

Senate Bill No. 1416

CHAPTER 995

An act to add Section 64.5 to the Harbors and Navigation Code, relating to aquatic weeds, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 27, 1996. Filed
with Secretary of State September 27, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1416, M. Thompson. Aquatic weeds: boating.

Under existing law, the Department of Boating and Waterways is authorized to cooperate with agencies of the United States and other public agencies in controlling water hyacinth in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh. The department, other state agencies, cities, counties, and districts are authorized to cooperate with each other in controlling water hyacinth in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh and may furnish money, services, equipment, and other property to that end. Existing law also authorizes the Department of Food and Agriculture to develop and implement biological control methods to eradicate or control the aquatic weed pest hydrilla.

This bill would require the Department of Boating and Waterways to make a grant of funds to Lake County to conduct a pilot project of aquatic weed control on Clear Lake in Lake County under specified conditions.

The bill would appropriate \$147,000 from the Harbors and Watercraft Revolving Fund for allocation to the department for a grant to Lake County of not more than \$49,000 in each of the 1996-97, 1997-98, and 1998-99 fiscal years for the purposes of the aquatic weed control pilot project, less an amount of not more than \$5,000 allocated in each of those fiscal years to the Department of Fish and Game to pay the costs it incurs in the conduct of the pilot project. However, if funds are appropriated in the Budget Act of 1996 to pay for the aquatic weed control project, the appropriation for the 1996-97 fiscal year in this bill would revert to the fund.

The bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

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

SECTION 1. The Legislature hereby finds and declares that aquatic weeds, other than water hyacinth in the Sacramento-San



Joaquin Delta and Suisun Marsh, can and do cause problems with boating in California's public lakes and reservoirs, sometimes to the point of blocking boating and navigation and impairing other recreational uses of public lakes and reservoirs. Aquatic weeds that limit boating can also have serious effects, not only on the activity of boating itself, but on the economies that depend on boating related activities. California boaters pay fees to own and operate their boats on California's public lakes and reservoirs. Therefore, if aquatic weeds are limiting or preventing boating activity on certain public lakes and reservoirs, the weeds need to be controlled.

SEC. 2. Section 64.5 is added to the Harbors and Navigation Code, to read:

64.5. The department shall make a grant of funds to Lake County to conduct a pilot project until December 31, 1999, of aquatic weed control on Clear Lake in Lake County under the following conditions:

(a) Lake County has met the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and, by mutual agreement with the department, agrees to pay a percentage of the cost of the project not to exceed 25 percent.

(b) The aquatic weeds are negatively impacting recreational boating.

(c) The department has received a request from the county agricultural commissioner of Lake County requesting the grant.

(d) Any chemical treatment of aquatic weeds prescribed for the pilot project on Clear Lake, other than those used for the hydrilla eradication or control program pursuant to Article 9 (commencing with Section 6048) of Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code by the Department of Food and Agriculture, shall be coordinated with the Department of Fish and Game as trustee for fish and wildlife resources in that ecosystem.

SEC. 3. (a) The sum of one hundred forty-seven thousand dollars (\$147,000) is hereby appropriated from the Harbors and Watercraft Revolving Fund for allocation as follows:

(1) To the Department of Boating and Waterways for a grant to Lake County of not more than forty-nine thousand dollars (\$49,000) in each of the 1996-97, 1997-98, and 1998-99 fiscal years, less the amount allocated pursuant to paragraph (2) during each of those fiscal years, for the purposes of Section 64.5 of the Harbors and Navigation Code.

(2) To the Department of Fish and Game for expenditure of not more than five thousand dollars (\$5,000) in each of the 1996-97, 1997-98, and 1998-99 fiscal years to pay the costs incurred by the department for the pilot project required to be conducted pursuant to Section 64.5 of the Harbors and Navigation Code.



(b) If funds to pay for the aquatic weed control project provided in Section 64.5 of the Harbors and Navigation Code are appropriated for that purpose in the Budget Act of 1996, the appropriation for the 1996–97 fiscal year required by subdivision (a) shall not be made and shall revert to the fund. The intent of this subdivision is to avoid duplicate appropriations for the aquatic weed control project for the 1996–97 fiscal year.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to control aquatic weeds in Clear Lake during this year's growing season, it is necessary for this act to take effect immediately.

