

## **CERTIFIED WEED-FREE HAY**

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### **ABSTRACT**

The National Weed Management Strategy for federal land holding agencies identifies prevention as the most cost effective and environmentally safe method to protect federal lands from devastating impacts of noxious invasive plants. The Weed-Free Forage and Mulch Program is an integral part of this weed prevention strategy. Participants at a number of meetings held in 2001 and 2002 identified a number of concerns and issues associated with the implementation of the Closure Order. A draft Memorandum of Understanding (MOU) and a Quarantine-Commissioner's Circular (QC Circular) for the Weed-Free Forage and Mulch Program has been developed.

### **INTRODUCTION**

The National Weed Management Strategy for federal land holding agencies identifies prevention as the most cost effective and environmentally safe method to protect federal lands from devastating impacts of noxious invasive plants. Prevention includes conducting extensive public outreach and awareness programs, prohibiting the movement of weeds and their reproductive structures onto federal lands, conducting detection efforts to identify incipient infestations, and initiating eradication projects to eliminate these infestations. For widely established noxious weed populations, the strategy recommends an integrated weed management approach to reduce the populations, slow their dispersal, and minimize their impact. The Weed-Free Forage and Mulch Program has been recognized by federal land holding agencies as a part of this weed prevention strategy. Closure Orders are currently in place in a number of western states including Wyoming, Nevada, Utah, Idaho, Montana, Colorado and Nebraska.

In 1998, the United States Forest Service (USFS), Bureau of Land Management (BLM), and National Park Service (NPS) indicated that they would initiate a process toward implementation of a weed-free forage and mulch program on all lands under their management. This would be accomplished by issuance of a Closure Order, which would prohibit the possession and storage of hay, grain, straw, cubes, pelletized seed, or mulch that is not certified as being noxious weed-free or noxious weed-seed-free by an authorized state or county agricultural official. The USFS had initially planned on issuing the Closure Order for California by April 2003, and to begin enforcing it one year later, in April 2004. The BLM and NPS indicated they would also issue a Closure Order in the near future. However, because of internal issues within their respective organizations, neither the BLM nor NPS have provided a timeframe for issuance of their Closure Order. This presentation will review the various issues and concerns expressed by public and private organizations or individuals, and identify the current status of the Closure Order and the status of the Weed-Free Forage and Mulch Program to meet Closure Order requirements.

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## **ISSUES AND CONCERNS**

During 2001 and 2002, a number of meetings were held to discuss the impending USFS Closure Order to allow private and public stakeholders an opportunity to learn about the ramifications of the Closure Order, and to express concerns and obtain clarification on a number of issues. Participants at these meetings included representatives from federal land holding agencies, the California Department of Food and Agriculture, County Agricultural Commissioner's Offices, agricultural organizations such as the California Farm Bureau, California Cattlemen's Association, and user groups such as the Backcountry Horsemen of California.

The issues and concerns raised were as varied and diverse as the organizations and individuals who participated in the meetings. Some of these issues or concerns were:

- How and when will feed and forage inspections be made? Will there be consistency between counties?
- Does weed-free certification from states such as Nevada qualify in California?
- What will be the cost to the producer and user?
- Will pre or post harvest inspections be acceptable for certification?
- How will a user know if the forage is certified?
- How will the federal agencies enforce the Closure Order?

Mr. Tom Ellis representing the California Alfalfa and Forage Association attended many, if not all, the meetings. The issues he raised were similar to those presented in the Proceedings, 2000 National Alfalfa Symposium, pages 143 through 148 entitled, "Certified Weed-Free Hay: What are the Market Implications?"

## **CURRENT STATUS**

As of November 6, 2003, the USFS has not issued a Closure Order requiring weed-free forage and mulch. If or when it is issued, there will be a one-year grace period before enforcement occurs. In the meantime, the CDFA, in cooperation with the California County Agricultural Commissioner's Offices and USFS have developed a draft MOU to establish the roles and responsibilities of the signatory agencies to meet the USFS Closure Order. The MOU will also define methods and procedures that will be acceptable to all parties. As defined in the MOU, Weed-Free Forage is:

"hay, straw or mulch that has been inspected by an authorized agricultural official and certified according to an agreed upon pre or post harvest inspection procedure, as published in the QC Circular and in which no viable propagative plant parts and seeds of either federal or California noxious weeds were detected."

The QC Circular entitled, “Inspection Procedures of Fields Growing Forage, Baled Forage, or Other Forage Products for Noxious Weeds” is in draft form and is currently being reviewed by county agricultural commissioners.