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DR. JEREMY PRUPAS
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November 10, 2020

The Honorable Eric Garcetti
Mayor, City of Los Angeles
200 N. Spring Street, Room 303
Los Angeles, CA 90012

The Honorable City Council
% Councilmember Paul Koretz, Chair
Personnel & Animal Welfare Committee
Room 395, City Hall
200 N. Spring Street
Los Angeles, CA 90012

RE: CITYWIDE CAT PROGRAM: RECOMMENDATIONS FOR COUNCIL ACTION ON FINAL ENVIRONMENTAL IMPACT REPORT (EIR) AND PROJECT APPROVALS (COUNCIL FILE 17-0413)

SUMMARY

On November 10, 2020, the Department of Animal Services (Department) provided the Board of Animal Services Commission (Commission) with a report on the Citywide Cat Program: Recommendations for Council Action on Final Environmental Report. As recommended in the accompanying board report, which the Board has adopted, the Department recommends that the City Council review and consider the final Citywide Cat Program: Final Environmental Impact Report (EIR) and project approvals, and that the City Council:

1. CERTIFY that the Citywide Cat Program Final Environmental Impact Report (Final EIR) (SCH#2013101008) was completed in compliance with CEQA and that the Final EIR was presented to Council, as the decision-making body of the City of Los Angeles; and that the Council has reviewed and considered the information contained in the Final EIR; and that the Final EIR reflects and expresses the City's independent judgment and analysis as the CEQA Lead Agency.
2. ADOPT the Citywide Cat Program California Environmental Quality Act (CEQA) Findings.

SUBJECT: Transmittal to Mayor and City Council

RE: CITYWIDE CAT PROGRAM: RECOMMENDATIONS FOR COUNCIL ACTION ON FINAL ENVIRONMENTAL IMPACT REPORT (EIR) AND PROJECT APPROVALS (COUNCIL FILE 17-0413)

3. SPECIFY that the documents constituting the record of proceedings in this matter are located at the Office of the City Clerk, 200 North Spring Street, Los Angeles, California 90012; the Board of Animal Services Commission, 221 N. Figueroa Street, 6th Floor, Los Angeles, California 90012; the Department of Public Works, Bureau of Engineering (BOE), 1149 South Broadway, Suite 600, Los Angeles, California 90015; and any other relevant City department.
4. APPROVE the Citywide Cat Program (proposed Project) as described in the Final EIR, with consideration of the CEQA Findings and the Rule 38 Letters concerning the proposed Ordinance re Numbers of Cats Owned By Residents (Council File 13-1513) and the proposed Ordinance re Animal Sterilization Fund (Council File 13-1513-S1).

Please find the November 10, 2020 adopted board report attached for your reference.

FISCAL IMPACT

The fiscal impact will be directly related to the available funding in the General Fund and raised by private fundraising for spay/neuter for community/free-roaming cats. The Department will seek funding to spay/neuter for free-roaming cats at a level shown to reduce the overall free-roaming cat population, which as analyzed in the Final EIR would be an estimated 20,000 vouchers and accompanying sterilization surgeries annually for free-roaming cats. To support the creation of the City's Working Cat Program and Public Education and Outreach Campaign, funds from the General Fund and private fundraising efforts will also be requested. Additionally, funds would be requested to provide microchips and medical treatments to free-roaming cats at the time of sterilization, such as vaccinations, deworming, and flea treatment.

Respectfully submitted,



Brenda F. Barnette
General Manager

Attachment: Adopted Board Report dated November 10, 2020

cc: Soozy Rios Bellenot, City Administrative Officer

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Report to the Board of Animal Services Commissioners

MEETING DATE: November 10, 2020

PREPARED BY: Brenda Barnette

REPORT DATE: November 5, 2020

TITLE: General Manager

SUBJECT: CITYWIDE CAT PROGRAM: RECOMMENDATIONS FOR COUNCIL ACTION ON FINAL ENVIRONMENTAL IMPACT REPORT (EIR) AND PROJECT APPROVALS (COUNCIL FILE 17-0413)

BOARD ACTION RECOMMENDED: In accordance with the California Environmental Quality Act (CEQA), REVIEW and CONSIDER the Citywide Cat Program Final Environmental Impact Report (EIR) for the proposed Citywide Cat Program (proposed Project); ADOPT this board report and FORWARD it to the City Council with recommendations that it:

APPROVE

The following Recommendations for Council Action:

1. CERTIFY that the Citywide Cat Program Final Environmental Impact Report (Final EIR) (SCH#2013101008) was completed in compliance with CEQA and that the Final EIR was presented to Council, as the decision-making body of the City of Los Angeles; and that the Council has reviewed and considered the information contained in the Final EIR; and that the Final EIR reflects and expresses the City's independent judgment and analysis as the CEQA Lead Agency.
2. ADOPT the Citywide Cat Program California Environmental Quality Act (CEQA) Findings.
3. SPECIFY that the documents constituting the record of proceedings in this matter are located at the Office of the City Clerk, 200 North Spring Street, Los Angeles, California 90012; the Board of Animal Services Commission, 221 N. Figueroa Street, 6th Floor, Los Angeles, California 90012; the Department of Public Works, Bureau of Engineering (BOE), 1149 South Broadway, Suite 600, Los Angeles, California 90015; and any other relevant City department.

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4. APPROVE the Citywide Cat Program (proposed Project) as described in the Final EIR, with consideration of the CEQA Findings and the Rule 38 Letters concerning the proposed Ordinance re Numbers of Cats Owned By Residents (Council File 13-1513) and the proposed Ordinance re Animal Sterilization Fund (Council File 13-1513-S1)."

TRANSMITTALS:

1. City of Los Angeles Citywide Cat Program Final Environmental Impact Report (State Clearinghouse No. 2013101008), dated October 2020. <https://eng.lacity.org/citywide-cat-program-e1907610>
2. Citywide Cat Program (CEQA) Findings
3. Rule 38 Letter, Ordinance re Numbers of Cats Owned By Residents (Council File 13-1513)
4. Rule 38 Letter, Ordinance re Animal Sterilization Fund (Council File 13-1513-S1)

PROJECT BACKGROUND:

In 2006, the City proposed implementation of a “trap, neuter, return” (TNR) program to help address potential environmental and public health impacts associated with the existing population of free-roaming cats in the City. In 2008, a CEQA-based legal challenge to the TNR program was filed against the City, and, in 2010, as a result of the legal challenge, a permanent injunction was entered by the court that, in general, prohibits the City from engaging in TNR, or facilitating others to engage in TNR, until such activities are analyzed as required by CEQA. In 2013, the City prepared and circulated an initial study/mitigated negative declaration (MND) for a different citywide cat program. The MND was never adopted and the 2013 project was abandoned by the City.

At its meeting on April 11, 2017, the Board of Animal Services Commissioners considered and approved an item that recommended preparing an Environmental Impact Report (EIR) based on a new project description for the proposed Citywide Cat Program. City Council considered and approved the recommended Citywide Cat Program project description on April 28, 2017 (Council File 17-0413). The approved project description included the proposed ordinance to increase the number of owned cats per household from three to five, with restrictions (Council File 13-1513) and the proposed ordinance to broaden the permitted use of Animal Sterilization Fund, including for free-roaming cats (Council File 13-1513-S1).

The EIR process, as defined by CEQA, requires preparation of an objective, full-disclosure document to (a) inform agency decision makers and the general public of the direct and indirect environmental effects of a proposed project, (b) identify, where feasible, mitigation measures to reduce or eliminate any identified significant adverse impacts, and (c) identify and evaluate alternatives to the proposed project that might lessen or avoid some or all of the identified significant impacts of the project.

Project Objectives

The project objectives of the proposed Citywide Cat Program include (not in order of priority):

- Facilitate spaying and neutering of cats in the City.
- Reduce the relative number of free-roaming cats in the City over time.

