



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 478-5799 <http://mynevadacounty.com>

Sean Powers, Agency Director

Agricultural Commissioner

Building Department

Environmental Health

Planning Department

Dept. of Public Works

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: May 14, 2019

TO: Board of Supervisors

FROM: **Chris de Nijs, Agricultural Commissioner**

SUBJECT: (Introduce/Waive Further Reading/Adopt) An Urgency Ordinance adopting Article 2 of Chapter XIV of the Nevada County Land Use and Development Code regarding Beekeeping. (4/5 affirmative vote required)

RECOMMENDATION: Introduce and adopt the proposed urgency Ordinance adding Article 2 of Chapter XIV of the Nevada County Land Use and Development Code regarding Beekeeping. (4/5 affirmative vote required)

FUNDING: This ordinance has no effect on the County's General Fund.

BACKGROUND: Many beekeepers are finding Nevada County to be an ideal summer holding ground for apiaries due to the abundance of foraging opportunities for bees and the minimal use of pesticides in the County. Over the years the demand for these apiary sites in Nevada County have significantly increased, to the point that both commercial and recreational beekeepers in Nevada County are now facing an imminent threat of a deleterious overstocking of the landscape which has resulted in a significant reduction in honey production, as well as an increase of bee pests and diseases.

At the Board of Supervisors annual workshop in January 2019, the Nevada County Agricultural Commissioner presented these concerns facing the beekeeping industry. Following the presentation, the Board of Supervisors held discussions and directed staff to return to the Board with an ordinance that addressed those concerns.

Shortly after the Board workshop, the Nevada County Agricultural Commissioner convened select members from the Nevada County Agricultural Advisory Commission and the Nevada County Beekeepers Association to further analyze the issues and provide possible recommendations. The following are the issues and recommendations:

Issue: Increased pest and disease pressure on hives due to close proximity of each other.

Recommendation: Require 2-mile buffer between new commercial apiary sites and existing sites; exempting hobbyist and pollination hives



COUNTY OF NEVADA COMMUNITY DEVELOPMENT AGENCY

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 478-5799 <http://mynevadacounty.com>

Sean Powers, Agency Director

Agricultural Commissioner

Building Department

Environmental Health

Planning Department

Dept. of Public Works

Beekeepers are finding Nevada County as an ideal summer holding ground for bees destined for almond pollination in the central valley. These summer sites often contain large numbers of hives, sometimes over 100 per site, and are placed without regards to neighboring commercial or hobbyist beekeepers. The result of this practice is an increase of apiary pests and diseases. Small hive beetle, varroa mite, and foulbrood disease are of particular concern. As bees can forage up to two miles, apiaries brought into Nevada County can potentially spread pests and diseases over a large area. This risk is significantly increased when there are many hives located near one another, allowing pests and diseases to spread quickly. The spread of pests and diseases presents an economical challenge for beekeepers as they are forced to deal with these pests and diseases in order to maintain healthy thriving hives. It should also be noted that while the pests and diseases of concerns are primarily mainly within the domesticated bee population these pests and diseases can also spread to local native pollinators having a negative impact on the environment.

Shasta and Siskiyou Counties have implemented buffer requirements in order to provide protection for beekeepers, as well as the states of South Dakota and Montana. These buffer requirements range from 1 mile to 3 miles. Staff in consultation with industry found that a 2-mile buffer would be an ideal buffer between commercial apiary site.

Issue: Poor Honey Production in Nevada County due to overstocking of the landscape
Recommendation: Restrict the amount of hives to 48 per site during the nectar flow season (May 15- October 15); except for mating nucleus apiaries, pollination hives and apiaries part of a research or educational program.

Similar to the issue above, many hives located near one another also increases the pressure on the carrying capacity of the landscape. While Nevada County provides plenty of foraging opportunities, the landscape can only support a limited number of hives. Beekeepers who are only using Nevada County as summer holding grounds and have no interest in producing honey are using the foraging supply to simply maintain the feeding requirements of their hives and not produce excess nectar that in turns produces honey. As a result of this practice, hobbyists and commercial beekeepers alike who produce honey are seeing a decline in honey production due to the many numbers of hives present and the carrying capacity being exceeded. Some beekeepers have stated that it is no longer profitable for them to produce honey.

Staff consulted with industry professionals and researchers, including the UC Davis Honey and Pollination Center to better understand ideal carrying capacity. While the ideal carrying capacity would be on a site by site basis, such implementation would be difficult. The local Beekeeping Industry believes that an ideal number would be 48 hive per location. Taking in consideration that hobbyist beekeepers may also be present in the surrounding areas limiting the number of hives to 48 hives per location will give those beekeepers the ability to produce honey. Staff is recommending to use the 48 hives per location as recommended by Industry.

An exemption will be given to those using bees to pollinate an agricultural commodity, as this typically is for a short period of time, mating nucleus apiaries (producing queens for commercial purposes), and those conducting scientific research or educational programs.



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY**

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 478-5799 <http://mynevadacounty.com>

Sean Powers, Agency Director

Agricultural Commissioner

Building Department

Environmental Health

Planning Department

Dept. of Public Works

Issue: Public Nuisance

Recommendation: Hives must have reasonable access to water. Require hives to be placed within ½ mile of a natural water source (stream/lake). Or, if an artificial water source, such as a pool or koi pond, is closer than the ½ mile requirement, the beekeeper must have written permission to use it as a water source or provide their own artificial water source within 150 ft. of the apiary.

Staff sees an opportunity to address a commonly received apiary nuisance complaint. The most commonly reported nuisance complaint submitted to the Agricultural Commissioner's Office is the presence of honeybees visiting a property owner's pool to the point that the pool is no longer usable by the property owner. Often these complaints are during the height of the summer months when pools are used most frequently by owners, and bees are in search of water to bring back to their hive in order to cool off. Both Shasta and Siskiyou Counties have requirements in their beekeeping ordinance that requires a natural water source (stream/lake) be within ½ mile of any Apiary. Or, if an artificial water source, such as a pool or koi pond, is closer than the ½ mile requirement, the beekeeper must have written permission to use it as a water source or provide their own artificial water source within 150 ft. of the apiary. Staff believes that following this line of reasoning there will be a reduction in the number of complaints from residences that are unable to enjoy their own property due to bee encounters.

Summary:

In summary the proposed Ordinance will ensure the sustainability of beekeeping for both commercial and recreational beekeepers alike. State law already requires the registration of apiary locations with the local agricultural commissioner. This requirement would easily allow the agricultural commissioner to compile the data necessary to carry out the provisions of the proposed ordinance. This ordinance was prepared in coordination and with support of the local beekeeping industry. It is respectfully recommended that you adopt the proposed ordinance as an urgency ordinance. As an urgency ordinance, this will require a 4/5ths affirmative vote.

Item Initiated and Approved by: Chris de Nijs, Agricultural Commissioner

Submittal Date: April 29, 2019
Revision Date: May 08, 2019