

FISH AND GAME CODE - FGC

DIVISION 4. BIRDS AND MAMMALS [3000 - 4904]

(Division 4 enacted by Stats. 1957, Ch. 456.)

PART 2. BIRDS [3500 - 3864]

(Part 2 enacted by Stats. 1957, Ch. 456.)

CHAPTER 5. Avian Influenza Wildlife Surveillance Act [3860 - 3863]

(Chapter 5 added by Stats. 2006, Ch. 708, Sec. 1.)

3860.

This chapter shall be known, and may be cited, as the Avian Influenza Wildlife Surveillance Act.

(Added by Stats. 2006, Ch. 708, Sec. 1. Effective September 29, 2006.)

3861.

The Legislature finds and declares all of the following:

- (a) Avian influenza and other emerging diseases of wildlife are a serious threat to the people of California.
- (b) California is home to large populations of migratory birds and other wildlife species.
- (c) California is a central part of the Pacific Flyway, and a seasonal home to species of birds that migrate to and from Asia, Central America, South America, and other regions.
- (d) Surveillance of wild birds and animals across the state is a key element among efforts to prevent avian influenza and other emerging wildlife diseases from harming the people and the natural resources of the state.
- (e) In the interest of public health, the state shall support a surveillance program for avian influenza in wild bird and animal populations.

(Added by Stats. 2006, Ch. 708, Sec. 1. Effective September 29, 2006.)

3862.

The Natural Resources Agency, in consultation with the department, the Department of Food and Agriculture, the State Department of Public Health, the Office of Emergency Services, and the University of California, shall develop and implement a plan for the surveillance, monitoring, sampling, diagnostic testing, and reporting of avian influenza in wild birds and animals in the state. The Natural Resources Agency shall consult with the United States Fish and Wildlife

Service and the United States Department of Food and Agriculture in developing the plan.

(Amended by Stats. 2013, Ch. 352, Sec. 96. Effective September 26, 2013. Operative July 1, 2013, by Sec. 543 of Ch. 352.)

3863.

(a) The Secretary of the Natural Resources Agency shall formally establish the Avian Influenza Working Group to assist in the development of the plan described in Section 3862. The Avian Influenza Working Group shall utilize, as guidance for early detection, the national protocol that has been developed to guide states in developing state-specific plans, known as the Early Detection System for Asian H5N1 Highly Pathogenic Avian Influenza in Wild Migratory Birds. The Avian Influenza Working Group shall also continue, enhance, and facilitate the work already begun by the department, other state departments, and the University of California, to coordinate communication of information and response plans for highly pathogenic avian influenza in wild birds.

(b) The Avian Influenza Working Group shall be composed of all of the following members:

- (1) The Secretary of the Natural Resources Agency, or a designee.
- (2) The director, or a designee.
- (3) The Secretary of Food and Agriculture, or a designee.
- (4) The State Public Health Officer, or a designee.
- (5) The Director of Emergency Services, or a designee.
- (6) One representative appointed by the Regents of the University of California.
- (7) Two representatives from a qualified research organization or other qualified nongovernmental organization appointed by the Secretary of the Natural Resources Agency.

(c) The director shall chair the Avian Influenza Working Group.

(d) A majority of the Avian Influenza Working Group shall constitute a quorum for the transaction of business.

(e) The duties of the Avian Influenza Working Group shall include all of the following:

- (1) Developing strategies for the detection of, and response to, the avian influenza virus in wild birds in California.
- (2) Fostering communication among state and federal agencies regarding the avian influenza surveillance program.
- (3) Developing strategies for public outreach and education.
- (f) The Avian Influenza Working Group may consult with other public and nonprofit groups potentially affected by avian influenza in wild birds.

(Amended by Stats. 2013, Ch. 352, Sec. 97. Effective September 26, 2013. Operative July 1, 2013, by Sec. 543 of Ch. 352.)