

ASSEMBLY BILL

No. 1540

Introduced by Assembly Member Buchanan

January 24, 2012

An act to amend Section 64 of the Harbors and Navigation Code, relating to state waters.

LEGISLATIVE COUNSEL'S DIGEST

AB 1540, as introduced, Buchanan. Sacramento-San Joaquin Delta: invasive weeds: South American Spongeplant.

Existing law designates the Department of Boating and Waterways as the lead agency in cooperating with other agencies in controlling water hyacinth and *Egeria densa* in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh.

This bill would additionally designate the department as the lead agency in cooperating with other agencies in controlling South American Spongeplant (*Limnobium laevigatum*) in the delta, its tributaries, and the marsh.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) Aquatic weeds have been a continuing problem in the
- 3 Sacramento-San Joaquin Delta and have been growing in the delta
- 4 at an unprecedented rate.
- 5 (b) Invasive species of aquatic weeds growing in the
- 6 Sacramento-San Joaquin Delta obstruct navigation, impair other

1 recreational uses of the waterways in the delta, and have the
2 potential of damaging manmade facilities, including federal and
3 state water pumping operations.

4 (c) The health and stability of fisheries and other ecosystems
5 in the Sacramento-San Joaquin Delta are threatened by invasive
6 aquatic weeds, which are known to have the following impacts:

7 (1) Destroy tourism in the delta, and reduce boating, fishing,
8 and swimming in delta waterways.

9 (2) Block birds' access to waterways and nesting areas.

10 (3) Threaten water supplies by blocking canals, pumps, and
11 dams.

12 (4) Damage water quality in the delta resulting from the decay
13 of plants.

14 (5) Increase flood risk.

15 (6) Prevent the growth of native plants.

16 (d) Water hyacinth and *Egeria densa* are the only invasive
17 aquatic weeds that are authorized for treatment in the
18 Sacramento-San Joaquin Delta.

19 (e) South American Spongeplant (*Limnobium laevigatum*) is a
20 highly invasive weed that grows and spreads at a rate that could
21 devastate the Sacramento-San Joaquin Delta environment in just
22 a few years, and the spongeplant is a prolific seed-bearing plant
23 that will be difficult to eradicate if it is allowed to grow and spread
24 in the delta.

25 (f) Early stage treatment of the South American Spongeplant
26 (*Limnobium laevigatum*) in the Sacramento-San Joaquin Delta
27 will reduce the need for more extensive and costly later efforts to
28 keep the spongeplant from spreading in the delta.

29 SEC. 2. Section 64 of the Harbors and Navigation Code is
30 amended to read:

31 64. (a) The Legislature hereby finds and declares that the
32 growth of water hyacinth~~and~~, *Egeria densa*, *and South American*
33 *Spongeplant (Limnobium laevigatum)* in the Sacramento-San
34 Joaquin Delta, its tributaries, and the Suisun Marsh has occurred
35 at an unprecedented level and that the resulting accumulations of
36 water hyacinth~~and~~, *Egeria densa*, *and South American Spongeplant*
37 (*Limnobium laevigatum*) obstruct navigation, impair other
38 recreational uses of waterways, have the potential for damaging
39 manmade facilities, and may threaten the health and stability of
40 fisheries and other ecosystems within the delta and marsh.

1 Accordingly, it is necessary that the state, in cooperation with
2 agencies of the United States, undertake an aggressive program
3 for the effective control of water hyacinth~~and~~, *Egeria densa*, and
4 *South American Spongeplant (Limnobium laevigatum)* in the delta,
5 its tributaries, and the marsh.

6 (b) The department is designated as the lead agency of the state
7 for the purpose of cooperating with agencies of the United States
8 and other public agencies in controlling water hyacinth~~and~~, *Egeria*
9 *densa*, and *South American Spongeplant (Limnobium laevigatum)*
10 in the delta, its tributaries, and the marsh.

11 (c) The department, other state agencies, cities, counties, and
12 districts are hereby authorized to cooperate with one another and
13 with agencies of the United States in controlling water hyacinth
14 ~~and~~, *Egeria densa*, and *South American Spongeplant (Limnobium*
15 *laevigatum)* in the delta, its tributaries, and the marsh and may
16 furnish money, services, equipment, and other property to that
17 end.

18 (d) Up to five thousand dollars (\$5,000) per year of the funds
19 available for expenditure by the Department of Fish and Game to
20 implement this section shall be paid from the Harbors and
21 Watercraft Revolving Fund.

22 (e) Whenever any control program is proposed to take place in
23 Rock Slough, the department and the Contra Costa Water District
24 shall develop a memorandum of understanding establishing the
25 parameters of the control program. This subdivision does not apply
26 to any control program proposed for Sand Mound Slough.