- Facilitate more public and community education on animal-related topics, including free-roaming cats.
- Train animal services center staff members on cat management programs and engage in collaborative efforts with local rescue groups to help respond to and address free-roaming cat issues,
- Further implement the City's no-kill policy by reducing the rate of euthanasia of cats in City animal services centers, and
- Adopt TNR as the preferred policy to humanely address free-roaming cats.

PROPOSED PROJECT:

The proposed Project¹ analyzed in the EIR would be implemented citywide (see Figure 2-1 in the DEIR) and is guided by actions by the Board and the Los Angeles City Council (see Appendix D). To assist in the implementation of the City's no-kill policy and reduce the relative population of free-roaming cats in the City, the Department of Animal Services (Department; Los Angeles Animal Services [LAAS]) proposes to:

- a. Directly engage in spaying or neutering, or make the spaying or neutering of cats more affordable by allowing the City to provide funds by means of free or discounted spay or neuter coupons or other City, public, or grant funds to subsidize the spaying and neutering of any cat in the City of Los Angeles to prevent them from having litters of kittens, regardless of the cat's status as either owned pet, stray, or feral. This includes spay and neuter of free-roaming cats that may be returned by their caretakers or a rescue organization to where they were found, relocated to a working cat program (WCP),² or adopted.
- b. As part of changing the LAAC (Section 5.199), broaden the permitted use of Animal Sterilization Fund monies from "pet sterilization" (current language) to "animal sterilization." Currently, Section 5.199 of the LAAC limits the use of funds for sterilization of "pets." The proposed amendment would allow use of funds to sterilize pet, stray, or feral cats. The proposed Project would allow the LAAC's Animal Sterilization Fund to also be used to spay or neuter free-roaming cats in the City. However, no monies intended to spay or neuter pet cats in the City would be reduced.
- c. Implement a modified TNR program that includes the following elements:
 - i. Declaring that TNR is the preferred method of dealing with the free-roaming cat population and the City's official policy.
 - ii. Collaborating with organizations experienced and engaged in TNR and using animal services centers to provide information and training to citizens who wish to participate in TNR.

¹ As set forth more fully in this FEIR, including the modifications discussed in Chapter 3 of this FEIR and in the responses to comments in this FEIR, the proposed Project has been modified based on the comments received to clarify project elements and, in some cases, further minimize already-analyzed, less-than-significant project impacts. Because the project revisions do not result in a new significant impact, a substantial increase in the severity of an impact requiring mitigation measures, or a considerably different feasible alternative and mitigation measure, and would not otherwise meet the recirculation requirements under CEQA Guidelines Section 15088.5, recirculation of the EIR was not necessary. The proposed Project, as revised, is summarized in this Section 1.5.

² The placement of cats in warehouses and barns with rodents is commonly referred to as a "working cat program," with many being indoor cats only.

- iii. Implementing outreach by including links to TNR organizations on the LAAS website and directly referring the public to organizations for information on TNR.
 - iv. Implementing a policy regarding free-roaming cat complaints that involves informing the complainant about the benefits of TNR and referring them to TNR organizations. LAAS will encourage that cats not be brought into local animal services centers, except if the cat is injured or sick, the cat has bitten someone, the cat's welfare is in jeopardy, there is a public health hazard, or the potential exists for harm to people or companion animals.³
 - v. Using incentives, vouchers, and waived cat trap rental fees to encourage the capture, sterilization, and release of free-roaming cats.
- d. Release free-roaming cats that have been spayed and neutered from animal services centers' custody to TNR groups that may have the intent of returning the animal to free-roaming status, unless cat is a nuisance cat (see nuisance cat protocol). In order to encourage more adoptions and meet the City's no-kill goals, the currently permitted number of cats per household would be changed from three cats to five. This would involve an amendment to the LAMC regarding the definition of "cat kennel" to exclude any location where five or fewer cats are kept (the current limit is three cats). Currently, LAMC Section 53.50 requires a permit from the City to "conduct or operate within the City of Los Angeles any dog kennel, cat kennel, zoo, animal rental establishment, animal grooming parlor, riding academy, livery stable, boarding stable, pony ring or pony ride, horse market, mule market, circus, rodeo, etc." Any household with more than three cats would be subject to the following restrictions (this action would require an amendment to the LAMC):
- All the cats must be kept indoors at all times,
 - All the cats must be microchipped and sterilized, and
 - The household must be registered with the Department as having more than three cats.
- e. Publish and implement program guidelines that highlight best practices when conducting TNR under the proposed Project.
- f. Create a public education and outreach campaign that would focus on growing public awareness of the existing impacts of the free-roaming cat population on wildlife, habitat, and public health.
- g. Create a City of Los Angeles WCP to facilitate the relocation of free-roaming cats from the streets and into indoor/enclosed sites. The City's WCP would prioritize admission of cats found in or near ESAs, in unsafe locations, or when it is undesirable to return a free-roaming cat to its found location (nuisance cats, including cats found near water bodies impaired for bacteria and/or nutrients).

³ Current nuisance cat protocol as described in Section 2.2 of the Draft EIR will remain unchanged by the modified TNR Program described here, aside from the opportunity to enroll the cat in the City of Los Angeles WCP, as space allows.

Modified TNR Program Implementation

LAAS currently does not perform targeted spay and neuter services on free-roaming cats. Any stray cats that are past their holding period and altered by LAAS must be friendly and able to be handled; otherwise they are not fixed. LAAS does not sterilize feral cats.

Upon implementation of the modified TNR Program, LAAS will release a Task Order Solicitation to an existing list of pre-qualified spay and neuter veterinarians for those willing and able to participate in the spay/neuter program for free-roaming cats. Upon selection of service providers, LAAS will issue a notice to proceed with funding authorization for at least 20,000 free-roaming cat sterilizations and related medical treatments (based on availability of additional funding) annually. LAAS currently has a voucher program in place for owned cats, which will be adjusted to include the free-roaming cat spay/neuter program. Each voucher will cover the costs associated with spaying or neutering a free-roaming cat. The City Council has assigned the value of \$70 to the free vouchers, reimbursable to the City's veterinary partners for spaying and neutering shelter cats per surgery (C.F. 16-0114). If additional City funding is available, the rabies and feline viral rhinotracheitis, calicivirus, and panleukopenia virus (FVRCP) vaccine should be administered, along with flea treatment, at the time of sterilization. If City funds are not available to cover these additional services, participants in the modified TNR Program will be encouraged to cover these services.

Individuals and organizations wishing to participate in the LAAS free-roaming cat spay/neuter program must register with LAAS as an authorized participant. This will entail signing an agreement stating that each cat the participant submits for a free spay/neuter voucher had been trapped and released within the City of Los Angeles limits. A unique identifier will be provided to each cat submitted under the program to receive a spay/neuter voucher. This unique identifier will be alphanumeric and begin with the letters FR, which will serve as an abbreviation for the term free-roaming. The newly implemented unique identifier specific to this program will allow for fiscal and data analysis, which will enable LAAS to monitor and track data specific to the free-roaming cat spay/neuter program. Each free-roaming cat should be sterilized and ear-tipped. Microchipping, vaccinations, deworming, and flea treatment are also recommended if funding is available.

The City understands that working with free-roaming cats requires special expertise, and while individuals are encouraged to participate, responders to the Task Order Solicitation on behalf of organizations will be asked to demonstrate their expertise by sharing their experience in participating in TNR work and facilitating the sterilization of free-roaming cats. These organizations will be asked to document the number of free-roaming cats in the City that they have sterilized annually through TNR efforts in the past. If selected, these organizations will be asked to commit through an affidavit to sustain this level of effort to help ensure that the City vouchers would be additive to free-roaming cat sterilizations occurring within the City.

Program Implementation Guidelines

This section presents the guidelines developed for implementation of the Citywide Cat Program. As set forth in the analysis of environmental impacts, no significant environmental impacts were identified in the analysis of the proposed Project. The program implementation guidelines are intended to highlight best practices when conducting TNR under the proposed Project. LAAS will distribute a copy of these guidelines to those who receive vouchers under the proposed Project, publish them on its website, and include a map of ESAs mentioned herein to educate the public and facilitate implementation of these best practices. Note that as these guidelines are part of the proposed Project, they are not mitigation measures as defined under CEQA.

