

Code: Section: [Up^](#) [Add To My Favorites](#)**FOOD AND AGRICULTURAL CODE - FAC****DIVISION 4. PLANT QUARANTINE AND PEST CONTROL [5001 - 8808]** (Division 4 enacted by Stats. 1967, Ch. 15.)**PART 4. WEEDS AND PEST SEEDS [7201 - 7603]** (Part 4 enacted by Stats. 1967, Ch. 15.)**CHAPTER 1. Weeds [7201 - 7305]** (Chapter 1 enacted by Stats. 1967, Ch. 15.)**ARTICLE 1.7. Noxious Weeds Management [7270 - 7276]** (Article 1.7 added by Stats. 1999, Ch. 961, Sec. 1.)**7270.** The Legislature finds and declares all of the following:

- (a) The destructive impact of invasive and noxious weeds is profound, affecting California's cropland, rangeland, forests, parks, waterways, and wildlands.
- (b) These pests cause enormous losses of private, state, and federal resources through decreased land productivity, decreased water supply, degradation of wildlife habitat, and outright destruction of crops, livestock range, wetlands, waterways, watersheds, and recreational areas.
- (c) The estimated annual lost crop and pasture productivity caused by noxious weeds is twenty-five billion dollars (\$25,000,000,000) nationwide, a large proportion of which is attributable to California. Nationally, the direct and indirect costs of controlling noxious weeds is estimated to be at least nine billion six hundred million dollars (\$9,600,000,000) annually.
- (d) Local programs conducted under this article since 2000 have successfully eradicated over 2,000 populations of high priority weed infestations, while engaging hundreds of collaborating organizations and leveraging three dollars (\$3) of additional support for every state dollar spent.

*(Amended by Stats. 2014, Ch. 271, Sec. 1. (AB 2402) Effective January 1, 2015.)***7270.5.** For the purposes of this article:

- (a) "Integrated weed management plan" means an ecosystem-based control strategy that focuses on long-term prevention of weeds through a combination of techniques, such as biological controls, judicious use of herbicides, modified land management, and cultural practices, and where control practices are selected and applied in a manner that minimizes the risks to human health, nontargeted organisms, and the environment. An integrated weed management plan shall also, when appropriate, comply with any applicable provisions of Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code, Division 6 (commencing with Section 11401) and Division 7 (commencing with Section 12500) of the Food and Agricultural Code, and the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
- (b) "Noxious and invasive weeds" means weeds that the department has determined to be either noxious or invasive weed species.
- (c) "Person" shall have the same meaning as in Section 38, but shall additionally include the United States of America, and all political subdivisions, districts, municipalities, and public agencies of the State of California.
- (d) "Riverway" means the water, bed, shoreline, and riparian vegetation, of any creek, including an "urban creek" as defined in Section 7048 of the Water Code, stream, river, lake, reservoir, or other body of freshwater, including a "stream environment zone" as defined in Section 66957 of the Government Code, as well as enclosed bays and estuaries, as defined by Section 13391.5 of the Water Code.

*(Amended by Stats. 2003, Ch. 675, Sec. 2. Effective January 1, 2004.)***7271.** (a) The Legislature designates the department as the lead department in noxious weed management and the department is responsible for the implementation of this article in cooperation with the Secretary of the Natural Resources Agency.

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

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

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

(2) (A) Twenty percent shall be made available toward research on the biology, ecology, or management of noxious and invasive weeds; the mapping, risk assessment, and prioritization of weeds; the prevention of weed introduction and spread; and education and outreach activities. These moneys shall be made available to qualified applicants through a grant program administered by the department. Proposals shall be evaluated in consultation with the Range Management Advisory Committee, established pursuant to Section 741 of the Public Resources Code, with an emphasis placed on funding of needs-based, applied, and practical research.

(B) For purposes of this paragraph, a qualified applicant includes nonprofits, publicly funded educational institutions, state and local agencies, and California Native American tribes.

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

(A) Carrying out the provisions of this article.

(B) Developing noxious weed control strategies.

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

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

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

(Amended by Stats. 2018, Ch. 870, Sec. 2. (AB 2470) Effective January 1, 2019.)

7272. (a) To be eligible to receive funding from the Noxious Weed Management Account pursuant to this article, a weed management area, as defined in subdivision (b), shall be formed in a county or other geographic area.

(b) A "weed management area" is a local organization that brings together all interested landowners, land managers (private, city, county, state, and federal), special districts, and the public in a county or other geographical area for the purpose of coordinating and combining their action and expertise to deal with their common weed control problems. The organization shall function under the authority of a mutually developed memorandum of understanding and subject to statutory and regulatory requirements. A weed management area may be voluntarily governed by a chairperson or a steering committee.

(c) Not more than 10 percent of the noxious weed management funds distributed to a weed management area subject to this section may be used by that local organization for meeting, travel, administration, and coordination costs.

(d) Each weed management area within the state shall create an integrated weed management plan for the management of noxious weeds within that area. The plan shall be submitted to the department for review, approval, and funding.

(e) The secretary and weed management areas shall consider the use of the California Conservation Corp and local conservation corps to assist in implementing integrated weed management plans pursuant to this article.

(f) If feasible, the integrated weed management plan established pursuant to subdivision (d) shall prioritize a cost-share plan.

