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Fact Sheet: AB 223 Dudleya

PROPOSED BILL

Assembly Bill (AB) 223 makes it unlawful to uproot, remove, harvest, cut, or otherwise take dudleya from their natural habitat on land owned by the state or local government or on property that is not one's own.

The bill also makes it unlawful to sell or possess with the intent to sell any dudleya illegally taken from their natural habitat and establishes minimum penalties of \$5,000 per plant for the first offense, and \$40,000 per plant for any subsequent offenses.

BACKGROUND

Illegal poaching of California's native plants is growing dramatically. This is especially true for several species of Dudleya (aka the "liveforevers"), a genus of succulents that includes 47 species, 26 of which can be found in native habitats throughout the state.

Recently, the genus has become incredibly popular, and in some other countries, a single plant typically sells for \$50 to \$80, or up to \$1000 for a larger dudleya plant. As a result, poachers have been harvesting dudleya by the thousands, targeting larger more mature plants along California's coast, then shipping and selling them elsewhere. These larger plants often take more than 100 years to grow and are unlikely to survive for longer than one year when removed from their natural habitat.

Recently, a couple was found with over 600 poached dudleya in Big Sur and, in 2018, a group was caught with more than 2,300 plants in Humboldt County.

Investigators estimate that the state has lost several hundreds of thousands of dudleya, worth tens of millions of dollars, to illegal poaching activities, and the recently growing demand for indoor house plants has only magnified the problem.

This kind of plant loss is catastrophic, especially since 10 species of Dudleya are already listed as threatened or endangered by the state or federal government, and face conservation challenges, including habitat loss from development and wildfires.

Other rarer species of Dudleya are endemic to the state and their worldwide distribution is limited to a single county, island or mountain range.

Illegal poaching further compounds these threats and puts many species of Dudleya at an elevated risk of extinction, threatening biodiversity, while the unregulated trade of the live plants increases the risk of unwanted transmission of pests and diseases from one place to another.

SOLUTION

Poachers have the potential to make hundreds of thousands of dollars in profit from dudleya harvested in California. While the courts have been creative in penalizing poachers, the fine amounts that can be levied are miniscule when compared to the amount of money poachers can make selling the plants on the black market.

The penalties established through AB 223 are analogous with recent legislation to address ivory and shark fin poaching.

By explicitly making it unlawful to take and sell dudleya removed from state, local, or private lands, and establishing strong penalties for violations, AB 223 will help to deter dudleya poaching and promote effective law enforcement.

BILL VERSION

Introduced January 11, 2021

SUPPORT

California Fish & Game Warden
Supervisors & Managers Association
California Native Plant Society
(sponsor)

OPPOSITION

None at this time.

FOR MORE INFORMATION

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