

Westwood South of Santa Monica Blvd
Homeowner's Association
Incorporated November 8, 1971
P. O. Box 64213
Los Angeles, CA 90064-0213

October 13, 2015

Los Angeles City Council
President Herb Wesson
President Pro Tempore Englander
President Pro Tempore Martinez
Councilmembers Cedillo, Krikorian, Blumenfield, Ryu, Koretz, Martinez, Fuentes, Harris-Dawson, Price, Bonin, Englander, O'Farrell, Huizar, and Buscaino
200 No. Spring Street
Los Angeles, CA 90012

Via email: Alan.alietti@lacity.org, Patrice.lattiore@lacity.org

RE: CF 12-0785 / Backyard Beekeeping

Dear Honorable President Wesson and Honorable Councilmembers:

Our Board has reviewed the provisions of the proposed backyard beekeeping ordinance and support the City's adoption of a balanced initiative. Sadly, we have concluded that the measure before you has not been adequately / fully developed and thus, is not ready to be considered by Council. We would like to share with you issues and concerns that we believe must be addressed before a backyard beekeeping program can move forward.

Our main concerns focus on the failure to establish criteria/responsibilities related to:

- 1) **SIGNAGE**
- 2) **QUANTITY OF PERMITTED BEES ON A SINGLE RESIDENTIAL LOT**
- 3) **MECHANISM FOR BEEKEEPER REGISTRATION AND ENFORCEMENT AND RELATED FUNDING MECHANISM**

We are very concerned about a lack of regulatory or enforcement framework in the proposed ordinance (and a funding mechanism for needed support) and continue to believe that these issues must be considered before the ordinance is approved. We would like to support a good backyard beekeeping ordinance.

I will summarize yet unresolved issues (which I have shared with members of the Bee Safe Alliance):

PUBLIC SAFETY: The safety of the City's first responders has not been taken into account in the drafting of this ordinance. No police officer, fire fighter or DWP employee (or any private contractors working for cable operators, etc.) should be placed in the position of entering a private property and encountering the presence of bee hives without warning. The ordinance fails to require a posting of signage providing notice to those who many need to enter the property in the course of their work as to the

presence of bee hives (and at a time when the beekeeper may not be present). While the ordinance's supporters state that bees are everywhere and that backyard hives do not pose an added risk to the public, the presence of concentrated numbers of bees, some of whom may sense a threat due to the presence of firefighters, paramedics or others, this is a dangerous and irresponsible oversight. **Signage requirements** must be included in the ordinance. Discussions with representatives of public safety personnel should have taken place to receive their input before the ordinance was placed before Council for final consideration.

CITIZEN INPUT: Most citizens have no idea that the City is in the process of approving an ordinance that will permit the unlimited placement of bees on all R1 properties across the City. The measure, as originally proposed and considered by neighborhood councils (NC), was for a PILOT PROJECT in Mar Vista for implementation providing for an evaluation process so that further roll outs would be based on the experience gained in the pilot. Proponents of expanding the ordinance to a citywide implementation now cite the National Honeybee crisis as a primary reasons to keep bees in this crowded urban environment. Proponents used reference to Colony Collapse Disorder (CCD) (that has no bearing on keeping bees in the city, chemical use or not) as a way to gather signatures on a petition. There is no connection between beekeeping populations in the city and the farm, hundreds of miles away. Further, the petition referenced in the Planning Dept. staff report as having over 8,000 signatures has, in reality, just over 800 signatures, many from outside the City and from bee enthusiasts around the world. Many of these signers have not lived in communities where there is an Africanized bee population.

LIMITS ON BEE CONCENTRATION/DEFINITION OF HIVE SIZE: Beekeeping in an urban setting to pollinate one's plants or obtain honey for personal/family use does not require large concentrations of bees on a property. As there is no shortage of bees in Los Angeles (as evidenced by the thousands of calls for bee removals each year as well as the successful pollination of our vegetation), no colony collapse disorder present, and it is the intention of the ordinance to support backyard hobbyists, there should be a defined maximum size of the allowable hives. To permit one hive for each 2500 feet does not provide an enforceable limit on the numbers of bees on a property. A hive on one property might consist of one large box. A hive on another might have 6 or more boxes stacked high. A new beekeeper might begin with a smaller sized box. How many boxes make up a hive? Is there a different formula for a beekeeper that keeps bees in large commercially sized boxes vs. smaller hives now gaining popularity in the urban setting? Sadly, laws must be written to protect the public from those most likely to take advantage of a situation.

There should be a **cap** on the total number of boxes and hives in a residential setting regardless of lot size.

