
§ 2814. Management of undesirable plants on Federal lands
<table>
<thead>
<tr>
<th>Section Number</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Commodity Exchanges</td>
</tr>
<tr>
<td>2</td>
<td>Cotton Standards</td>
</tr>
<tr>
<td>3</td>
<td>Grain Standards</td>
</tr>
<tr>
<td>4</td>
<td>Naval Stores</td>
</tr>
<tr>
<td>5</td>
<td>Importation of Adulterated Seeds [Repealed]</td>
</tr>
<tr>
<td>6</td>
<td>Insecticides and Environmental Pesticide Control</td>
</tr>
<tr>
<td>6A</td>
<td>National Laboratory Accreditation</td>
</tr>
<tr>
<td>7</td>
<td>Insect Pests Generally [Repealed, Omitted, or Transferred]</td>
</tr>
<tr>
<td>7A</td>
<td>Golden Nematode [Repealed]</td>
</tr>
<tr>
<td>7B</td>
<td>Plant Pests [Repealed]</td>
</tr>
<tr>
<td>8</td>
<td>Nursery Stock and Other Plants and Plant Products [Repealed, Omitted, or Transferred]</td>
</tr>
<tr>
<td>8A</td>
<td>Rubber and Other Critical Agricultural Materials</td>
</tr>
<tr>
<td>9</td>
<td>Packers and Stockyards</td>
</tr>
<tr>
<td>10</td>
<td>Warehouses</td>
</tr>
<tr>
<td>11</td>
<td>Honeybees</td>
</tr>
<tr>
<td>12</td>
<td>Associations of Agricultural Products Producers</td>
</tr>
<tr>
<td>13</td>
<td>Agricultural and Mechanical Colleges</td>
</tr>
<tr>
<td>14</td>
<td>Agricultural Experiment Stations</td>
</tr>
<tr>
<td>15</td>
<td>Bureau of Animal Industry</td>
</tr>
<tr>
<td>16</td>
<td>Bureau of Dairy Industry</td>
</tr>
<tr>
<td>17</td>
<td>Miscellaneous Matters</td>
</tr>
<tr>
<td>18</td>
<td>Cooperative Marketing</td>
</tr>
<tr>
<td>19</td>
<td>Cotton Statistics and Estimates</td>
</tr>
<tr>
<td>20</td>
<td>Dumping or Destruction of Interstate Produce</td>
</tr>
<tr>
<td>20A</td>
<td>Perishable Agricultural Commodities</td>
</tr>
<tr>
<td>21</td>
<td>Tobacco Statistics</td>
</tr>
<tr>
<td>21A</td>
<td>Tobacco Inspection</td>
</tr>
<tr>
<td>21B</td>
<td>Tobacco Control [Repealed]</td>
</tr>
<tr>
<td>21C</td>
<td>Tobacco Reform</td>
</tr>
<tr>
<td>22</td>
<td>Agricultural Marketing [Omitted or Transferred]</td>
</tr>
<tr>
<td>23</td>
<td>Foreign Agricultural Service [Repealed]</td>
</tr>
<tr>
<td>24</td>
<td>Perishable Agricultural Commodities [Transferred to Chapter 20A]</td>
</tr>
<tr>
<td>25</td>
<td>Export Standards for Apples</td>
</tr>
<tr>
<td>25A</td>
<td>Export Standards for Grapes and Plums</td>
</tr>
<tr>
<td>26</td>
<td>Agricultural Adjustment</td>
</tr>
<tr>
<td>26A</td>
<td>Agricultural Marketing Agreements</td>
</tr>
<tr>
<td>27</td>
<td>Cotton Marketing [Repealed or Omitted]</td>
</tr>
<tr>
<td>28</td>
<td>Tobacco Industry [Repealed]</td>
</tr>
<tr>
<td>29</td>
<td>Potato Act of 1935 [Repealed]</td>
</tr>
<tr>
<td>30</td>
<td>Anti-Hog-Cholera Serum and Hog-Cholera Virus</td>
</tr>
<tr>
<td>31</td>
<td>Rural Electrification and Telephone Service</td>
</tr>
<tr>
<td>31A</td>
<td>Telemedicine and Distance Learning Services in Rural Areas</td>
</tr>
<tr>
<td>32</td>
<td>Peanut Statistics</td>
</tr>
<tr>
<td>33</td>
<td>Farm Tenancy</td>
</tr>
<tr>
<td>34</td>
<td>Sugar Production and Control [Omitted or Repealed]</td>
</tr>
<tr>
<td>35</td>
<td>Agricultural Adjustment Act of 1938</td>
</tr>
<tr>
<td>35A</td>
<td>Price Support of Agricultural Commodities</td>
</tr>
<tr>
<td>36</td>
<td>Crop Insurance</td>
</tr>
<tr>
<td>37</td>
<td>Seeds</td>
</tr>
<tr>
<td>38</td>
<td>Distribution and Marketing of Agricultural Products</td>
</tr>
<tr>
<td>39</td>
<td>Stabilization of International Wheat Market</td>
</tr>
<tr>
<td>40</td>
<td>Halogeton Glomeratus Control [Repealed]</td>
</tr>
<tr>
<td>41</td>
<td>Food for Peace</td>
</tr>
<tr>
<td>42</td>
<td>Agricultural Commodity Set-Aside</td>
</tr>
<tr>
<td>43</td>
<td>Foreign Market Development</td>
</tr>
<tr>
<td>44</td>
<td>Wool Program [Repealed]</td>
</tr>
<tr>
<td>45</td>
<td>Soil Bank Program</td>
</tr>
<tr>
<td>46</td>
