

Assembly Bill No. 896

CHAPTER 494

An act to add Section 1506 to the Fish and Game Code, relating to wildlife management.

[Approved by Governor September 20, 2014. Filed with
Secretary of State September 20, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 896, Eggman. Wildlife management areas: mosquito abatement.

(1) Existing law provides for the formation of mosquito abatement and vector control districts, and prescribes the powers, functions, and duties of those districts, as specified. The existing Fish and Game Code authorizes the Department of Fish and Wildlife to take specified actions to protect, restore, rehabilitate, and improve fish and wildlife habitat.

Statutory provisions that were repealed on January 1, 2010, required a mosquito abatement and vector control district whose boundaries include one or more wildlife management areas to periodically, or at least semiannually, notify the department of those areas that exceed locally established mosquito population thresholds and associated mosquito control costs.

This bill would require a mosquito abatement and vector control district that includes one or more wildlife management areas, as defined, or in which vectors and vectorborne diseases from a wildlife management area may enter the district, to periodically, or at least semiannually, notify the department of those areas that are of concern due to the potential for high mosquito populations that may incur associated mosquito control costs. By requiring local agencies to provide the notification, the bill would impose a state-mandated local program. The bill would require the department to consult with local mosquito abatement and vector control districts to identify those areas within wildlife management areas having the highest need for additional mosquito reduction through the implementation of best management practices, as defined.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

SECTION 1. (a) It is the intent of the Legislature to control mosquito production on managed wetland habitat that is owned or managed by the Department of Fish and Wildlife in a manner that does all of the following:

(1) Maintains or enhances the waterfowl and other wildlife values of that habitat.

(2) Minimizes financial costs to the Department of Fish and Wildlife and local mosquito abatement and vector control districts.

(3) Reduces the need for chemical control of mosquitos.

(4) Increases coordination and communication between the Department of Fish and Wildlife, local mosquito abatement and vector control districts, and the State Department of Public Health.

(5) Maintains and protects humans, domestic animals, and wildlife from vector-borne diseases such as West Nile virus.

(b) The Legislature further finds and declares that the implementation of mosquito prevention best management practices on managed wetland habitat is critical to the Department of Fish and Wildlife's effort to reduce mosquito production in its wildlife management areas.

SEC. 2. Section 1506 is added to the Fish and Game Code, to read:

1506. (a) For purposes of this section, the following definitions apply:

(1) "Managed wetland habitat" means artificially irrigated and intensively managed wetland habitat administered primarily for the benefit of waterfowl and other wetland-dependent species.

(2) "Best management practices" means management strategies jointly developed by the department, the State Department of Public Health, and mosquito abatement and vector control districts, in consultation with the Central Valley Habitat Joint Venture, for the ecological control of mosquitoes on managed wetland habitat.

(3) "Wildlife management area" has the same meaning as set forth in subdivision (d) of Section 1504.

(4) "Mosquito abatement and vector control district" has the same meaning as set forth in subdivision (f) of Section 2002 of the Health and Safety Code.

(b) (1) A mosquito abatement and vector control district whose district boundaries include one or more wildlife management areas or a mosquito abatement and vector control district in which vectors and vectorborne diseases from a wildlife management area may enter the district shall periodically, or at least semiannually, notify the department of those areas that are of concern due to the potential for high mosquito populations that may incur associated mosquito control costs.

(2) (A) To reduce mosquito production at those wildlife management areas described in paragraph (1), the department shall consult with local mosquito abatement and vector control districts to identify those areas within wildlife management areas having the highest need for additional mosquito reduction through the implementation of best management practices.

(B) If the wetland occupies land outside the jurisdictional boundaries of a mosquito abatement and vector control district, the department may consult with the State Department of Public Health to determine which best management practices can be implemented in the absence of an organized local mosquito control program.

(c) This section does not affect existing authority of a mosquito abatement and vector control district under Section 2040 of the Health and Safety Code.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.