Recipients who receive vouchers from the City for free-roaming cat medical and spay and neuter services will be expected to commit to the guidelines by signing an affidavit declaring their intent.

Free-Roaming Cat Trap/Neuter/Return Guidelines

- The City shall create partnerships with third parties who offer free-roaming cat trapping trainings so people can learn how to trap responsibly.
- Traps should be monitored at all times and partially covered once occupied.
- The City recommends release generally where cats are found, or as close as possible.
- If a free-roaming cat is trapped in an ESA, it is recommended that the cat be enrolled in a WCP, based on availability, or adopted through a rescue group if possible. If these options are not available, the cat should be returned to the ESA.
- If trapping in or near an ESA, avoid undisturbed areas and vegetation; traps should be placed on paved or developed areas.
- Maps of ESAs in the City shall be provided for reference in the City shelters and on the LAAS website for downloading and printing.
- Where feasible, to avoid potential interactions/conflict with vulnerable populations (children, the elderly, and those with compromised immune systems), trapping should not occur in proximity of individuals from such populations.
- Trapping locations should be kept clean so that no traces of food, refuse, or fecal matter are left behind after trapping events. Contaminated surfaces should be disinfected as needed to help maintain cleanliness and contain the potential spread of disease. Use gloves when handling traps. Wash hands and clean equipment afterwards.
- Free-roaming cats should be sterilized and ear tipped. Microchipping is recommended if funding is available. Free-roaming cats that will be placed in a WCP will be microchipped.
- At the time of sterilization, the rabies and FVRCP vaccine should be administered, along with flea treatment and deworming.

Public Education and Outreach

To help grow public awareness of the existing impacts of the free-roaming cat population, LAAS would initiate a broader public education and outreach campaign. This would include messaging about the biodiversity of Los Angeles, the City's biological resources and sensitive habitat areas, and how wildlife and habitat is affected by the existing free-roaming cat population. LAAS will look for opportunities to collaborate and partner with public agencies and non-profit organizations, including wildlife and cat advocacy groups, to raise public awareness about these issues. The campaign would also identify tools and approaches that the public can use to help control the impacts from pet overpopulation, specifically free-roaming cats, on public health and wildlife by ensuring, for example, that pets are sterilized, provide on-going flea treatments, and prevent fecal accumulation.

The public education program, intended to help address the existing impacts of the free-roaming cat population, may include guidelines regarding the responsible feeding of free-roaming cats related to existing feeding activities. There is an existing condition of feeding of free-roaming cats. The City is trying to balance the humane treatment of animals with addressing the existing impacts of pet

overpopulation. Public messaging would encourage existing feeders to fix those cats, encourage them to participate in the CCP and emphasize no new feeding. Additional targeted messaging to existing feeders would be “please follow best practices regarding cleanliness, feeding times, etc to manage existing impacts of free-roaming cats related to public health and wildlife.” LAAS would tell the general public that feeding is not encouraged and to “please don’t start feeding if you don’t already” and explain the potential impacts to wildlife from these practices.

Noticing efforts about the Citywide Cat Program, including code updates, TNR program, related guidelines, WCP, and the public education campaign could occur in a variety of ways, including through press releases, posting on the LAAS website, posters at City shelters, fliers, mailers, radio advertisements, and social media posts and ads. The information shared will be multilingual as needed. Opportunities for partnering with organizations and institutions to amplify these messages will also be explored.

Community engagement can occur through community meetings hosted by local City shelters and prior to mobile clinics. City shelter volunteers will learn about the Citywide Cat Program and program guidelines through shelter orientations and the volunteer onboarding process.

Proposed City of Los Angeles Working Cat Program

Existing Efforts

Currently, several non-profits within the City of Los Angeles (e.g., Best Friends, Kitty Bungalow, Paw Mission, and others) work to facilitate the placement of free-roaming cats that are not good candidates for traditional adoptions into “working cat” situations where they serve as rodent and pest deterrents. Such arrangements aim to help to reduce the rate of euthanasia in homeless cats in Los Angeles. These efforts would benefit from additional support (e.g., funding, dedicated staff, advertising) to help create additional opportunities to relocate free-roaming cats. The City of Los Angeles proposes a WCP to facilitate the relocation of free-roaming cats from the streets and into indoor/enclosed sites. The City’s WCP would prioritize admission of cats found in or near ESAs, in unsafe locations, or when it is undesirable to return a free-roaming cat to its found location (nuisance cats, including cats found near water bodies impaired for bacteria and/or nutrients).

Working Cat Opportunity Sites

Potential working cat opportunity sites within the City that could host working cats include residential backyards with enclosed structures (including “catios”), barns, stables, warehouses, factories, industrial parks, churches, wineries, breweries, and City facilities, such as police stations, libraries, and fire stations.

Criteria for Appropriate Locations

Ideal locations for working cats would be:

- Sites that are not within known ESAs;
- Enclosed spaces that do not include routine interactions with vulnerable populations, such as children, the elderly, or those with compromised immune systems; and
- Sites where a caregiver is available to provide daily food and water and refresh a litter box.

Adoption Process

Placements through the City’s WCP would be treated as no-fee adoptions. Free-roaming cats placed through the program would be sterilized, ear-tipped, microchipped, vaccinated for rabies and FVRCP, treated for fleas, dewormed, and placed in pairs.

Adopters would complete an adoption agreement to host the cats within an enclosed space and provide daily food and water and future medical treatment as needed, including regular treatments for fleas and parasites. Food would be provided in compliance with responsible feeding guidelines and at an indoor location to minimize attraction of wildlife. A litter box must also be provided. Adopters would be trained regarding the rehoming process and commit to spending the suggested time helping the cats become familiar with their new home.

Program Placement Targets

Once the program is established (within the first 3 years of implementation of the Project), the City would initially target placing approximately 75 cats per year, utilizing support from non-profits, volunteers, and social media advertising (Facebook, NextDoor, etc.). The City would aim to increase the capacity for working cat placements through the program over time.

ENVIRONMENTAL REVIEW PROCESS AND PUBLIC INVOLVEMENT:

Scoping process: A Notice of Preparation (NOP) to begin the EIR process was issued on August 31, 2017, and it included background, key components of the proposed Project, and potential Environmental effects of the proposed Project. The comment period for the scoping process was from August 31, 2017 to October 30, 2017. During this review period, the City requested comments on the scope and content of the environmental information to be included in the Draft EIR.

Approximately 3,850 notices were sent by direct mail and/or email to community residents, stakeholders, and local agencies about the availability of the NOP and the opportunity to attend a public meeting to learn more about the proposed Project and provide comments on the NOP. A notice was placed in the LA Times, through the Empower LA newsletter to City neighborhood councils, and in coordination with Animal Services neighborhood council liaisons. Three public scoping meetings were held at the following dates and locations to obtain public input: Thursday, September 28, 2017, 5:30pm – 7:30pm, at East Valley Shelter, Tuesday, October 17, 2017 11:00 am – 1:00 pm, at South LA, Chesterfield Square Shelter, and Monday, October 23, 2017 5:30 pm– 7:30 pm, Ramona Hall Community Center. More than 500 comments were received during the scoping process. These comments are summarized in Table 1-1 of the Draft EIR. All comments were considered by the City during preparation of the EIR.

Additional consultation processes: On March 6, 2019 the City's EIR team held a workshop with TNR practitioners and TNR-related organizations to better understand existing TNR activities within the City and receive feedback on potential program implementation guidelines. On July 18, 2019 the City's EIR team briefed officials from the LA County Department of Public Health regarding the proposed Project and preliminary findings of the Draft EIR and listened to their concerns related to protecting public health.

