



February 10, 2015

Council File 13-1374

Honorable City Council
c/o Office of the City Clerk
Los Angeles City Hall
200 North Spring Street, Room 395
Los Angeles, CA 90012

Dear Honorable Members,

The Downtown Los Angeles Neighborhood Council requests that the following Community Impact Statement be added to Council File 13-1374, regarding the City Council's effort to prohibit the growth of genetically modified crops within the City limits.

COMMUNITY IMPACT STATEMENT

The Downtown Los Angeles Neighborhood Council ("DLANC") fully supports the draft ordinance adding Article 3 to Chapter XIX of the Los Angeles Municipal Code regulating the propagation, cultivation, raising, growth and sale of genetically modified organisms ("GMO").

Although State Assembly Bill 2470 ("California Seed Law") may arguably be interpreted to preempt the City of Los Angeles from regulating GMO seeds and crops, the California Seed Law was not intended to regulate GMO seeds or crops. Rather, the California Seed Law was drafted to ensure that seed containers are properly and accurately labeled to curb *invasive* plants. Specifically, the preemption portion of the California Seed Law was added by amendment in response to a proposed "Policy for Invasive Plants" drafted by the City of Encinitas. The Encinitas Proposal would have prohibited specified invasive plants from being used within the city and state lawmakers were concerned that the Encinitas Proposal would have conflicted with an existing statewide plan ("PlantRight") that was already being used to phase out *invasive* plants within the supply chain.¹ Further, in its September 2014 Legislative Report, the California Agricultural Irrigation Association described the California Seed Law as a statewide preemption of local ordinances that intend to implement *invasive* plant ordinances.² Accordingly, when read in context, the California Seed Law and its preemption provision were intended to address policies regarding invasive plants, not GMOs.

Without state preemption, the City is free to draft and adopt an ordinance regulating the use of genetically modified crops and seeds within its borders. Because there are numerous concerns

¹ See http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_2451-2500/ab_2470_cfa_20140613_145330_sen_comm.html.

² See http://www.calirrigation.com/government_3_422609762.pdf ("This measure started as a clean up bill for the Seed program and seed lab located in CDFA. However, through the process the bill created a statewide preemption for local ordinances that intend to implement invasive plant ordinances. This will provide the opportunity for CDFA Secretary review of all ordinances that attempt to ban plant or seed varieties.").

regarding the safety of their consumption, the threat genetically modified crops pose to biodiversity, their link to colony collapse disorder, and the fact that over 60 countries around the world have imposed significant restrictions or outright bans on the production and sale of genetically modified products (including Australia, Japan, and all countries belonging to the European Union); DLANC supports the draft ordinance adding Article 3 to Chapter XIX of the Los Angeles Municipal Code regulating the propagation, cultivation, raising, growth and sale of GMOs.

This Community Impact Statement is based on the action taken at the regularly scheduled Board of Directors meeting on February 10, 2015, when the Downtown Los Angeles Neighborhood Council adopted the following motion by a vote of __ yes, __ no, __ abstaining and directed that a Community Impact Statement be filed reflecting its position.

Motion: “The Downtown Los Angeles Neighborhood Council shall submit a Community Impact Statement for Council File 13-1374 stating that DLANC supports the draft ordinance adding Article 3 to Chapter XIX of the Los Angeles Municipal Code regulating the propagation, cultivation, raising, growth and sale of genetically modified organisms.”

Sincerely,

Patricia Berman
DLANC President

Sincerely,

Eric R. Garcia
DLANC Community Impact Committee Chair