ 3600-3609 (spacing of wells and community leases)

Pub. Res. Code, Div. 3, Ch. 3.5, §§ 3630-3690 (unit operation)

Pub. Res. Code, Div. 3, Ch. 5, §§ 3780-3787 (oil sumps)

Pub. Res. Code, Div. 3, Ch. 7, §§ 3850-3865 (methane gas)

5. Geothermal

Pub. Res. Code, Div. 3, Ch. 4, §§ 3700-3776 (geothermal resource development)

Pub. Res. Code, Div. 3, Ch. 6, §§ 3800-3827 (disposition of geothermal revenues)

DIVISION 12. PARKS, WILDERNESS, AND PUBLIC LANDS

1. Department of Parks and Recreation

Pub. Res. Code, Div. 1, Ch. 1, §§ 500-563

2. Parks and Monuments

Pub. Res. Code, Div. 5 (except Chs. 1.4, 1.5, and 7, moved elsewhere), §§ 5001-5851

Pub. Res. Code, Div. 5.8, §§ 5900-5938 (wildlife, coastal, and park land conservation)

Pub. Res. Code, Div. 7.5, §§ 8650-8655 (Arroyo Seco parklands)

Pub. Res. Code, Div. 14, §§ 22000-22080 (Ventura-Los Angeles Mountain and Coastal Study Commission)

3. Conservancy Districts

Pub. Res. Code, Div. 23, §§ 33000-33216 (Santa Monica Mountains Conservancy)

Pub. Res. Code, Div. 23.5, §§ 33500-33805 (Coachella Valley Conservancy)

4. State Lands

Pub. Res. Code, Div. 6, Parts 1-3 (except Part 1, Ch. 3.4, moved elsewhere), §§ 6001-8106 (administration and control)

Pub. Res. Code, Div. 7, §§ 8600-8633 (Kapiloff land bank)

Pub. Res. Code, Div. 7.7, §§ 8700-8716 (school land bank)

5. Federal Lands

Pub. Res. Code, Div. 6, Part 4, §§ 8301-8558

6. Surveying and Mapping

Pub. Res. Code, Div. 8, §§ 8801-8819

DIVISION 13. ENERGY

1. Community Energy Authority

Gov't Code, Title 5, Div. 1, Part 3, Ch. 1, §§ 52000-52190

2. Western Interstate Nuclear Compact

Gov't Code 7.6, §§ 67400-67401

3. Power Plant Siting

Pub. Res. Code, Div. 1, Ch. 3, §§ 800-801

4. Energy Conservation and Development

Pub. Res. Code, Div. 15, §§ 25000-25980

5. Alternative Energy and Advanced Transportation Financing Authority

Pub. Res. Code, Div. 16, §§ 26000-26042.2

6. Energy and Resources Fund

Pub. Res. Code, Div. 16.5, §§ 26400-26407

DIVISION 14. NOISE POLLUTION

1. Noise Pollution

Health & Safety Code, Div. 28, §§ 46000-46080

OMITTED PROVISIONS

Hazardous Substances Act

Health & Safety Code, Div. 104, Part 3, Ch. 4

Health & Safety Code, Div. 104, Part 3, Ch. 8

Health & Safety Code, Div. 104, Part 3, Ch. 9

City and County Authority Over Parks, Public Health, Water, Nuisance

Gov't Code, Title 3, Div. 2, Chs. 6-8, Title 4, Div. 3, Ch. 10

Local Government Reorganization

Gov't Code, Title 6, Div. 3

Regional Transportation Agencies, Districts, and Boards

Gov't Code, Titles 7.1, 7.8, 7.87, 7.89, 7.91, 7.94, 7.95

Pub. Util. Code, Divs. 10-25

Transportation

Gov't Code, Title 2, Div. 3, Parts 5, 5.3

Gov't Code, Title 7.7

Resort Improvement Districts

Pub. Res. Code, Div. 11

California Conservation Corps

Pub. Res. Code, Div. 12

Geologic Hazard Abatement Districts

Pub. Res. Code, Div. 17

Environmental Taxes and Fees

Rev. & Tax. Code, Parts 22, 23, 24, 26,

Irrigation, Water Service, and Municipal Utility Districts

Water Code, Divs. 10-21