Draft EIR: The analysis in Draft EIR looked at the potential impacts from the proposed Project on biological resources, public health/human health hazards, and water resources in the City. All impacts were found to be less than significant. A screening chapter in the Draft EIR addressed the other CEQA environmental resource areas. The Draft EIR considered twelve alternatives compared to the proposed Project. To inform the impact analysis, the City's EIR team conducted a systematic and comprehensive scientific literature review. Information from the literature review was used to inform a spatial distribution analysis of free-roaming cats within the study area by land cover type, and a population dynamics model was used to estimate the existing and future population of free-roaming cats with and without the proposed Project.

The Draft EIR was published on August 29, 2019 with a 60-day review and comment period that ended on October 28, 2019. LAAS distributed a press released and noticed on social media channels. The Notice of Availability was sent by certified mail to approximately 500 stakeholders,

Report to the Board of Animal Services Commissioners
SUBJECT: CITYWIDE CAT PROGRAM AND ENVIRONMENTAL IMPACT REPORT (EIR)

along with notification by email to approximately 3300 people. The Draft EIR was made available at six shelter locations throughout the City for public review, along with downtown LA locations at the LA Central Library and the Bureau of Engineering's Public Works Building. The Draft EIR was also available for download from the City's website at <https://eng.lacity.org/citywide-cat-program-e1907610>.

A public meeting was held on Monday, October 7, 2019 from 6:00 pm – 7:30 pm at Ramona Hall Community Center. Approximately 150 people attended the public meeting and there were 30 public speakers. There were a total of 450 comment letters, forms, and public meeting verbal comments submitted on the Draft EIR. Most comment letters included several separate or individual comments within them. Each of these comments have been annotated and responded to individually. There were approximately 1000 annotated comments received on the Draft EIR. Copies of all of the comments received and responses from the City are included in the Final EIR.

On October 10, 2020, the City's EIR team met with officials from the California Department of Fish and Wildlife to brief them on the proposed Project, the methodologies used for the impact analysis, and findings of the Draft EIR. The EIR team listened to their concerns related to the population dynamics modeling approach and the inclusion of additional sensitive biological resources in the study area. These concerns were summarized in a comment letter and have been responded to in the Final EIR.

Final EIR: The Final EIR includes a copy of the final proposed Project description, the comments received on the Draft EIR and responses from the City, and technical updates and modifications to the Draft EIR based on the comments received. The Final EIR found that the proposed Project would result in less than significant impacts. The Final EIR considered alternatives to the proposed Project, as required under CEQA. However, since the proposed Project resulted in less than significant impacts, none of the alternatives would avoid a significant impact as required under CEQA, and the proposed Project best met the project objectives. The CEQA analysis and findings are set forth in further detail in the attached Final EIR and CEQA Findings.

Based on the comments received, the following changes occurred between the Draft and the Final EIR: the population dynamics model was updated, revising the estimated existing baseline free-roaming cat population in the City from 226, 970 cats to 341,661 cats. Under the proposed Project, at the end of 30 years, the projected free-roaming cat population is anticipated to be reduced by approximately 47, 719 fewer cats. The Final EIR clarifies that the current nuisance cat protocol as described in Section 2.2 of the Draft EIR would remain unchanged under the proposed Project, aside from the opportunity to enroll nuisance cats in the City's proposed Working Cat Program, as space allows. The program implementation guidelines were revised to highlight best practices when conducting TNR under the proposed Project. Relocation of cats trapped in an ESA or within 1-mile of an ESA is no longer recommended. A public education and outreach project element was added to raise public awareness of the existing impacts of the free-roaming cat population on wildlife, habitat and public health. All of the changes made to the Draft EIR are included in Chapter 3 of the Final EIR.

FISCAL IMPACT:

The fiscal impact will be directly related to the available funding in the General Fund and raised by private fundraising for spay/neuter for community/free-roaming cats. The Department will seek funding to spay/neuter for free-roaming cats at a level shown to reduce the overall free-roaming cat population, which as analyzed in the Final EIR would be an estimated 20,000 vouchers and accompanying sterilization surgeries annually for free-roaming cats. Additionally, funds would be requested to provide microchips and medical treatments to free-roaming cats at the time of

Report to the Board of Animal Services Commissioners
SUBJECT: CITYWIDE CAT PROGRAM AND ENVIRONMENTAL IMPACT REPORT (EIR)

sterilization, such as vaccinations, deworming, and flea treatment. To support the creation of the City's Working Cat Program and Public Education and Outreach Campaign, funds from the General Fund and private fundraising efforts will also be requested.

Approved:

Brenda F. Barnette

Brenda F. Barnette, General Manager

BOARD ACTION:

<input checked="" type="checkbox"/>	Passed	Disapproved	<input type="checkbox"/>
<input type="checkbox"/>	Passed with noted modifications	Continued	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	New Date	<input type="checkbox"/>

Citywide Cat Program
California Environmental Quality Act (CEQA) Findings

I. INTRODUCTION

The Final Environmental Impact Report (EIR) prepared under CEQA, consisting of the Draft EIR; the Final EIR including comments, responses to comments, and modifications to the Draft EIR; and any other information in the record of proceedings, is intended to serve as an informational document for public agency decisionmakers and the general public regarding the City of Los Angeles' (City) Citywide Cat Program (proposed Project), as fully described in Section 1.2 of the Final EIR and Section II.B below.

Section 21081 of the California Public Resources Code and Section 15091 of State CEQA Guidelines (Title 14, California Code of Regulations) require a public agency prior to approving a project to identify significant impacts of the project and make one or more written findings for each such impact. The findings reported in the following pages summarize the discussions and conclusions regarding the significant or potentially significant environmental impacts of the proposed Project, as presented in the Final EIR for the proposed Project. This CEQA Findings document is divided into five major sections as follows:

This **Section I INTRODUCTION** provides background information regarding the purpose of this document, the custodian of records, and in general the findings that are required to be made by the City as lead agency under CEQA.

Section II PROJECT DESCRIPTION describes the City's project objectives and the proposed Project in detail.

Section III FINDINGS REGARDING ENVIRONMENTAL EFFECTS presents the impacts associated with the proposed Project.

Section IV ALTERNATIVES CONSIDERED describes alternatives developed and considered for the proposed Project, even though none of the alternatives would avoid or substantially lessen a significant impact of the proposed Project because there were no significant impacts identified.

Section V OTHER CEQA CONSIDERATIONS describes additional issues raised during the responses to comments and the preparation of the Final EIR.

A. CUSTODIAN OF RECORDS

The documents and other materials that constitute the agency's record of proceedings or administrative record on which these CEQA Findings are based are located at the Office of the City Clerk, 200 North Spring Street, 3rd Floor, Los Angeles, CA; the Board of Animal Services Commission, 221 N. Figueroa Street, 6th Floor, Los Angeles CA; the Bureau of Engineering, 1149 S. Broadway, 7th Floor, Los Angeles CA; and any other relevant City department. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

B. FINDINGS REQUIRED TO BE MADE BY THE LEAD AGENCY UNDER CEQA

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require a public agency, prior to approving a project, to identify significant impacts and make one or more of three possible findings for each of the significant impacts.

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (CEQA Guidelines Section 15091(a)(1).)
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines Section 15091(a)(2).)
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or project alternatives identified in the final EIR. (CEQA Guidelines Section 15091(a)(3).)

The findings provided in this document are based upon substantial evidence in the entire record before the City. The references set forth in these findings to certain pages or sections of the environmental documents for the proposed Project are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings. These findings do not attempt to describe the full analysis of each environmental impact contained in the Final EIR, its appendices, and additional documents in the case files for the proposed Project. Instead, a full explanation of these environmental findings and conclusions can be found in the Final EIR and those documents, and these findings hereby incorporate by reference and adopt the discussion and analysis in the Final EIR, its appendices, and additional documents in the case files for the proposed Project supporting the determination regarding the proposed Project's impacts. In making these findings, the determinations and conclusions of the Final EIR relating to environmental impacts are hereby ratified, adopted, and incorporated in these findings, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings. In the event these findings inadvertently omit or inaccurately reflect facts stated in the Final EIR due to a clerical error, such statements are nevertheless hereby adopted and incorporated in the findings below by reference, and the language set forth in the Final EIR shall control.

