

Introduced by Senator Leslie

February 23, 2000

An act to add Article 1.5 (commencing with Section 7250) to Chapter 1 of Part 4 of Division 4 of the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1740, as introduced, Leslie. Noxious weed management.

(1) Existing law sets forth provisions in the Food and Agricultural Code relating to weeds and pest seeds and provides funding and oversight for noxious weeds management.

This bill would create the Yellow Starthistle and Other Noxious Weeds Statewide Control Program under the jurisdiction of the Department of Food and Agriculture. The bill would require the department, in consultation with the County Agricultural Commissioners and Sealers Association, to develop a strategic plan for administering and implementing a statewide noxious weed control program with prescribed goals. The bill would require the department to actively seek new, effective biological weed control agents and to work in conjunction with state and federal agencies to maximize efforts to locate these agents and to minimize duplication of efforts.

(2) The bill would appropriate \$10,000,000 from the General Fund to the department for purposes of the Yellow Starthistle and Other Noxious Weeds Statewide Control

Program, and would specify the purposes for which these funds may be spent.

Vote: 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. The Legislature finds and declares that
2 the invasion and expansion of noxious weeds are
3 detrimental to native animal and plant species, inhibit
4 agricultural production and the economy of California,
5 and negatively affect the recreational and aesthetic value
6 of open-space and public areas.

7 SEC. 2. Article 1.5 (commencing with Section 7250)
8 is added to Chapter 1 of Part 4 of Division 4 of the Food
9 and Agricultural Code, to read:

10
11 Article 1.5. Yellow Starthistle and Other Noxious
12 Weeds Statewide Control Program
13

14 7250. There is hereby created in the Department of
15 Food and Agriculture the Yellow Starthistle and Other
16 Noxious Weeds Statewide Control Program.

17 7251. (a) The department, in consultation with the
18 County Agricultural Commissioners and Sealers
19 Association, shall develop a strategic plan for
20 administering and implementing a statewide noxious
21 weed control program.

22 (b) The goals of the program shall include, but not be
23 limited to, all of the following:

24 (1) Increase the profitability and value of cropland
25 and rangeland.

26 (2) Decrease the costs of roadside, park, and waterway
27 maintenance.

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

30 (4) Protect the biodiversity of native ecosystems.

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



1 (c) The program shall be limited to terrestrial weeds
2 of known economic importance in the state that have
3 been designated as a “B” or “C” rated pest by the
4 department.

5 The program shall not include weeds designated by the
6 department as “A” rated pests that are subject to
7 eradication.

8 (d) For the purposes of carrying out this article, the
9 department shall be responsible for program
10 administration and development of noxious weed control
11 strategies. County agricultural commissioners or the
12 Secretary of Agriculture in those counties where there is
13 no commissioner, shall be responsible for implementing
14 and administering the program and control strategies at
15 the local level.

16 7252. (a) The department shall actively seek new,
17 effective biological control agents for the long-term
18 control of noxious weeds, including, but not limited to,
19 the yellow starthistle.

20 (b) For the purposes of carrying out subdivision (a),
21 the department shall work in conjunction with the United
22 States Department of Agriculture and departments of
23 agriculture from other states in order to maximize efforts
24 to locate these agents throughout the world and to
25 minimize duplication of effort in their searches.

26 7253. For purposes of administering this article, the
27 department shall consult with county agricultural
28 commissioners, federal, local, and other state agencies,
29 institutions of higher education, and the Range
30 Management Advisory Committee.

31 7254. The department, at a regularly scheduled
32 meeting of the Range Management Advisory Committee,
33 shall report annually on the accomplishments of the
34 department and the agricultural commissioners pursuant
35 to this article.

