

AMENDED IN ASSEMBLY APRIL 23, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2185**

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**Introduced by Assembly Member Eggman**  
(Principal coauthor: Senator Wolk)

February 20, 2014

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An act to add Section ~~29046.5~~ 29001.5 to the Food and Agricultural Code, relating to bees.

LEGISLATIVE COUNSEL'S DIGEST

AB 2185, as amended, Eggman. Bees: foraging: ~~public state-owned~~ lands.

Existing law prohibits a person from locating or maintaining an apiary on any public land without the expressed oral or written approval of the entity ~~which~~ *that* owns, leases, controls, or occupies the land, as specified.

~~This bill would require a public entity, on public lands it owns, leases, controls, or occupies, to designate areas that may be used for a person to locate or maintain an apiary for purposes of bee foraging. The bill would also make findings and declarations related to bee foraging. By requiring local public entities to designate these areas, the bill would impose a state-mandated local program~~ *declare it a policy of the state that the Department of Fish and Wildlife and the Department of Transportation shall encourage apiculture on the lands that those departments respectively manage. The bill would require those departments, if developing or amending land use plans or with respect to lands that are idle or through which a right-of-way has been granted, to take certain actions relating to the use of the lands for apiculture.*

*The bill would require the Secretary of Food and Agriculture, to the extent possible, to assist in these efforts.*

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~yes~~-no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. The Legislature finds and declares all of the*  
2 *following:*

3     *(a) The honeybee industry is under tremendous pressures due*  
4 *to multiple challenges, including, but not limited to, parasitic mites,*  
5 *poor nutrition, lack of diverse forage, changing environments due*  
6 *to long distance hauls, and native and manmade toxins.*

7     *(b) A viable and productive honeybee industry is dependent on*  
8 *access to private and public lands to secure nectar and pollen*  
9 *resources for nutritional foraging opportunities.*

10    *(c) There is a need for a streamlined and efficient administrative*  
11 *method to provide access to public lands for California beekeepers*  
12 *to ensure that they have adequate foraging grounds for their bees.*

13    *(d) The Legislature recognizes the importance of the honeybee*  
14 *industry in helping to ensure food security, boost regional jobs,*  
15 *and support the state’s multibillion dollar agricultural industry.*  
16 *Accordingly, the Legislature seeks to encourage and support bee*  
17 *foraging on public lands.*

18    *SEC. 2. Section 29001.5 is added to the Food and Agricultural*  
19 *Code, to read:*

20    29001.5. *(a) It is the policy of the state that the Department*  
21 *of Fish and Wildlife and the Department of Transportation shall*  
22 *encourage apiculture on the lands that those departments*  
23 *respectively manage. The Department of Fish and Wildlife and*  
24 *the Department of Transportation, if developing or amending land*  
25 *use plans or with respect to lands that are idle or through which*  
26 *a right-of-way has been granted, shall do all of the following:*

1 (1) Maximize the coexistence and minimize the conflict between  
2 apiculture and other public land uses, values, and public safety.

3 (2) Establish an efficient, effective, and uniform system for the  
4 management and administration of apiculture on public lands.

5 (3) Ensure that the state receives an appropriate financial return  
6 from the use of a public resource.

7 (b) The secretary shall assist, to the extent possible, in the efforts  
8 of these departments to accomplish apiculture access on their  
9 respective state-owned lands.

10 ~~SECTION 1. The Legislature finds and declares all of the~~  
11 ~~following:~~

12 ~~(a) Bee foraging on public lands is an important element for the~~  
13 ~~increase of native plants.~~

14 ~~(b) Bee foraging can enhance the goals of a public agency's~~  
15 ~~land management plans.~~

16 ~~(c) Bee foraging will enhance existing plant communities.~~

17 ~~SEC. 2. Section 29046.5 is added to the Food and Agricultural~~  
18 ~~Code, to read:~~

19 ~~29046.5. A public entity, on public lands it owns, leases,~~  
20 ~~controls, or occupies, shall designate areas that may be used for a~~  
21 ~~person to locate or maintain an apiary for purposes of bee foraging.~~

22 ~~SEC. 3. If the Commission on State Mandates determines that~~  
23 ~~this act contains costs mandated by the state, reimbursement to~~  
24 ~~local agencies and school districts for those costs shall be made~~  
25 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
26 ~~4 of Title 2 of the Government Code.~~