

Assembly Bill No. 2402

CHAPTER 271

An act to amend Sections 7270, 7271, 7272.5, and 7273 of the Food and Agricultural Code, relating to noxious weed management.

[Approved by Governor August 22, 2014. Filed with
Secretary of State August 22, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2402, Buchanan. Noxious weed management.

Under existing law, the Department of Food and Agriculture is designated as the lead department in noxious weed management, and requires the department, in cooperation with the Secretary of the Natural Resources Agency, to implement provisions relating to noxious weed management. Existing law creates the Noxious Weed Management Account in the Department of Food and Agriculture Fund, and provides for the allocation of those funds, by percentage, for specified purposes, including control and abatement, research, and to the department for purposes of carrying out those provisions relating to noxious weed management.

This bill would revise the percentages of those allocations, and would also revise the purposes for which the percentage of funds allocated for research may be used to include mapping, risk assessment, and prioritization of weeds. The bill would specify that the funds made available for the control and abatement of noxious and invasive weeds shall be made available through a grant program administered by the department, as specified.

Existing law, to be eligible for funds from the Noxious Weed Management Account, requires a county agricultural commissioner to submit a cost-sharing integrated weed management plan to implement a control program for noxious weeds, and identifies specified goals that are required to be included in that program, including, among others, protecting the biodiversity of native ecosystems.

This bill would also include increasing water supply and flow among the goals that are required to be included in the program. The bill would revise the legislative findings and declarations relating to noxious weed management, and would make other clarifying and nonsubstantive changes.

The people of the State of California do enact as follows:

SECTION 1. Section 7270 of the Food and Agricultural Code is amended to read:

7270. The Legislature finds and declares all of the following:

(a) The destructive impact of invasive and noxious weeds is profound, affecting California's cropland, rangeland, forests, parks, waterways, and wildlands.

(b) These pests cause enormous losses of private, state, and federal resources through decreased land productivity, decreased water supply, degradation of wildlife habitat, and outright destruction of crops, livestock range, wetlands, waterways, watersheds, and recreational areas.

(c) The estimated annual lost crop and pasture productivity caused by noxious weeds is twenty-five billion dollars (\$25,000,000,000) nationwide, a large proportion of which is attributable to California. Nationally, the direct and indirect costs of controlling noxious weeds is estimated to be at least nine billion six hundred million dollars (\$9,600,000,000) annually.

(d) Local programs conducted under this article since 2000 have successfully eradicated over 2,000 populations of high priority weed infestations, while engaging hundreds of collaborating organizations and leveraging three dollars (\$3) of additional support for every state dollar spent.

SEC. 2. Section 7271 of the Food and Agricultural Code is amended to read:

7271. (a) The Legislature designates the Department of Food and Agriculture as the lead department in noxious weed management and the department is responsible for the implementation of this article in cooperation with the Secretary of the Natural Resources Agency.

(b) There is hereby created in the Department of Food and Agriculture Fund the Noxious Weed Management Account.

(c) Funds appropriated for expenditure by the secretary for purposes of this article may be spent without regard to fiscal year and shall be allocated as follows:

(1) Sixty percent of moneys in the account shall be made available to eligible weed management areas or county agricultural commissioners for the control and abatement of noxious and invasive weeds according to an approved integrated weed management plan. These control moneys shall be made available through a grant program administered by the department. Proposals shall be evaluated based on strategic importance for local and regional eradication of high priority noxious and invasive weeds.

(2) Twenty percent shall be made available toward research on the biology, ecology, or management of noxious and invasive weeds, and mapping, risk assessment, and prioritization of weeds. These research moneys shall be made available to qualified researchers through a grant program administered by the department. Proposals shall be evaluated in consultation with the Range Management Advisory Committee, with emphasis placed on funding of needs-based, applied and practical research.

(3) Twenty percent shall be made available to the department, and shall only be used for the following purposes:

(A) Carrying out the provisions of this article.

(B) Developing noxious weed control strategies.

(C) Seeking new, effective biological control agents for the long-term control of noxious weeds.

(D) Conducting private and public workshops as needed to discuss and plan weed management strategies with all interested and affected local, state, and federal agencies, private landowners, educational institutions, interest groups, and county agricultural commissioners.

(E) Appointing a noxious weed coordinator and weed mapping specialist to assist in weed inventory, mapping, and control strategies.

SEC. 3. Section 7272.5 of the Food and Agricultural Code is amended to read:

7272.5. (a) To be eligible to receive funding from the Noxious Weed Management Account pursuant to this article, a county agricultural commissioner shall submit a cost-share integrated weed management plan to implement an aggressive control program for noxious weeds. The goals of the program shall include, but not be limited to, all of the following:

- (1) Increase the profitability and value of cropland and rangeland.
- (2) Decrease the costs of roadside, park, and waterway maintenance.
- (3) Reduce the fire hazard and fire control costs in the state.
- (4) Protect the biodiversity of native ecosystems.
- (5) Maintain the recreational and aesthetic value of open space, recreational, and public areas.

(6) Increase water supply and flow.

(b) Funds dispersed pursuant to this section shall be allocated on the basis of the total number of infested acres in each county and the degree of infestation that exists in the counties, and shall be only used for the following purposes upon submission of a plan approved by county boards of supervisors and the department:

(1) Operation of programs by the county agricultural commissioner for control of noxious weeds along county roads and other local government owned property.

(2) Matching funds for control of noxious weeds on city owned streets, parks, rights-of-way, and other public areas.

(3) Disseminating biological control agents by the county agricultural commissioner for the long-term control of yellow starthistle or other noxious weeds.

(4) Abatement of noxious weed infestations on land vital to the success of the program.

(5) Not more than 10 percent of the noxious weed management funds distributed to a county agricultural commissioner subject to this section may be used by that commissioner for meeting, travel, administration, and coordination costs.

SEC. 4. Section 7273 of the Food and Agricultural Code is amended to read:

7273. (a) The department shall designate and provide staff support to an oversight committee to monitor this article and shall consider input from weed management areas, county agricultural commissioners, and the Range Management Advisory Committee.

(b) The membership of the oversight committee shall include an equitable number of representatives from each of the following interests:

- (1) Livestock production.
- (2) Agricultural crop protection.
- (3) Forest products industry.
- (4) California Invasive Plant Council.
- (5) Research institutions.
- (6) Wildlife conservation groups.
- (7) Environmental groups.
- (8) Resource conservation districts.
- (9) The general public.
- (10) Local government.
- (11) The Department of Fish and Wildlife.