

RESOLUTION #22

BEEKEEPING

1 **WHEREAS**, honey and hive products, and crop pollination by honeybees are vital
2 components of New Jersey agriculture; and

3 **WHEREAS**, because honeybees forage over airsheds measured in square miles, not
4 acres, New Jersey's beekeepers provide their pollination services to commodity producers,
5 and produce honey and hive products without the necessity for control of their own land
6 base, unlike all other types of commercial agriculture; and

7 **WHEREAS**, the Right to Farm Act is intended to protect Commercial Farms engaged in
8 generally accepted agricultural management practices from over-restrictive local regulation
9 and nuisance lawsuits; and

10 **WHEREAS**, the State Agriculture Development Committee has long had an Apiary
11 Agricultural Management Practice codified at N.J.A.C. 2:76-2A.2 that provides Right to Farm
12 protections for larger commercial beekeepers;

13 **WHEREAS**, since 2006 there has been a tremendous increase in public awareness of
14 the extreme honeybee colony losses routinely suffered by beekeepers around the country,
15 and the threat that the loss of honeybees and other pollinators poses to our food supply and
16 quality of life; and

17 **WHEREAS**, increased public awareness has resulted in a corresponding increase in the
18 numbers of beekeepers in New Jersey, who now number in the thousands; and

19 **WHEREAS**, many of the state's increasing number of beekeepers are hobbyists or, if
20 they are commercial, do not operate on a scale or in a location that could make them eligible
21 for exemptions from local regulation of beekeeping practices under the Right to Farm Act;
22 and

23 **WHEREAS**, that increased interest in hobbyist and small commercial beekeeping led
24 municipal governments to adopt ordinances aimed at regulating such beekeeping; and

25 **WHEREAS**, the adoption of those ordinances, which hindered the ability of beekeepers
26 to provide the social, economic and environmental benefits of managed honeybees in many
27 areas of the state, led to a call from the beekeeping community for the New Jersey
28 Legislature to pass, and the Governor to sign, legislation that would assign sole authority to
29 the New Jersey Department of Agriculture to create standards governing hobbyist and small
30 commercial beekeepers; and

31 **WHEREAS**, such legislation was passed as P.L. 2015, c. 77, and is now codified as
32 N.J.S.A. 4:6- 24 and N.J.S.A. 40:48-1.5; and

33 **WHEREAS**, the Department drafted regulations -that were published in the New Jersey
34 Register on November 20, 2017, with a 60 day comment period that ended January 19,
35 2018; and

36 **WHEREAS**, the Department received more than one thousand comments on the
37 proposed regulations from the New Jersey Beekeepers Association, individual beekeepers,
38 honey bee biologists, towns, county boards of agriculture, legislators, and others;

39 **WHEREAS**, the majority of the comments oppose the draft regulations because they are
40 too restrictive, are not based upon an understanding of honey bee behavior and biology,
41 and are not consistent with the intent of the beekeeping legislation to support and sustain
42 beekeeping throughout the state; and

43 **WHEREAS**, the Department is currently reviewing those comments; and

44 **WHEREAS**, Concurrent Resolutions that assert that the proposed regulations are
45 inconsistent with the 2015 legislation have been introduced in the New Jersey Senate and
46 Assembly by sponsors of that original legislation; and

47 **WHEREAS**, the delegates assembled at the Agricultural Conventions in 2016 and 2017
48 acknowledged through their duly adopted Resolutions concerning Beekeeping that properly
49 managed bees can be kept in developed areas and stated that standards "...to regulate
50 beekeeping throughout the state in all the differing types of communities....must be based

51 upon the sound understanding of honeybee biology and behavior of qualified experts within
52 and without the Department;

53 **WHEREAS**, the spring season of intense growth, activity and reproduction of honey bee
54 colonies will soon be here, and it will not be possible for the Department to adopt any
55 regulations in time for such regulations to govern beekeeping activities during the upcoming
56 season.

57 **NOW, THEREFORE, BE IT RESOLVED**, that we the delegates to the 103rd State
58 Agricultural Convention, assembled in Atlantic City, New Jersey on February 7-8, 2018,
59 encourage the State Agriculture Development Committee to maintain its current Apiary
60 Agricultural Management Practice in its current form to sustain existing Right to Farm
61 protections for large commercial beekeepers.

62 **BE IT FURTHER RESOLVED**, that we urge the Department to convene a new
63 consultative revisions committee comprised of personnel from the State Board and
64 Department, those entities named as necessary to the drafting process in the statute: the
65 New Jersey Beekeepers Association, the Mid-Atlantic Apiculture Research and Extension
66 Consortium, and the New Jersey League of Municipalities; as well as New Jersey Farm
67 Bureau and other persons with expertise in bee behavior and biology, agriculture and land
68 use regulation;

69 **BE IT FURTHER RESOLVED**, that we urge the Department to require the new
70 revisions committee to carry out its obligations under the governing statutes, and prior and
71 current guiding Resolutions of the Convention Delegates, transparently through sharing of
72 drafts and issues throughout the committee's membership and for the entire duration of the
73 revisions process, with the goal of writing regulations that start from an understanding of
74 honey bee biology and behavior, that genuinely support and sustain the broad social,
75 environmental and economic benefits of beekeeping and that choose to limit beekeeping
76 only when truly necessary to protect public health and safety;