<td>Surplus Disposal of Agricultural Commodities</td>
</tr>
<tr>
<td>47</td>
<td>Interchange of Department of Agriculture and State Employees [Repealed]</td>
</tr>
</tbody>
</table>
48. Humane Methods of Livestock Slaughter ...1901
49. Consultation on Agricultural Programs ...1911
50. Agricultural Credit ...1921
51. Supplemental Nutrition Assistance Program ...2011
52. Farm Labor Contractor Registration [Repealed] ...2041
53. Cotton Research and Promotion ...2101
54. Transportation, Sale, and Handling of Certain Animals ...2131
55. Department of Agriculture ...2201
55A. Department of Agriculture Advisory Committees ...2281
56. Unfair Trade Practices Affecting Producers of Agricultural Products ...2301
57. Plant Variety Protection ...2321
58. Potato Research and Promotion ...2611
59. Rural Fire Protection, Development, and Small Farm Research and Education ...2651
60. Egg Research and Consumer Information ...2701
61. Noxious Weeds ...2801
62. Beef Research and Information ...2901
63. Farmer-to-Consumer Direct Marketing ...3001
64. Agricultural Research, Extension, and Teaching ...3101
65. Wheat and Wheat Foods Research and Nutrition Education ...3401
66. Agricultural Foreign Investment Disclosure ...3501
67. Implementation of International Sugar Agreement, 1977 ...3601
68. Agricultural Subterminal Facilities ...3701
69. Swine Health Protection ...3801
70. Animal Cancer Research ...3901
71. Agricultural Trade Suspension Adjustment ...4001
72. National Agricultural Cost of Production Standards Review Board [Omitted] ...4101
73. Farmland Protection Policy ...4201
74. Floral Research and Consumer Information ...4301
75. International Carriage of Perishable Foodstuffs ...4401
76. Dairy Research and Promotion ...4501
77. Honey Research, Promotion, and Consumer Information ...4601
78. Agricultural Productivity Research [Repealed] ...4701
79. Pork Promotion, Research, and Consumer Information ...4801
80. Watermelon Research and Promotion ...4901
81. National Commission on Agriculture and Rural Development Policy [Omitted] ...5001
82. State Agricultural Loan Mediation Programs ...5101
83. Agricultural Competitiveness and Trade ...5201
84. National Nutrition Monitoring and Related Research ...5301
85. Administration of Environmental Programs ...5401
86. Water Quality Research, Education, and Coordination ...5501
87. Export Promotion ...5601
88. Research ...5801
89. Pecan Promotion and Research ...6001
90. Mushroom Promotion, Research, and Consumer Information ...6101
91. Lime Promotion, Research, and Consumer Information ...6201
92. Soybean Promotion, Research, and Consumer Information ...6301
93. Processor-Funded Milk Promotion Program ...6401
94. Organic Certification ...6501
95. Rural Revitalization Through Forestry ...6601
96. Global Climate Change ...6701
97. Fresh Cut Flowers and Fresh Cut Greens Promotion and Information ...6801
98. Department of Agriculture Reorganization ...6901
99. Sheep Promotion, Research, and Information ...7101
100. Agricultural Market Transition ...7201
101. Agricultural Promotion ...7401
102. Emergency Food Assistance ...7501
103. Agricultural Research, Extension, and Education Reform ...7601
104. Plant Protection ...7701
105. Hass Avocado Promotion, Research, and Information ...7801
106. Commodity Programs ...7901
107. Renewable Energy Research and Development ...8101
108. Tree Assistance Program ...8201
109. Animal Health Protection ...8301
110. Enhancing Controls on Dangerous Biological Agents and Toxins ...8401
111. Brown Tree Snake Control and Eradication ...8501
112. Biomass Research and Development [Repealed] ...8601
113. Agricultural Commodity Support Programs ...8701
114. Agricultural Security ...8901
CHAPTER 61—NOXIOUS WEEDS
Sec.
2801 to 2813. Repealed.
2814. Management of undesirable plants on Federal lands.