II. PROJECT DESCRIPTION

A. PROJECT OBJECTIVES

As provided in Section 2.4 of the Draft EIR, the objectives of the proposed Project include (not in order of priority):

- Facilitate spaying and neutering of cats in the City,

- Reduce the relative number of free-roaming cats in the City over time,
- Facilitate more public and community education on animal-related topics, including free-roaming cats,
- Train animal services center staff members on cat management programs and engage in collaborative efforts with local rescue groups to help respond to and address free-roaming cat issues,
- Further implement the City’s no-kill policy by reducing the rate of euthanasia of cats in City animal services centers, and
- Adopt TNR [Trap, Neuter, Return] as the preferred policy to humanely address free-roaming cats.

B. PROPOSED PROJECT

Consistent with the direction of the City Council and the Board of Animal Services Commission (Council File 17-0413), Section 2.5 of the Draft EIR set forth the proposed Project to be analyzed. After consideration of the comments, the proposed Project has been modified in the Final EIR to clarify project elements and, in some cases, further minimize already-analyzed, less than significant project impacts. A redlined version of the modifications from the original Section 2.5 of the Draft EIR is provided in Section 3.2.2 of the Final EIR. The final proposed Project is set forth in full in Section 1.2 of the Final EIR and also provided below:

The proposed Project¹ analyzed in the EIR would be implemented citywide (see Figure 2-1 in the DEIR) and is guided by actions by the Board and the Los Angeles City Council (see Appendix D). To assist in the implementation of the City’s no-kill policy and reduce the relative population of free-roaming cats in the City, the Department of Animal Services (Department; Los Angeles Animal Services [LAAS]) proposes to:

- a. Directly engage in spaying or neutering, or make the spaying or neutering of cats more affordable by allowing the City to provide funds by means of free or discounted spay or neuter coupons or other City, public, or grant funds to subsidize the spaying and neutering of any cat in the City of Los Angeles to prevent them from having litters of kittens, regardless of the cat’s status as either owned pet, stray, or feral. This includes spay and neuter of free-roaming cats that may be returned by their caretakers or a rescue

¹ As set forth more fully in this FEIR, including the modifications discussed in Chapter 3 of this FEIR and in the responses to comments in this FEIR, the proposed Project has been modified based on the comments received to clarify project elements and, in some cases, further minimize already-analyzed, less-than-significant project impacts. Because the project revisions do not result in a new significant impact, a substantial increase in the severity of an impact requiring mitigation measures, or a considerably different feasible alternative and mitigation measure, and would not otherwise meet the recirculation requirements under CEQA Guidelines Section 15088.5, recirculation of the EIR was not necessary. The proposed Project, as revised, is summarized in this Section 1.5.

organization to where they were found, relocated to a working cat program (WCP),² or adopted.

- b. As part of changing the LAAC (Section 5.199), broaden the permitted use of Animal Sterilization Fund monies from “pet sterilization” (current language) to “animal sterilization.” Currently, Section 5.199 of the LAAC limits the use of funds for sterilization of “pets.” The proposed amendment would allow use of funds to sterilize pet, stray, or feral cats. The proposed Project would allow the LAAC’s Animal Sterilization Fund to also be used to spay or neuter free-roaming cats in the City. However, no monies intended to spay or neuter pet cats in the City would be reduced.
- c. Implement a modified TNR program that includes the following elements:
 - i. Declaring that TNR is the preferred method of dealing with the free-roaming cat population and the City’s official policy.
 - ii. Collaborating with organizations experienced and engaged in TNR and using animal services centers to provide information and training to citizens who wish to participate in TNR.
 - iii. Implementing outreach by including links to TNR organizations on the LAAS website and directly referring the public to organizations for information on TNR.
 - iv. Implementing a policy regarding free-roaming cat complaints that involves informing the complainant about the benefits of TNR and referring them to TNR organizations. LAAS will encourage that cats not be brought into local animal services centers, except if the cat is injured or sick, the cat has bitten someone, the cat’s welfare is in jeopardy, there is a public health hazard, or the potential exists for harm to people or companion animals.³
 - v. Using incentives, vouchers, and waived cat trap rental fees to encourage the capture, sterilization, and release of free-roaming cats.
- d. Release free-roaming cats that have been spayed and neutered from animal services centers’ custody to TNR groups that may have the intent of returning the animal to free-roaming status, unless cat is a nuisance cat (see nuisance cat protocol). In order to encourage more adoptions and meet the City’s no-kill goals, the currently permitted number of cats per household would be changed from three cats to five. This would involve an amendment to the LAMC regarding the definition of “cat kennel” to exclude any location where five or fewer cats are kept (the current limit is three cats). Currently, LAMC Section 53.50 requires a permit from the City to “conduct or operate within the City of Los Angeles any dog kennel, cat kennel, zoo, animal rental establishment, animal grooming

² The placement of cats in warehouses and barns with rodents is commonly referred to as a “working cat program,” with many being indoor cats only.

³ Current nuisance cat protocol as described in Section 2.2 of the Draft EIR will remain unchanged by the modified TNR Program described here, aside from the opportunity to enroll the cat in the City of Los Angeles WCP, as space allows.

parlor, riding academy, livery stable, boarding stable, pony ring or pony ride, horse market, mule market, circus, rodeo, etc.” Any household with more than three cats would be subject to the following restrictions (this action would require an amendment to the LAMC):

- All the cats must be kept indoors at all times,
 - All the cats must be microchipped and sterilized, and
 - The household must be registered with the Department as having more than three cats.
- e. Publish and implement program guidelines that highlight best practices when conducting TNR under the proposed Project.
- f. Create a public education and outreach campaign that would focus on growing public awareness of the existing impacts of the free-roaming cat population on wildlife, habitat, and public health.
- g. Create a City of Los Angeles WCP to facilitate the relocation of free-roaming cats from the streets and into indoor/enclosed sites. The City’s WCP would prioritize admission of cats found in or near ESAs, in unsafe locations, or when it is undesirable to return a free-roaming cat to its found location (nuisance cats, including cats found near water bodies impaired for bacteria and/or nutrients).

Modified TNR Program Implementation

LAAS currently does not perform targeted spay and neuter services on free-roaming cats. Any stray cats that are past their holding period and altered by LAAS must be friendly and able to be handled; otherwise they are not fixed. LAAS does not sterilize feral cats.

Upon implementation of the modified TNR Program, LAAS will release a Task Order Solicitation to an existing list of pre-qualified spay and neuter veterinarians for those willing and able to participate in the spay/neuter program for free-roaming cats. Upon selection of service providers, LAAS will issue a notice to proceed with funding authorization for at least 20,000 free-roaming cat sterilizations and related medical treatments (based on availability of additional funding) annually. LAAS currently has a voucher program in place for owned cats, which will be adjusted to include the free-roaming cat spay/neuter program. Each voucher will cover the costs associated with spaying or neutering a free-roaming cat. The City Council has assigned the value of \$70 to the free vouchers, reimbursable to the City’s veterinary partners for spaying and neutering shelter cats per surgery (C.F. 16-0114). If additional City funding is available, the rabies and feline viral rhinotracheitis, calicivirus, and panleukopenia virus (FVRCP) vaccine should be administered, along with flea treatment, at the time of sterilization. If City funds are not available to cover these additional services, participants in the modified TNR Program will be encouraged to cover these services.

Individuals and organizations wishing to participate in the LAAS free-roaming cat spay/neuter program must register with LAAS as an authorized participant. This will entail signing an agreement stating that each cat the participant submits for a free spay/neuter voucher had been trapped and released within the City of Los Angeles limits. A unique identifier will be provided to each cat submitted under the program to receive a spay/neuter voucher. This unique identifier will be alphanumeric and begin with the letters FR, which will serve as an abbreviation for the term free-roaming. The newly implemented unique identifier specific to this program will allow for fiscal and data analysis, which will enable LAAS to monitor and track data specific to the free-roaming cat spay/neuter program. Each free-roaming cat should be sterilized and ear-tipped. Microchipping, vaccinations, deworming, and flea treatment are also recommended if funding is available.

