

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to the preparation of an Environmental Impact Report (EIR) in connection with the proposed Citywide Cat Program.

Recommendation for Council action:

DIRECT appropriate City Departments to prepare an EIR pursuant to the California Environmental Quality Act utilizing the Project Description as detailed in the April 11, 2017 Department of Animal Services (DAS) report, attached to the Council file.

Fiscal Impact Statement: The DAS reports that all costs for this project have been approved by the City Council through the budget process and are currently encumbered.

Community Impact Statement: None submitted.

Summary:

On April 19, 2017, your Committee considered an April 11, 2017 DAS report relative to preparing an EIR for the proposed Citywide Cat Program pursuant to the CEQA. According to the DAS, on April 11, 2017, the Board of Animal Services Commissioners (BASC) considered and approved an item recommending using the Project Description, as detailed in the April 11, 2017 DAS report, to prepare an EIR for the proposed modified Citywide Cat Program. The modifications make certain technical clarifications and are reflected in the attached Project Description as a redline and incorporated as part of the redline in Exhibit A of the Project Description.

In about 2005, the BASC accepted a proposal from staff to implement a "trap, neuter, return" (TNR) policy for feral cats. The City also distributed vouchers to be used for feral cat spay or neuter surgeries, issued cat trapping permits, and otherwise provided support and referrals to community groups that engage in TNR programs. In June 2008, Urban Wildlands, et al., sued to bar the City from implementing a policy for feral cats without first completing a CEQA environmental review. The Superior Court entered its final judgment and permanent injunction (Injunction) in January 2010, prohibiting, among other things, the City from implementing a TNR program for feral cats until it had concluded an appropriate environmental review pursuant to CEQA (Los Angeles Superior Court Case No. BS115483).

In March 2010, the court issued a stipulated order as clarification to the Injunction. Subsequently, in October 2013, the City issued a "Notice of Intent to Adopt a Mitigated Negative Declaration for the Citywide Cat Program." The City ultimately decided not to proceed with the 2013 Citywide Cat Program and Mitigated Negative Declaration, and instead worked on modifying the proposal for the Citywide Cat Program and proceeding with a new environmental review. Since then, the City has worked on developing a different proposal for the Citywide Cat Program.

The new 2017 proposal (Project Description) is more fully described in the attachment to the April 11, 2017 DAR report and as such, it applies to all "free-roaming cats," including feral cats and stray cats; implements a substantially modified TNR program; provides funding including funds from the Animal Sterilization Fund to spay or neuter free-roaming cats; and increases the currently permitted number of cats per household from three to five with certain restriction. One

part of the attachment, listed as Exhibit A to the Project Description, consists of a redline copy of the 2005 feral cat program that is subject to the Injunction. The redline shows the places where the Project Description overlaps with the 2005 feral cat program and shows the differences between the current Project Description and the earlier 2005 feral cat program.

As part of the Project Description to be used in the preparation of the EIR, the City intends, after approval of the environmental review, to implement certain elements described in the attachment that were originally subject to the Injunction and undertake the necessary legal actions to dissolve the Injunction. The City has contracted with a consultant to assist in the preparation of an EIR. The DAS has developed the proposed Project Description to evaluate potential environmental impacts and any necessary mitigation measures. The process will also provide opportunities for the public to comment on the EIR.

After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the DAS's recommendation to proceed with the preparation of the EIR as described in the DAS report. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PERSONNEL AND ANIMAL WELFARE COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
KORETZ:	YES
RYU:	YES
HARRIS-DAWSON:	YES

ARL
4/19/17

-NOT OFFICIAL UNTIL COUNCIL ACTS-