Section 2805, Pub. L. 93–629, § 6, Jan. 3, 1975, 88 Stat. 2149, authorized Secretary of Agriculture to seize, quarantine, treat, destroy, or otherwise dispose of infested articles or means of conveyance.
Section 2808, Pub. L. 93–629, § 9, Jan. 3, 1975, 88 Stat. 2151, related to cooperation with Federal, State, and local agencies and appointment of employees thereof as collaborators to assist in administration of provisions of this chapter.
Section 2809, Pub. L. 93–629, § 10, Jan. 3, 1975, 88 Stat. 2151, authorized promulgation of regulations necessary to effectuate provisions of this chapter.
Section 2811, Pub. L. 93–629, § 12, Jan. 3, 1975, 88 Stat. 2152, related to inapplicability of provisions of this chapter to shipments of seed subject to certain other laws.
Section 2812, Pub. L. 93–629, § 13, Jan. 3, 1975, 88 Stat. 2152, provided that provisions of this chapter would not invalidate provisions of State and local laws, except as such laws would permit prohibited actions.

Short Title
Section 1 of Pub. L. 93–629 provided: “That this Act [enacting this chapter] may be cited as the ‘Federal Noxious Weed Act of 1974’.”
§ 2814. Management of undesirable plants on Federal lands

(a) Duties of agencies

Each Federal agency shall—

(1) designate an office or person adequately trained in the management of undesirable plant species to develop and coordinate an undesirable plants management program for control of undesirable plants on Federal lands under the agency’s jurisdiction;
(2) establish and adequately fund an undesirable plants management program through the agency’s budgetary process;
(3) complete and implement cooperative agreements with State agencies regarding the management of undesirable plant species on Federal lands under the agency’s jurisdiction; and
(4) establish integrated management systems to control or contain undesirable plant species targeted under cooperative agreements.

(b) Environmental impact statements

In the event an environmental assessment or environmental impact statement is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to implement plant control agreements, Federal agencies shall complete such assessments or statements within 1 year after the requirement for such assessment or statement is ascertained.

(c) Cooperative agreements with State agencies

(1) In general

Federal agencies, as appropriate, shall enter into cooperative agreements with State agencies to coordinate the management of undesirable plant species on Federal lands.

(2) Contents of plan

A cooperative agreement entered into pursuant to paragraph (1) shall—

(A) prioritize and target undesirable plant species or group of species to be controlled or contained within a specific geographic area;
(B) describe the integrated management system to be used to control or contain the targeted undesirable plant species or group of species; and
(C) detail the means of implementing the integrated management system, define the duties of the Federal agency and the State agency in prosecuting that method, and establish a timeframe for the initiation and completion of the tasks specified in the integrated management system.

(d) Exception

A Federal agency is not required under this section to carry out programs on Federal lands unless similar programs are being implemented generally on State or private lands in the same area.

(e) Definitions

As used in this section:

(1) Cooperative agreement

The term “cooperative agreement” means a written agreement between a Federal agency and a State agency entered into pursuant to this section.

(2) Federal agency

The term “Federal agency” means a department, agency, or bureau of the Federal Government responsible for administering or managing Federal lands under its jurisdiction.

(3) Federal lands
The term “Federal lands” means lands managed by or under the jurisdiction of the Federal Government.

(4) Integrated management system

The term “integrated management systems” means a system for the planning and implementation of a program, using an interdisciplinary approach, to select a method for containing or controlling an undesirable plant species or group of species using all available methods, including—

(A) education;
(B) preventive measures;
(C) physical or mechanical methods;
(D) biological agents;
(E) herbicide methods;
(F) cultural methods; and
(G) general land management practices such as manipulation of livestock or wildlife grazing strategies or improving wildlife or livestock habitat.

(5) Interdisciplinary approach

The term “interdisciplinary approach” means an approach to making decisions regarding the containment or control of an undesirable plant species or group of species, which—

(A) includes participation by personnel of Federal or State agencies with experience in areas including weed science, range science, wildlife biology, land management, and forestry; and
(B) includes consideration of—
   (i) the most efficient and effective method of containing or controlling the undesirable plant species;
   (ii) scientific evidence and current technology;
   (iii) the physiology and habitat of a plant species; and
   (iv) the economic, social, and ecological consequences of implementing the program.

(6) State agencies

The term “State agency” means a State department of agriculture, or other State agency or political subdivision thereof, responsible for the administration or implementation of undesirable plants laws of a State.

(7) Undesirable plant species

The term “undesirable plants” means plant species that are classified as undesirable, noxious, harmful, exotic, injurious, or poisonous, pursuant to State or Federal law. Species listed as endangered by the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.] shall not be designated as undesirable plants under this section and shall not include plants indigenous to an area where control measures are to be taken under this section.

(f) Coordination

(1) In general

The Secretary of Agriculture and the Secretary of the Interior shall take such actions as may be necessary to coordinate Federal agency programs for control, research, and educational efforts associated with Federal, State, and locally designated noxious weeds.

(2) Duties

The Secretary, in consultation with the Secretary of the Interior, shall—

(A) identify regional priorities for noxious weed control;
(B) incorporate into existing technical guides regionally appropriate technical information; and
(C) disseminate such technical information to interested State, local, and private entities.

(3) **Cost share assistance**

The Secretary may provide cost share assistance to State and local agencies to manage noxious weeds in an area if a majority of landowners in that area agree to participate in a noxious weed management program.

(g) **Authorization of appropriations**

There is authorized to be appropriated such sums as may be necessary in each of fiscal years 1991 through 1995 to carry out this section.


**References in Text**