The City understands that working with free-roaming cats requires special expertise, and while individuals are encouraged to participate, responders to the Task Order Solicitation on behalf of organizations will be asked to demonstrate their expertise by sharing their experience in participating in TNR work and facilitating the sterilization of free-roaming cats. These organizations will be asked to document the number of free-roaming cats in the City that they have sterilized annually through TNR efforts in the past. If selected, these organizations will be asked to commit through an affidavit to sustain this level of effort to help ensure that the City vouchers would be additive to free-roaming cat sterilizations occurring within the City.

Program Implementation Guidelines

This section presents the guidelines developed for implementation of the Citywide Cat Program. As set forth in the analysis of environmental impacts, no significant environmental impacts were identified in the analysis of the proposed Project. The program implementation guidelines are intended to highlight best practices when conducting TNR under the proposed Project. LAAS will distribute a copy of these guidelines to those who receive vouchers under the proposed Project, publish them on its website, and include a map of ESAs mentioned herein to educate the public and facilitate implementation of these best practices. Note that as these guidelines are part of the proposed Project, they are not mitigation measures as defined under CEQA.

Recipients who receive vouchers from the City for free-roaming cat medical and spay and neuter services will be expected to commit to the guidelines by signing an affidavit declaring their intent.

Free-Roaming Cat Trap/Neuter/Return Guidelines

The City shall create partnerships with third parties who offer free-roaming cat trapping trainings so people can learn how to trap responsibly.

Traps should be monitored at all times and partially covered once occupied.

The City recommends release generally where cats are found, or as close as possible.

If a free-roaming cat is trapped in an ESA, it is recommended that the cat be enrolled in a WCP, based on availability, or adopted through a rescue group if possible. If these options are not available, the cat should be returned to the ESA.

If trapping in or near an ESA, avoid undisturbed areas and vegetation; traps should be placed on paved or developed areas.

Maps of ESAs in the City shall be provided for reference in the City shelters and on the LAAS website for downloading and printing.

Where feasible, to avoid potential interactions/conflict with vulnerable populations (children, the elderly, and those with compromised immune systems), trapping should not occur in proximity of individuals from such populations.

Trapping locations should be kept clean so that no traces of food, refuse, or fecal matter are left behind after trapping events. Contaminated surfaces should be disinfected as needed to help maintain cleanliness and contain the potential spread of disease. Use gloves when handling traps. Wash hands and clean equipment afterwards.

Free-roaming cats should be sterilized and ear tipped. Microchipping is recommended if funding is available. Free-roaming cats that will be placed in a WCP will be microchipped.

At the time of sterilization, the rabies and FVRCP vaccine should be administered, along with flea treatment and deworming.

Public Education and Outreach

To help grow public awareness of the existing impacts of the free-roaming cat population, LAAS would initiate a broader public education and outreach campaign. This would include messaging about the biodiversity of Los Angeles, the City's biological resources and sensitive habitat areas, and how wildlife and habitat is affected by the existing free-roaming cat population. LAAS will look for opportunities to collaborate and partner with public agencies and non-profit organizations, including wildlife and cat advocacy groups, to raise public awareness about these issues. The campaign would also identify tools and approaches that the public can use to help control the impacts from pet overpopulation, specifically free-roaming cats, on public health and wildlife by ensuring, for example, that pets are sterilized, provide on-going flea treatments, and prevent fecal accumulation.

The public education program, intended to help address the existing impacts of the free-roaming cat population, may include guidelines regarding the responsible feeding of free-roaming cats related to existing feeding activities. There is an existing condition of feeding of free-roaming cats. The City is trying to balance the humane treatment of animals with addressing the existing impacts of pet overpopulation. Public messaging would encourage existing feeders to fix those cats, encourage them to participate in the CCP and emphasize no new feeding. Additional targeted messaging to existing feeders would be "please follow best practices regarding cleanliness, feeding times, etc to manage existing impacts of free-roaming cats related to public health and wildlife." LAAS would tell the general public that feeding is not encouraged and to

“please don't start feeding if you don't already” and explain the potential impacts to wildlife from these practices.

Noticing efforts about the Citywide Cat Program, including code updates, TNR program, related guidelines, WCP, and the public education campaign could occur in a variety of ways, including through press releases, posting on the LAAS website, posters at City shelters, fliers, mailers, radio advertisements, and social media posts and ads. The information shared will be multilingual as needed. Opportunities for partnering with organizations and institutions to amplify these messages will also be explored.

Community engagement can occur through community meetings hosted by local City shelters and prior to mobile clinics. City shelter volunteers will learn about the Citywide Cat Program and program guidelines through shelter orientations and the volunteer onboarding process.

Proposed City of Los Angeles Working Cat Program

Existing Efforts

Currently, several non-profits within the City of Los Angeles (e.g., Best Friends, Kitty Bungalow, Paw Mission, and others) work to facilitate the placement of free-roaming cats that are not good candidates for traditional adoptions into “working cat” situations where they serve as rodent and pest deterrents. Such arrangements aim to help to reduce the rate of euthanasia in homeless cats in Los Angeles. These efforts would benefit from additional support (e.g., funding, dedicated staff, advertising) to help create additional opportunities to relocate free-roaming cats. The City of Los Angeles proposes a WCP to facilitate the relocation of free-roaming cats from the streets and into indoor/enclosed sites. The City’s WCP would prioritize admission of cats found in or near ESAs, in unsafe locations, or when it is undesirable to return a free-roaming cat to its found location (nuisance cats, including cats found near water bodies impaired for bacteria and/or nutrients).

Working Cat Opportunity Sites

Potential working cat opportunity sites within the City that could host working cats include residential backyards with enclosed structures (including “catios”), barns, stables, warehouses, factories, industrial parks, churches, wineries, breweries, and City facilities, such as police stations, libraries, and fire stations.

Criteria for Appropriate Locations

Ideal locations for working cats would be:

Sites that are not within known ESAs;

Enclosed spaces that do not include routine interactions with vulnerable populations, such as children, the elderly, or those with compromised immune systems; and

Sites where a caregiver is available to provide daily food and water and refresh a litter box.

Adoption Process

Placements through the City's WCP would be treated as no-fee adoptions. Free-roaming cats placed through the program would be sterilized, ear-tipped, microchipped, vaccinated for rabies and FVRCP, treated for fleas, dewormed, and placed in pairs.

Adopters would complete an adoption agreement to host the cats within an enclosed space and provide daily food and water and future medical treatment as needed, including regular treatments for fleas and parasites. Food would be provided in compliance with responsible feeding guidelines and at an indoor location to minimize attraction of wildlife. A litter box must also be provided. Adopters would be trained regarding the rehoming process and commit to spending the suggested time helping the cats become familiar with their new home.

Program Placement Targets

Once the program is established (within the first 3 years of implementation of the Project), the City would initially target placing approximately 75 cats per year, utilizing support from non-profits, volunteers, and social media advertising (Facebook, NextDoor, etc.). The City would aim to increase the capacity for working cat placements through the program over time.

III. FINDINGS REGARDING ENVIRONMENTAL EFFECTS

A. THE PROPOSED PROJECT WILL ONLY RESULT IN LESS THAN SIGNIFICANT IMPACTS

CEQA only requires that public agencies make findings related to significant impacts identified in an EIR for a project. (Public Resources Code Section 21081(a), CEQA Guidelines Section 15091.) CEQA's aim is to identify, mitigate, and avoid impacts that are significant and to reduce impacts to less than significant levels. (Public Resources Code Sections 21002, 21002.1; *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 528.) No mitigation measures are required for impacts that are less than significant. (CEQA Guidelines Section 15126.4(a)(3).) Thus, CEQA does not require findings on the feasibility of mitigation measures and project alternatives for impacts that are considered less than significant since CEQA does not require changes and alterations for such impacts.