(Amended by Stats. 2023, Ch. 208, Sec. 2. (AB 1763) Effective January 1, 2024.)

7272.5. (a) To be eligible to receive funding from the Noxious Weed Management Account pursuant to this article, a county agricultural commissioner shall submit an integrated weed management plan to implement an aggressive

control program for noxious weeds. The goals of the program shall include, but not be limited to, the following:

- (1) Increase the profitability and value of cropland and rangeland.
- (2) Decrease the costs of roadside, park, and waterway maintenance.
- (3) Reduce the fire hazard and fire control costs in the state.
- (4) Protect the biodiversity of native ecosystems.
- (5) Maintain the recreational and aesthetic value of open space, recreational, and public areas.
- (6) Increase water supply and flow.

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

- (1) Operation of programs by the county agricultural commissioner for control of noxious weeds along county roads and other local government owned property.
- (2) Matching funds for control of noxious weeds on city owned streets, parks, rights-of-way, and other public areas.
- (3) Disseminating biological control agents by the county agricultural commissioner for the long-term control of yellow starthistle or other noxious weeds.
- (4) Abatement of noxious weed infestations on land vital to the success of the program.
- (5) Not more than 10 percent of the noxious weed management funds distributed to a county agricultural commissioner subject to this section may be used by that commissioner for meeting, travel, administration, and coordination costs.

(Amended by Stats. 2023, Ch. 208, Sec. 3. (AB 1763) Effective January 1, 2024.)

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

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

- (1) Livestock production.
- (2) Agricultural crop protection.
- (3) Forest products industry.
- (4) California Invasive Plant Council.
- (5) Research institutions.
- (6) Wildlife conservation groups.
- (7) Environmental groups.
- (8) Resource conservation districts.
- (9) The general public.
- (10) Local government.
- (11) The Department of Fish and Wildlife.

(Amended by Stats. 2014, Ch. 271, Sec. 4. (AB 2402) Effective January 1, 2015.)

- 7275.** (a) The department is authorized to operate a government-volunteer partnership Adopt-A-Riverway Program.
- (b) The department may receive funds or services from any person to assist a weed management area in implementing an integrated weed management plan, pursuant to this article.
- (c) Adopt-A-Riverway Program activities may include the following activities, provided the activities are completed as part of an approved integrated weed management plan and are coordinated with the responsible local agency:
- (1) Planting and establishing native seedling trees, native grasses, and wildflowers along the adopted riverway.
 - (2) Removal of litter and noxious and invasive plant species.
- (d) Adopt-A-Riverway Program activities shall be conducted only on publicly owned land unless permission is granted by the owner or owners of private property for program activities to take place on their property as well.
- (e) Activities undertaken pursuant to subdivision (c) are subject to review pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and any state or locally adopted river management or conservancy plan.
- (f) The secretary may request a local authority to authorize a courtesy sign to be placed on a county highway or city street, near the riverway, pursuant to Chapter 2 (commencing with Section 1975) of Division 2.7 of the Streets and Highways Code.
- (g) It is the intent of the Legislature that the duties and responsibilities of the department, as provided for in this section, be accomplished by utilizing existing staff resources, as available.

(Added by Stats. 2003, Ch. 675, Sec. 3. Effective January 1, 2004.)

- 7276.** (a) The Adopt-A-Riverway Fund is hereby established in the State Treasury. The fund is a trust fund and shall contain money and any other proceeds donated, appropriated, transferred, or otherwise received for purposes pertaining to the Adopt-A-Riverway Program. The secretary may collect for deposit into the fund, gifts, donations, bequests, and moneys made available from federal, state, and local sources.
- (b) Notwithstanding subdivision (c) of Section 7271, the secretary of the department shall award grants from the Adopt-A-Riverway Fund to weed management areas, as defined by subdivision (b) of Section 7272, for the purpose of integrated weed management along riverways and in riparian habitats consistent with Sections 7272 and 7272.5.
- (c) Notwithstanding subdivision (c) of Section 7271, the secretary of the department may award grants from the Adopt-A-Riverway Fund to nonprofit organizations for integrated weed management along riverways and in riparian habitats. The department shall establish regulations for grant eligibility and award pursuant to this subdivision.
- (d) Fifteen percent of the total moneys in the Adopt-A-Riverway Fund shall be made available to the department, to be used only for the following purposes:
- (1) Carrying out the provisions of this article.
 - (2) Developing of noxious weed control strategies.
 - (3) Seeking new, effective biological control agents for the long-term control of noxious weeds.
 - (4) Conducting private and public workshops as needed to discuss and plan weed management strategies with all interested and affected local, state, and federal agencies, private landowners, educational institutions, interest groups, and county agricultural commissioners.
- (e) Upon receipt of donations to the fund totaling a minimum of one hundred thousand dollars (\$100,000), up to 5 percent of any individual donation of five thousand dollars (\$5,000) or more may be used for courtesy signs to be produced, placed, and maintained pursuant to Chapter 2 (commencing with Section 1975) of Division 2.7 of the Streets and Highways Code.
- (f) All startup costs incurred by the state in establishing the Adopt-A-Riverway Program shall be reimbursed to the General Fund from the Adopt-A-Riverway Fund before any money or other proceeds in the fund may be expended for program purposes or transferred by grant award.

(Added by Stats. 2003, Ch. 675, Sec. 4. Effective January 1, 2004.)