36 7255. Funds appropriated for carrying the provisions
37 of this article shall be allocated as follows:

38 (a) One million dollars (\$1,000,000) to the
39 department, which shall only be used for the following
40 purposes:



- 1 (1) Administration of the Yellow Starthistle and Other
2 Noxious Weeds Statewide Control Program.
- 3 (2) Development of noxious weed control strategies.
- 4 (3) Seeking new, effective biological control agents for
5 the long-term control of yellow starthistle and other
6 noxious weeds.
- 7 (4) Consultation with agricultural commissioners,
8 federal, local, and other state agencies, institutions of
9 higher education, and the Range Management Advisory
10 Committee.
- 11 (5) Mapping the acreage infested with yellow
12 starthistle and other noxious weeds in each county of the
13 state.
- 14 (b) Eight million dollars (\$8,000,000) to county
15 agricultural commissioners for the purpose of
16 implementing aggressive yellow starthistle control
17 programs in each infested county of the state. These funds
18 shall be allocated on the basis of the total number of
19 infested acres in each county and the degree of
20 infestation that exists in the counties, and shall only be
21 used for the following purposes upon submission of a plan
22 approved by county boards of supervisors and the
23 department.
 - 24 (1) Matching funds for control of yellow starthistle on
25 private property by the landowner or their agent. In no
26 case shall this match be more than 50 percent of the total
27 cost for treatment of less than 100 acres; 60 percent for
28 treatment of 100 to 999 acres, and 70 percent for
29 treatment of 1000 acres or more.
 - 30 (2) Operation of programs by the agricultural
31 commissioner, or secretary in counties where there is no
32 commissioner, for control of yellow starthistle along
33 county roads and other local government-owned
34 property.
 - 35 (3) Matching funds for control of yellow starthistle on
36 city-owned streets, parks, rights-of-ways, and other public
37 areas.
 - 38 (4) Disseminating biological control agents by the
39 county agricultural commissioner for the long-term
40 control of yellow starthistle.



1 (5) Public education about the program and
2 preventing the spread of yellow starthistle.

3 (6) Abatement of yellow starthistle infestations on
4 abandoned land or on land vital to the success of the
5 program whether owned or not.

6 (7) Allocation of funds to recognized weed
7 management areas for carrying out the purposes of the
8 article.

9 (8) Costs incurred for the administration of the
10 program, not to exceed 10 percent of the total allocation.

11 (c) One million dollars (\$1,000,000) to county
12 agricultural commissioners for the purpose of
13 implementing an aggressive control program for other
14 noxious weeds as specified in subdivision (c) of Section
15 7251, which shall be allocated on the basis of the total
16 number of weed pests, total number of infested acres in
17 each county, and the degree of infestation that exists in
18 the counties. Each county that currently has an active
19 noxious weed control program on or before December 31,
20 2000, shall receive an additional allocation of 10 percent
21 of their otherwise calculated allocation of funds for this
22 program. These funds shall only be used only for the
23 following purposes upon submission of a plan approved
24 by the respective county boards of supervisors and the
25 department.

26 (1) Matching funds for control of noxious weeds on
27 private property by the landowner or their agent. In no
28 case shall this match be more than 50 percent of the total
29 cost.

30 (2) Operation of programs by the agricultural
31 commissioner, or secretary in counties where there is no
32 commissioner, for the control of noxious weeds.

33 (3) Matching funds for control of noxious weeds on
34 city-owned streets, parks, rights-of-ways, and other public
35 areas.

36 (4) Decimating biological control agents by the
37 agricultural commissioner for the long-term control of
38 noxious weeds.

39 (5) Public education about the program and
40 preventing the spread of noxious weeds.



1 (6) Abatement of noxious weed infestations on
2 abandoned land or on land vital to the success of the
3 program whether owned or not.

4 (7) Allocation of funds to recognized weed
5 management areas for carrying out the purposes of this
6 article.

7 (8) Costs incurred for the administration of the
8 program, not to exceed 10 percent of the total allocation.

9 SEC. 3. The sum of ten million dollars (\$10,000,000) is
10 hereby appropriated from the General Fund to the
11 Department of Food and Agriculture for the purposes
12 specified in Article 1.5 (commencing with Section 7250)
13 of Chapter 1 of Part 4 of Division 4 of the Food and
14 Agricultural Code, as added by Section 2 of this act.

