

AMENDED IN SENATE JUNE 18, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

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 amended, Buchanan. Sacramento-San Joaquin Delta: invasive weeds: South American ~~Spongeplant~~ *spongeplant*.

Existing law designates the Department of Boating and Waterways as the lead agency in cooperating with other agencies in controlling water hyacinth (*Eichhornia crassipes*) and ~~Egeria densa~~ *Brazilian elodea* (*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~~ *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.

1 (b) Invasive species of aquatic weeds growing in the
 2 Sacramento-San Joaquin Delta obstruct navigation, impair other
 3 recreational uses of the waterways in the delta, and have the
 4 potential of damaging manmade facilities, including federal and
 5 state water pumping operations.

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

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

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

12 (3) Threaten water supplies by blocking canals, pumps, and
 13 dams.

14 (4) Damage water quality in the delta resulting from the decay
 15 of plants.

16 (5) Increase flood risk.

17 (6) Prevent the growth of native plants.

18 (d) Water hyacinth (*Eichhornia crassipes*) and ~~Egeria densa~~
 19 *Brazilian elodea* (*Egeria densa*) are the only invasive aquatic weeds
 20 that are authorized for treatment in the Sacramento-San Joaquin
 21 Delta.

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

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

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

34 64. (a) The Legislature hereby finds and declares that the
 35 growth of water hyacinth, ~~Egeria densa~~, (*Eichhornia crassipes*),
 36 *Brazilian elodea* (*Egeria densa*), and South American ~~Spongeplant~~
 37 *spongeplant* (*Limnobium laevigatum*) in the Sacramento-San
 38 Joaquin Delta, its tributaries, and the Suisun Marsh has occurred
 39 at an unprecedented level and that the resulting accumulations of
 40 water hyacinth, ~~Egeria densa~~ (*Eichhornia crassipes*), *Brazilian*

1 *elodea (Egeria densa)*, and South American—~~Spongeplant~~
2 *spongeplant (Limnobium laevigatum)* obstruct navigation, impair
3 other recreational uses of waterways, have the potential for
4 damaging manmade facilities, and may threaten the health and
5 stability of fisheries and other ecosystems within the delta and
6 marsh. Accordingly, it is necessary that the state, in cooperation
7 with agencies of the United States, undertake an aggressive
8 program for the effective control of water hyacinth, ~~Egeria densa~~
9 (*Eichhornia crassipes*), *Brazilian elodea (Egeria densa)*, and South
10 American—~~Spongeplant~~ *spongeplant (Limnobium laevigatum)* in
11 the delta, its tributaries, and the marsh.

12 (b) The department is designated as the lead agency of the state
13 for the purpose of cooperating with agencies of the United States
14 and other public agencies in controlling water hyacinth, ~~Egeria~~
15 ~~densa (Eichhornia crassipes)~~, *Brazilian elodea (Egeria densa)*,
16 and South American—~~Spongeplant~~ *spongeplant (Limnobium*
17 *laevigatum)* in the delta, its tributaries, and the marsh.

18 (c) The department, other state agencies, cities, counties, and
19 districts are hereby authorized to cooperate with one another and
20 with agencies of the United States in controlling water hyacinth;
21 ~~Egeria densa (Eichhornia crassipes)~~, *Brazilian elodea (Egeria*
22 *densa)*, and South American—~~Spongeplant~~ *spongeplant (Limnobium*
23 *laevigatum)* in the delta, its tributaries, and the marsh and may
24 furnish money, services, equipment, and other property to that
25 end.

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

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

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