



United States Department of Agriculture  
Animal and Plant Health Inspection Service

**Plant Protection and Quarantine**

1/9/05 TRB Inv Spp. Tasker



**Noxious Weed Control and Eradication Act  
of 2004  
(S144/H.R.119) adopted as Public Law No:  
108-412 10/10/2004 (7 USC 7781)**



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- Plant Protection Act (7 U.S.C. 7701 et seq.) is amended
- Under authority of Secretary of Agriculture

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# Definition WEED MANAGEMENT ENTITY

- (A) IS recognized by the State
- (B) IS established for or has demonstrable expertise/experience
  - in controlling or eradicating noxious weeds and
  - increasing public knowledge and education
- (C) may be multi-jurisdictional and multidisciplinary
- (D) may include government representatives
  - Federal
  - State
  - local
  - Indian Tribe
- ... and/or NGO representatives
  - private organizations
  - Individuals
- And other representatives
  - State-recognized conservation districts
  - State-recognized weed management districts
- (E) has Federal authority to perform land management activities (if on Federal land)
  - Forest Service
  - Bureau of Land Management

# ESTABLISHMENT OF PROGRAM & Noxious Weed Definition

The term “noxious weed” as defined In PPA 7 USC 7702 § 403 means:

- Any plant or plant product that can directly or indirectly injure or cause damage to
  - crops (including nursery stock or plant products)
  - livestock, poultry, or
  - other interests of agriculture
  - irrigation
  - navigation
  - the natural resources of the United States,
  - the public health, or
  - the environment
- (Note: this def. does not include the limitation of quarantine pests, “new to or not widely distributed”— that quarantine pest stipulation is included in 7 USC 7714 (PPA § 414) Titled “REMEDIAL MEASURES FOR NEW PLANT PESTS AND NOXIOUS WEEDS”)

## Program types

(Subject to the availability of appropriations)

- (b) Grants
  - to weed management entities for the control or eradication of noxious weeds
- (c) Agreements
  - with weed management entities to provide financial and technical assistance for the control or eradication of noxious weeds

## Characteristics of both Grants & Agreements

- Consultation if Federal land or written consent of owner if not
- Selection Criteria
  - Severity/potential severity of problem
  - Likelihood project/activity will resolve/prevent problem
  - Improve overall U.S. capacity to address noxious weeds
  - Provide comprehensive approach
  - Other factors determined to be relevant

## Characteristics of both Grants & Agreements

- Regional, State & local involvement
  - Technical & merit review
  - Priority to maximized involvement of State, local, Tribal governments
- Weed Management Entities
  - Recognized by the State
  - Focus on control/eradication and education/knowledge
  - Members may be: Government (Fed, State, Local, Tribal), NGOs, individuals, State-recognized conservation or weed management

## Characteristics of both Grants & Agreements -- Eligible Activities

- Education,
- inventories and mapping,
- management,
- monitoring,
- methods development,
- other capacity building activities, including the payment of the cost of personnel and equipment that promote control or eradication of noxious weeds.
- Other activities to control or eradicate noxious weeds or promote the control or eradication of noxious weeds.
- Language in Agreement section differs only slightly:



## Differences between Grants & Agreements

- Grants criteria
  - extent Federal funds will be used to leverage non-Federal funds (i.e. cost-share)
  - Federal share not more than 50%
  - Non-Fed share may be cash or kind
- Agreements criteria
  - No cost-share required

# Differences between Grants & Agreements

- Grants
  - Applications under regulations to be established by USDA
- Agreements
  - No such specific requirement

## Differences between Grants & Agreements

- Grants
  - Extent weed management entity has made progress
  - Extent project will reduce total population
- Agreements
  - No specific progress requirement in Act, but requires evaluation of likelihood of prevention, resolution, or increase of knowledge
  - No such specific requirement

# Differences between Grants & Agreements

- Grants
  - Special Consideration to States with approved WMEs with Tribal involvement
  - No such specific requirement
- Agreements
  - No such specific requirement
  - Rapid Response Programs (at request of a Governor)

## Summary

- Implementation details under development
- Total in bill authorized per year as \$7.5 million for matching grants, \$7.5 million for agreements
- Authorized for years 2005 to 2009
- Under authority of Secretary of Agriculture (PPA activities are delegated to APHIS)
- While authorized for years 2005 to 2009, no appropriated funds are currently available



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# APHIS Noxious Weed Program Manager



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