

## Senate Bill No. 1740

### CHAPTER 315

An act to amend Sections 7270, 7271, 7272, and 7273 of, and to add Sections 7270.5 and 7272.5 to, the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

[Approved by Governor September 2, 2000. Filed with Secretary of State September 7, 2000.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1740, Leslie. Noxious weed management.

(1) Existing law designates the Department of Food and Agriculture as the lead department in noxious weed management. Existing law creates the Noxious Weed Management Account in the Department of Food and Agriculture Fund, and appropriates \$500,000 for 3 specified fiscal years from the General Fund for expenditure by the Secretary of Food and Agriculture, for the purpose of managing and eradicating noxious weeds through local weed management areas, as specified. Existing law requires each weed management area to create a cost-share plan, as specified. Existing law requires the department to establish an oversight committee, with a described membership representation, to monitor the bill's provisions and requires the department to report on or before April 1 of each year, as specified, to the Legislature.

(2) The bill would appropriate \$5,000,000 from the General Fund to the Noxious Weed Management Account, and would specify the purposes for which these funds may be spent. This bill would direct the secretary and weed management areas to consider the use of the California Conservation Corp and local conservation corps in implementing integrated weed management plans. Additionally, this bill would require county agricultural commissioners to submit a cost-share integrated weed management plan with specified goals to aggressively control noxious weeds in order to receive funds from the account. This bill would provide a specified formula and criteria for the distribution of funds from this account to the specified counties. This bill would require that the oversight committee also consider input from county agricultural commissioners and would include among the members of the committee, representatives from local government.

Appropriation: yes.

*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 often poisonous noxious weeds is profound, affecting California's cropland, rangeland, forests, parks, and wildlands.

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

(c) The estimated lost crop productivity caused by noxious weeds is seven billion four hundred million dollars (\$7,400,000,000) nationwide, a large proportion of which is attributable to California. Nationally, the direct and indirect costs of controlling noxious weeds may be as high as five billion four hundred million dollars (\$5,400,000,000) annually.

SEC. 2. Section 7270.5 is added to the Food and Agricultural Code, to read:

7270.5. For the purposes of this article, "integrated weed management plan" means an ecosystem-based control strategy that focuses on long-term prevention of weeds through a combination of techniques, such as biological controls, judicious use of herbicides, modified land management, and cultural practices, and where control practices are selected and applied in a manner that minimizes the risks to human health, nontargeted organisms, and the environment.

SEC. 3. 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 for Resources.

(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) Eighty-five 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 weeds according to an approved integrated weed management plan.

(2) Ten percent shall be made available toward research on the biology, ecology, or management of noxious and invasive 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) Five 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 of 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. 4. Section 7272 of the Food and Agricultural Code is amended to read:

7272. (a) To be eligible to receive funding from the Noxious Weed Management Account pursuant to this article, a weed management area, as defined in subdivision (b), shall be formed in a county or other geographic area.

(b) A “weed management area” is a local organization that brings together all interested landowners, land managers (private, city, county, state, and federal), special districts, and the public in a county or other geographical area for the purpose of coordinating and combining their action and expertise to deal with their common weed control problems. The organization shall function under the authority of a mutually developed memorandum of understanding and subject to statutory and regulatory requirements. A weed management area may be voluntarily governed by a chairperson or a steering committee.

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

(d) Each weed management area within the state shall create a cost-share integrated management plan for the management of noxious weeds within that area. The plan shall be submitted to the department for review, approval, and funding.

(e) The secretary and weed management areas shall consider the use of the California Conservation Corp and local conservation corps to assist in implementing integrated weed management plans pursuant to this article.



SEC. 5. Section 7272.5 is added to the Food and Agricultural Code, 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.

(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 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 local agriculture commissioner subject to this section may be used by that commissioner for meeting, travel, administration, and coordination costs.

SEC. 6. 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 Exotic Pest 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 Game.

SEC. 7. The sum of five million dollars (\$5,000,000) is hereby appropriated from the General Fund, and shall be deposited in the Noxious Weed Management Account and shall be available for expenditure without regard to fiscal year for purposes of expenditure pursuant to Article 1.7 (commencing with Section 7270) of Chapter 1 of Part 4 of Division 4 of the Food and Agricultural Code.