DISTANCE FROM SENSITIVE USES: There have been concerns raised about the need to restrict placement of hives to be a minimum distance from sensitive uses. At the current time the ordinance fails to establish distances beyond the required 5 foot setback from side and rear property lines. Many in the community believe that at least for schools and small parks in urban settings (as opposed to proximity to a park like Griffith Park or larger regional parks) there should be a greater distance mandated for these sensitive uses. Was the LAUSD consulted in the drafting of the ordinance to determine if the keeping of bees potentially just five feet from a schoolyard or classroom building is something that they support or oppose? FYI: Riverside County requires a

1000 foot distance from sensitive uses including schools.

ENFORCEMENT/REGISTRATION/INTERGOVERNMENTAL RELATIONS: The ordinance relies upon the County Agricultural Commissioner's office to register all beekeepers. However, no cooperative agreement has been forged with that agency and no funding mechanism established to do this additional work. The motion going before Council clearly states that "Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report." There is no funding to do registration or enforcement. How can an ordinance be passed, one that could be a public health hazard, without attention paid to the creation of a funding and enforcement mechanism? Our WSSM Board voted to recommend to the City (one of a number of recommendations) that a funding mechanism for registration and inspection should be established.

If the Planning Department had consulted with the County Agricultural Commission office, they would have learned that that office sees its role as being responsible for registering COMMERCIAL beekeepers (and there are between 150 and 200 such beekeepers in the County). The department is not geared up to support urban beekeepers with their current staffing. Further, their registration list is not available for inspection by those who might wish to know where bees are kept in their neighborhood; the list is confidential. Once registered a commercial beekeeper is free to tend bees at numerous locations without having to register those addresses. This suggests that those registering with the County will be free to locate hives in numerous locations and that those locations will be unknown to the City and the County.

Who will be responsible for inspecting for the appropriate sized hives on a property, for proper distancing from lot boundaries, (hopefully) for appropriate signage, etc.? How often should inspections be done? And, how will those services be paid for? There should be a fiscal component to this ordinance that establishes permit fees that will pay for the necessary administration and inspection of this program either at the City or County levels. But, most important of all, such conversations should have taken place between the City and County long ago before a final ordinance was drafted.

If the County finds that a beekeeper is not following Food and Agriculture Code, how is it enforced? If cities such as Los Angeles were interested in enforcement by an external agency, would the County of Los Angeles Ag Commissioner be interested in developing their bee program to monitor or enforce city and state codes if the cities pay for it?

Should there be minimal requirements of backyard beekeepers as part of their registration process? One would hope that beekeepers could demonstrate completion of a training course before being allowed to register to keep backyard bees.

I have talked to many beekeepers in the past months since this measure's introduction. Those seasoned beekeepers who have been quietly tending bees in their backyard - many for years- are not our concern. It is the new hobbyists -- inexperienced and enthusiastic folks who are being brought into this field without any requirements to have formal education, hands on training, etc. They are the people most likely to have some stumbles as they gain experience and knowledge. However, stumbles and mis-steps when one is dealing with hives full of bees, and possibly Africanized bees, can be a dangerous thing. Further, it is important that inexperienced beekeepers catching feral hives understand how to handle those hives so that disease is not spread into the bee

population. According to staff at the Ag Commissioner's office, urban beekeepers may be a reservoir for disease and pests which may affect the commercial bee industry in the future because most/many urban beekeepers rescue feral bees. Who will be tracking this? (The impact of disease being spread could cause significant negative commercial and environmental impacts.)

It is also felt that there may be increased human health and safety risks due to feral bee rescues as interest in urban beekeeping grows in many cities .

EVALUATION: The Planning Department has successfully crafted a bit of a "bait and switch" scheme in the preparation of this ordinance. It is no longer the Mar Vista community pilot project that was introduced to neighborhood councils across the city (and for which council's indicated support). When called on that change, the Planning Department's answer is that it could still be considered to be a pilot project as it only applies across R1 properties - as opposed to an ordinance that would have permitted beekeeping in all residential zones.

If the ordinance is still intended to be a pilot project, where is the language that establishes an evaluation process and a time for reflection and introduction of revisions if needed? What kinds of data will need to be gathered to evaluate the project? Who is responsible for this task? Should, for example, first responders be charged with gathering data related to bee-related incidents to determine if formalized backyard beekeeping has had an impact on those figures? What other measures might be used?

I did not see evidence that the City discussed future enforcement with the County Ag Commissioner's office. They are responsible to responding to all hotline calls of bee-related problems in the County and certainly get a fair share from LA City. They go out and physically inspect the hives of all registered beekeepers who are COMMERCIAL beekeepers (and whose numbers are declining, not increasing). This would be impossible with any increase of beekeepers with the County's current staffing levels.

What is the chance that the measure can be pulled off the 10/14 agenda to address some of these issues/concerns?

Sincerely,



Barbara Broide, President