As more fully described in the Final EIR and based on the evidence in the whole record of this proceeding, the City hereby finds that less than significant impacts will result from approving or carrying out the proposed Project. Although no further findings are legally mandated by CEQA in this instance, the City nonetheless desires to provide the fullest possible disclosure regarding the proposed Project's impacts, and thus an explanation of the proposed Project's less than significant impacts is presented in the following sections.

B. IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AND THUS DO NOT REQUIRE MITIGATION BASED ON SCREENING ANALYSIS IN THE EIR

The City performed a screening analysis in Chapter 3 of the Draft EIR and determined, based on negative responses to the screening questions in that chapter, that further analysis of impacts in each of those resource areas, including cumulative impacts, was not required because they were less than significant and would not require mitigation.

As more fully described in the Final EIR and based on the evidence in the whole record of this proceeding, the City hereby finds that implementation of the proposed Project would result in less than significant impacts in the following areas and that these impact areas therefore do not require mitigation:

- Aesthetics and Visual Resources
- Air Quality
- Cultural Resources
- Energy
- Geology and Soils
- Land Use
- Noise
- Population and Housing
- Public Services
- Transportation
- Public Utilities
- Greenhouse Gas Emissions
- Tribal Cultural Resources
- Wildfire

C. IMPACTS FURTHER ANALYZED IN THE EIR AND FOUND TO BE LESS THAN SIGNIFICANT AND THUS NOT REQUIRING MITIGATION

As updated in Section 3.2.4.1 of the Final EIR, the EIR found that the total number of free-roaming cats would be expected to decrease under the proposed Project over the 30-year period leading up to the project horizon year of 2049, as compared to future baseline without project conditions. When compared to existing conditions (at the time of the preparation of the Notice of Preparation, issued August 2017), the projected free-roaming cat population would include approximately 46,719 fewer cats at the end of the 30-year horizon period for the proposed Project, an approximate 13.6% decrease in total free-roaming cat population abundance in the entire study area, under the proposed Project at the end of the 30-year horizon period.

Based on this modeling, in addition to the screened analyses in Chapter 3, as discussed in the above-noted section, additional analyses were presented in Chapter 4 of the Draft EIR related to (1) Biological Resources, (2) Human Health Hazards, and (3) Water Resources due to the screening analysis showing a potential for the proposed Project to cause significant impacts in these areas. The additional analysis in Chapter 4 concluded that the proposed Project only would result in less than significant impacts, without any required mitigation, for these resource areas.

As more fully described in the Final EIR and based on the evidence in the whole record of this proceeding, the City hereby finds that implementation of the proposed Project would result in less than significant impacts in the following areas and that these impact areas therefore do not require mitigation:

1. Biological Resources

- BIO-1: Would the proposed Project result in the loss of individuals, or the reduction of existing habitat, of a state- or federally listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat?
- BIO-2: Would the proposed Project result in the loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community?
- BIO-3: Would the proposed Project result in interference with wildlife movement/migration corridors that may diminish the chances for long-term survival of a sensitive species?
- BIO-4: Would the proposed Project result in alteration of an existing wetland habitat?
- BIO-5: Would the proposed Project result in interference with habitat such that normal species behaviors are disturbed (e.g., from the introduction of noise, light) to a degree that may diminish the chances for long-term survival of a sensitive species?

Considering, among other things: (1) the projected net decrease in the free-roaming cat population, (2) decreased free-roaming cat reproduction, (3) anticipated net reduction in cat feeding and care activities (as a result of the declining citywide free-roaming cat population over time), and (4) relatively lower magnitude of indirect effects related to TNR impacts on wildlife and habitats due to the progressively decreasing free-roaming cat population in the City, the proposed Project would not result in impacts to biological resources, including additional direct and indirect impacts that may cause losses of individuals of special-status species, reductions in existing habitat or habitat use, interference with wildlife movement, migration, or connectivity within the study area, alteration of existing wetland habitat, or interference with habitat such that normal species behavior is disturbed to a degree that may diminish the chances for long-term survival of a sensitive species within the study area, relative to baseline conditions and the future baseline without Project scenario; therefore, impacts would be less than significant under CEQA.

2. Human Health Hazards

- HAZ-1. Would the project increase the probable frequency and severity of consequences to people from exposure to the health hazard?

Considering, among other things, the projected net decrease in the free-roaming cat population and the anticipated net reduction in cat care over the 30-year timeframe as a result of the declining free-roaming cat population citywide, the proposed Project would not result in impacts to human health hazards, including an increase in the probable frequency and severity of consequences to people from exposure to health hazards relative to baseline conditions and the future baseline without project. Increased TNR activities would occur under the proposed Project, thereby resulting in a nominal increase in the frequency and severity of exposure to zoonotic diseases associated with free-roaming cats by TNR practitioners and veterinary staff. Impacts would be less than significant under CEQA.

3. Water Resources

- HyWQ-1. Would the proposed Project result in discharges that could create pollution, contamination, or a nuisance, or cause regulatory standards to be violated for the receiving water body?

Considering, among other things: (1) the projected net decrease in the free-roaming cat population, (2) decreased free-roaming cat reproduction, (3) anticipated net reduction in free-roaming cat feeding and care activities (as a result of the declining citywide free-roaming cat population), and (4) relatively lower magnitude of indirect effects related to TNR impacts on receiving water bodies due to the progressively decreasing free-roaming cat population in the City, the proposed Project would not result in impacts to water resources, including discharges that could create pollution, contamination, or a nuisance, or cause regulatory standards to be violated for the receiving water body within the study area, relative to baseline conditions and the future baseline without Project; therefore, impacts would be less than significant under CEQA.

D. CUMULATIVE IMPACTS WILL BE LESS THAN SIGNIFICANT AND DO NOT REQUIRE MITIGATION

The City hereby finds that the proposed Project would not make a cumulatively considerable contribution to impacts related to the environmental resource areas screened from having further analysis in the EIR, as shown in Chapter 3 of the Draft EIR, because the proposed Project will not result in less than significant impacts in those areas based on the screening thresholds, as discussed in the Final EIR.

The City also hereby finds that the proposed Project would not make a cumulatively considerable contribution to impacts related to biological resources, water resources, and human health hazards analyzed in the Final EIR in the context of the past, present, and foreseeable related actions.

1. Cumulative Biological Impacts

The City hereby finds that the proposed Project would not make a cumulatively considerable contribution to impacts on sensitive biological resources because, among other things, the proposed Project impacts have been identified as less than significant due to the estimated reduction in the free-roaming cat population over time and the proposed Project would be consistent with the related plans and programs. Therefore, impacts on biological resources from the proposed Project are considered not to be cumulatively considerable. Furthermore, the related plans and programs contain goals, policies, and measures that are designed to protect, conserve, and enhance sensitive biological resources, when combined with the proposed Project, which would decrease the impacts of free-roaming cats on biological resources. Therefore, there would be a beneficial contribution to cumulative effects on sensitive biological resources.

2. Cumulative Water Impacts

The City hereby finds that the proposed Project would not make a cumulatively considerable contribution to impacts on water resources because proposed Project impacts have been identified as less than significant due to the estimated reduction in the free-roaming cat population over time; the proposed Project would be consistent with the related plans and programs; and existing regulations would further protect water quality. Therefore, impacts on water resources from the proposed Project are not considered cumulatively considerable. Also, the related plans and programs contain goals, policies, and measures that are designed to protect, conserve, and enhance water resources, when combined with the proposed Project, which would decrease the effects of free-roaming cats on water resources. Therefore, there would be a beneficial contribution to cumulative effects on water resources.

3. Cumulative Human Health Hazard Impacts

The City hereby finds that the proposed Project would not make a cumulatively considerable contribution to impacts on human health because proposed Project impacts have been identified as less than significant due to the estimated reduction in the free-roaming cat population over time; and the proposed Project would be consistent with the related plans and programs. Therefore, impacts related to human health hazards from the proposed Project are considered not to be cumulatively considerable.

