

Los Angeles “Citywide Cat Program” Issue Summary

The City of Los Angeles has issued a draft Mitigated Negative Declaration (MND) for a proposed “Citywide Cat Program.” This proposed program would have significant adverse consequences for wildlife, public health, and quality of life in the City of Los Angeles.

The proposed Cat Program is being driven exclusively by the desires of the feral cat advocacy community to improve the “live save rate” of feral cats that are not considered good candidates for adoption into homes as pets and that would normally be euthanized in City shelters. This can only be accomplished by allowing for *more*, not fewer, free-roaming cats to remain at large, to the detriment of birds and other wildlife, public health, and the quality of life in neighborhoods and around businesses. The environmental, public health, and quality of life impacts remain thoroughly unanalyzed and unmitigated.

The most troublesome elements of the proposal are the following:

1. The reduction of the population of stray and feral cats is not even listed as a program purpose.
2. The proposed program would increase the number of owned cats allowed at a residence from 3 to 5, with no prohibition on cats running at large.
3. It would allow the feeding of an unlimited number of stray and feral cats at a location, including at residences, which in practice will render the household limit on cats unenforceable.
4. It would allow feeding of an unlimited number of stray and feral cats anywhere on public streets and alleys throughout the City, with limited, unenforceable exceptions.
5. It would give cat feeders special rights to violate City law prohibiting feeding non-domesticated mammalian predators (e.g., raccoons, skunks, opossums, coyotes).
6. It would divert resources from sterilization of owned cats to sterilization of feral cats.

The draft MND has many legal, logical, and factual errors, a few of which are enumerated here, along with some of the adverse consequences of the proposed program.

1. The MND does not assess the impacts of 66% increase in the allowed number of owned cats. Because Los Angeles does not have any ordinance prohibiting owned cats from running at large, the increase in owned cats will result in a significant increase in the number of free-roaming cats generally, with the associated impacts on the environment.
2. The special rights for cat feeders to violate the current City ban on feeding non-domesticated mammalian predators would be in violation of State law that prohibits feeding of wildlife. State law bans “harassment” of wildlife; harassment is defined as including feeding of wildlife.
3. If the proposed Cat Program is adopted, people will be able to redeem cats from shelters and create new feral cat colonies (including in backyards), and cat “rescuers” from other jurisdictions will know that they can release stray and feral cats into Los Angeles city cat colonies. That is,

Los Angeles will become a “sanctuary city” for stray and feral cats moved from other jurisdictions and shelter systems.

Wildlife

4. The analysis assumes that the program would not affect the number of free-roaming cats. This is incorrect because of the proposed increase in the number of allowable owned cats, plus the published research on neutering programs shows that the low level of sterilization that would occur in the City as a result of the program would not control stray and feral cat numbers (studies show that large-scale TNR programs get 2–5% sterilization rates, while 70–90% is needed). This is especially true since all the program does is take resources away from neutering pet cats to allow those funds to be used on stray and feral cats. This will be a waste of time and money.
5. The City claims that it will “disallow” feeding in and around certain identified wildlife areas (inexplicably leaving out the Baldwin Hills and most of the Santa Monica Mountains) among other areas supporting sensitive species. This is not mitigation, since it is currently not legal to feed cats in these areas (or the proposed ordinance changes would not be necessary). Furthermore, the proposed Cat Program offers no mechanism to enforce this ban.

Public Health

6. The proposed Cat Program would allow unlimited numbers of feral cats around residences and businesses by taking away the one tool that is available to keep feral cat numbers in check, which is the per property limit. The disease risks from feral cats and the accumulation of fleas and feces are well known.
7. The City’s position that the proposed program would not affect public health contradicts the input provided to the City by the Los Angeles County Department of Public Health earlier in the review of this program.
8. The MND does not even provide for restriction of cat feeding/colony establishment next to schools, around day care centers, at hospitals, or other locations servicing sensitive human populations, such as children, the elderly, and immunocompromised individuals.

