

**ASSEMBLY BILL**

**No. 2402**

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**Introduced by Assembly Member Buchanan  
(Principal coauthor: Assembly Member Frazier)**

February 21, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2402, as introduced, 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.

This bill would appropriate \$2,500,000 from the General Fund to the Noxious Weed Management Account in the Department of Food and Agriculture Fund to be expended for purposes of the provisions specified above.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
 State-mandated local program: no.

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

- 1 SECTION 1. Section 7270 of the Food and Agricultural Code
- 2 is amended to read:
- 3 7270. The Legislature finds and declares all of the following:
- 4 (a) The destructive impact of invasive and ~~often poisonous~~
- 5 noxious weeds is profound, affecting California’s cropland,
- 6 rangeland, forests, parks, *waterways*, and wildlands.
- 7 (b) These pests cause enormous losses of private, state, and
- 8 federal resources through decreased land productivity, *decreased*
- 9 *water supply*, degradation of wildlife habitat, and outright
- 10 destruction of crops, livestock *range*, wetlands, waterways,
- 11 watersheds, and recreational areas.
- 12 (c) The estimated *annual lost crop and pasture* productivity
- 13 caused by noxious weeds is ~~seven~~ *twenty-five* billion ~~four hundred~~
- 14 ~~million~~ dollars ~~(\$7,400,000,000)~~ *(\$25,000,000,000)* nationwide,
- 15 a large proportion of which is attributable to California. Nationally,
- 16 the direct and indirect costs of controlling noxious weeds ~~may be~~
- 17 ~~as high as five~~ *is estimated to be at least nine* billion ~~four~~ *six*
- 18 hundred million dollars ~~(\$5,400,000,000)~~ *(\$9,600,000,000)*
- 19 annually.

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

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

8 7271. (a) The Legislature designates the Department of Food  
9 and Agriculture as the lead department in noxious weed  
10 management and the department is responsible for the  
11 implementation of this article in cooperation with the Secretary  
12 ~~for~~ *of the Natural Resources Agency.*

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

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

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

27 (2) ~~Ten~~ *Twenty* percent shall be made available toward research  
28 on the biology, ecology, or management of noxious and invasive  
29 ~~weeds:~~

30 ~~These weeds, and mapping, risk assessment, and prioritization~~  
31 *of weeds. These* research moneys shall be made available to  
32 qualified researchers through a grant program administered by the  
33 department. Proposals shall be evaluated in consultation with the  
34 Range Management Advisory Committee, with emphasis placed  
35 on funding of needs-based, applied and practical research.

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

38 (A) Carrying out the provisions of this article.

39 (B) Developing ~~of~~ noxious weed control strategies.

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

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

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

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

13 7272.5. (a) To be eligible to receive funding from the Noxious  
14 Weed Management Account pursuant to this article, a county  
15 agricultural commissioner shall submit a cost-share integrated  
16 weed management plan to implement an aggressive control  
17 program for noxious weeds. The goals of the program shall include,  
18 but not be limited to, all of the following:

19 (1) Increase the profitability and value of cropland and  
20 rangeland.

21 (2) Decrease the costs of roadside, park, and waterway  
22 maintenance.

23 (3) Reduce the fire hazard and fire control costs in the state.

24 (4) Protect the biodiversity of native ecosystems.

25 (5) Maintain the recreational and aesthetic value of open space,  
26 recreational, and public areas.

27 (6) *Increase water supply and flow.*

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

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

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

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

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

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

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

13 7273. (a) The department shall designate and provide staff  
14 support to an oversight committee to monitor this article and shall  
15 consider input from weed management areas, county agricultural  
16 commissioners, and the Range Management Advisory Committee.

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

- 20 (1) Livestock production.
- 21 (2) Agricultural crop protection.
- 22 (3) Forest products industry.
- 23 (4) California ~~Exotic Pest~~ *Invasive* Plant Council.
- 24 (5) Research institutions.
- 25 (6) Wildlife conservation groups.
- 26 (7) Environmental groups.
- 27 (8) Resource conservation districts.
- 28 (9) The general public.
- 29 (10) Local government.
- 30 (11) The Department of Fish and ~~Game~~ *Wildlife*.

31 SEC. 5. The sum of two million five hundred thousand dollars  
32 (\$2,500,000) is hereby appropriated from the General Fund to the  
33 Noxious Weed Management Account in the Department of Food  
34 and Agriculture Fund, to be expended by the Department of Food  
35 and Agriculture for purposes of Article 1.7 (commencing with  
36 Section 7270) of Chapter 1 of Part 4 of Division 4 of the Food and  
37 Agricultural Code.

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