Stormwater

9. Cat feces are a significant component of the biological contamination in stormwater runoff from urban areas, and the proposed program would worsen that problem.
10. The MND asserts that because an “enforceable” regulation exists that prohibits people from allowing animal waste to enter the stormwater system, the program will have no impact on stormwater quality. This is ridiculous, since the current regulation is in fact not enforceable and is not used to keep people from allowing waste from their owned cats to be carried into the storm drain system, let alone to force people who feed feral cats to pick up the waste of those cats.

Finally, the articulated purposes of the proposed program do not have a reasonable chance of being achieved by the elements of the program itself, as documented in the table below.

Program Purpose	Possibly Related Program Element
Increase spay/neuter of cats	<p>None. The following elements are related to spay/neuter but cannot be counted on to increase spay/neuter rates: 1. Make spay/neuter vouchers available for unowned (stray and feral) cats. 2. Promote relationships with veterinarians and nonprofits to provide free or low-cost sterilizations. 3. Amend purpose of animal sterilization fund to include stray and feral cats in addition to pets. <i>No additional City funding is committed for spay/neuter vouchers, so this cannot increase the number of cats sterilized. Even if relationships are made with veterinarians and nonprofits from offering free/low-cost surgeries for feral cats no funding is proposed to pay for them without taking away from funds to sterilized owned cats.</i></p>
Generally reduce the euthanasia of cats in City animal shelters	<p>1. Allow unlimited unowned cats on a property. <i>In theory this might reduce euthanasia at shelters, but only by turning the City itself into a stray and feral cat “overflow shelter” and increasing the number of unowned outdoor cats.</i> 2. Increase number of cats that can be owned at a property. <i>This might temporarily increase the number of cats adopted to homes but only until additional willing owners were exhausted.</i></p>
Accommodate the maintenance and improved management of cats in outdoor locations in a manner that minimizes their impacts on environmentally sensitive habitats	<p>None. 1. Add definition of “cat colony” to City code that limits feeding to areas outside parks and a buffer around environmentally sensitive habitats. 2. Exempt feeders of unowned cats from ban on feeding non-domesticated mammalian predators and from limit on number of cats per property. <i>This does not minimize impacts on the environment because no mechanism for enforcement is proposed; it leaves the status quo in and around environmentally sensitive habitats, since feeding feral cats is not currently legal (or there would be no reason for the proposed ordinance change). It is also not clear how this “improves” management of cats in general.</i></p>
Support members of the public with an interest in addressing nuisance issues relating to cats	<p>None. 1. The MND describes renting or lending traps to the public to remove nuisance cats. <i>This is already legal and therefore does not represent a change needing review. In the absence of a program element defining “support” of the public to deal with nuisance cats, it must be presumed that the 2005 TNR policy currently enjoined will be put into effect if the injunction is lifted, which will make it harder for the public to obtain a permit to remove nuisance cats and those cats will be returned to where they were trapped or released elsewhere.</i></p>

Program Purpose	Possibly Related Program Element
Facilitate public and community education on cat-related issues	1. Make facilities available to community groups to educate the public, including on TNR. 2. Provide links on website to organizations promoting TNR and conservation organizations. 3. Allow organizations to distribute literature in City shelters. <i>These program elements do not provide a process to ensure fair treatment of organizations opposing the City's cat policies. For example, on the Department's website, what conservation groups will be linked? How will they be chosen? Will links to educate the public on the health hazards posed by cat fleas and feces be posted as well? What process will be available to ensure that only credible information is provided by the City?</i>
Satisfy the requirements of the Superior Court injunction in Case BS115483 so as to relieve the City from the Court's injunction	<i>This is simply compliance with CEQA and so has no program elements.</i>

The full MND can be accessed at: http://eng.lacity.org/techdocs/emg/citywide_cat.htm

Please send your comments by November 4, 2013 via email to Catalina.Hernandez@lacity.org or by mail to:

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Comments after November 4 will still be useful, because they will go into the Administrative Record for the project.

Please send a blind copy of your comments to longcore@urbanwildlands.org, and even send me a draft if you would like me to review before you submit.