E. MITIGATION MEASURES

As more fully described in the Final EIR and based on the evidence in the whole record of this proceeding, the City hereby finds that mitigation measures and a Mitigation Monitoring or Reporting Program are not necessary, and neither are they proposed for adoption, since no significant impacts from the proposed Project were identified in the EIR. (CEQA Guidelines Section 15091(a)(3).)

IV. ALTERNATIVES

This Section describes the reasons and analysis for rejecting the alternatives to the proposed Project. CEQA requires that an EIR evaluate a reasonable range of alternatives to the proposed

project or the project location that substantially reduce or avoid significant impacts of the proposed project. CEQA requires that every EIR also evaluate a “No Project” alternative. Alternatives provide the decisionmakers with a basis for comparing the proposed Project in terms of significant impacts and the ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing significant environmental consequences of the proposed Project.

When the EIR identifies significant environmental effects of a project, CEQA requires that the public agencies make findings explaining how the alternatives and the environmentally superior alternative identified in the EIR are infeasible. (Public Resources Code Section 21081; CEQA Guidelines Section 15091(a)(3); *The Flanders Foundation v. City of Carmel-by-the-Sea* (2012) 202 Cal.App.4th 603, 620.) Where the impacts will be less than significant, there is no need to resort to considering the feasibility of environmentally superior project alternative identified in the EIR. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 402.) “Findings are required only for environmental impacts; they are not required for policy decisions.” (*No Slo Transit v. City of Long Beach* (1987) 197 Cal.App.3d 241, 257.) Therefore, no findings are required for deciding to approve one project alternative over another, where no significant impacts will result.

Here, the EIR identified, and the City found, no significant impacts would occur from the proposed Project. (See, supra, Section III and less than significant impacts identified.) The City hereby finds that none of the alternatives would substantially reduce or avoid significant impacts of the proposed Project since no significant impacts would occur from the proposed Project, and therefore no alternatives are necessary to substantially reduce or avoid significant impacts. The City hereby finds that the alternatives in the EIR are properly rejected on that basis.

Although no further findings are required under CEQA as to the infeasibility of alternatives in this instance, a general summary of the alternatives identified, considered, and rejected is provided in this section to provide the fullest disclosure possible.

A. Alternatives Considered and Analyzed, and the Reasons for Rejection

1. No Project Alternative

Under the No Project Alternative, the City would not be able to facilitate or otherwise engage in TNR or provide discounted or free vouchers for TNR. There would be no increased sterilization of the feral subpopulation of free-roaming cats, and euthanasia of un-adopted free-roaming cats in shelters would continue.

Biological Resources: Direct impacts on biological resources would continue and be greater than the proposed Project due to the estimated modeled net increase in the free-roaming cat population. Cats affect the survival, reproductive success, and habitat use of a variety of special-status species and sensitive biological resources. TNR activities would continue at current levels lower than the proposed Project, and cat care and maintenance activities would be greater, with greater related impacts. Indirect TNR impacts (including inadvertent trapping/feeding wild animals, disease spread, and disturbance) would be similar or greater, with the vast majority

occurring in developed areas, and sensitive biological resources infrequently posing conservation concerns.

Water Resources: Impacts on water resources would continue and be greater than the proposed Project due to the increased free-roaming cat population from feces nutrient and bacterial loading of lakes, streams, and coastal waters, with potential to contaminate surface waters with *T. gondii* oocysts and cause waterborne toxoplasmosis outbreaks. Water quality indirect TNR impacts would be similar to or greater. Impacts from TNR activities could be slightly lower due to 20,000 fewer annual trapping events. But, a larger free-roaming cat population and associated greater magnitude of cat-related care and maintenance activities could cause greater impacts to water quality.

Human Health Hazards: The larger free-roaming cat population could increase the frequency and severity of exposure to human health hazards from zoonotic diseases than the proposed Project. Diseases may be transmitted to humans through various mechanisms. Reduced trapping events result in a decrease in impacts to TNR practitioners and veterinary staff; however, increased cat care and maintenance from the larger free-roaming cat population results in an increase in impacts.

The No Project Alternative would not achieve any of the proposed Project's objectives since it would not facilitate spaying and neutering of cats, would not reduce the number of free-roaming cats, and would not further the City's no-kill policy. Also, the City would not adopt TNR as the preferred policy, conduct public outreach, education, and training, or collaborate with TNR organizations.

The City hereby finds that the No Project Alternative is rejected because it would not lessen any significant impacts because there are none from the proposed Project, and is expected to result in greater impacts from a resulting greater free-roaming cat population compared to the proposed Project. The City hereby finds that the No Project Alternative is rejected because it fails to meet all of the proposed Project objectives.

2. Alternative 1: Use of resources for approximately 20,000 spay/neuter vouchers for free/low-cost sterilization of owned cats instead of unowned cats.

Under Alternative 1, over the 30-year horizon period, the free-roaming cat population would be larger than under the proposed Project. Trapping events citywide would increase, as well as the magnitude of cat care and maintenance activities.

Biological Resources: The larger free-roaming cat population compared to the proposed Project would result in greater impacts on biological resources. Direct impacts occur via predation, thereby affecting species survival and reproduction, or causing death of special-status species. Indirect impacts include non-consumptive effects, degraded water quality, and disease transmission. Biological resources that are most at risk or susceptible likely include species that inhabit, roost, nest, forage, or frequent areas in or near (1) smaller blocks of habitat; (2) fragmented habitat; (3) habitat, open space, and wildlife corridors adjacent to developed lands;

(4) open space with high total edge habitat (habitat bordering developed lands or urban-wildlife interface); (5) areas more likely to overlap with high cat density areas; and (6) ESAs near high cat density areas (such as residential and developed areas). Free-roaming cat abundance and density would be expected to increase in such locations because the spatial distribution of free-roaming cats would not be expected to change and there would be a net increase in the free-roaming cat population across the City; therefore, free-roaming cat impacts within and near such areas are expected to increase. Under Alternative 1, a slightly smaller free-roaming cat population would result in similar or slightly less direct biological resources impacts compared to existing and future baseline conditions. The aforementioned potential direct impacts from domestic cats on biological resources would continue and would be similar to or slightly smaller in magnitude than the baseline conditions and future without Project. Impacts would be less than significant.

Water Resources: The larger free-roaming cat population compared to the proposed Project would result in greater direct water resources impacts from freeroaming cats. Direct water quality impacts from feces-related nutrient and bacterial loading of lakes, streams, and coastal waters would increase and the potential for waterborne toxoplasmosis outbreaks. There would be an increase in spay and neuter surgeries of owned cats with minimal impacts on daily wastewater flow and little or no effect on existing wastewater treatment facilities. Surface water flows would not change. A slightly smaller free-roaming cat population compared to existing and future baselines without the proposed Project would result in similar or slightly less water resources impacts. Impacts would be less than significant.

Human Health Hazards: The increase in population of free-roaming cats compared to the proposed Project could increase the potential risk of exposure to zoonotic diseases associated with free-roaming cats. The larger population under Alternative 1 could result in an incremental increase in the frequency and severity of exposure to human health hazards resulting from zoonotic diseases transmitted directly or indirectly by freeroaming cats. With a slightly smaller population of free-roaming cats under Alternative 1 compared to baseline conditions and the future baseline without Project, the abovementioned impacts would remain similar or may decrease slightly. Thus, under Alternative 1 there would not be an increase in the probable frequency and severity of consequences to people from exposure to health hazards relative to baseline conditions and the future baseline without Project; it would remain similar to or could be less but would not be greater than baseline conditions and the future baseline without Project. Impacts would be less than significant.

Alternative 1 would meet the proposed Project's key objectives #1 and #3, facilitating the spaying and neutering of cats and reducing the number of free-roaming cats. However, this alternative would not meet key objective #5, which involves implementing the City's no-kill policy by reducing euthanasia in LAAS animal services centers.

The City hereby finds that Alternative 1 is rejected because it would not lessen any significant impacts because there are none from the proposed Project, and is expected to result in greater impacts from a resulting greater free-roaming cat population compared to the proposed Project.

The City also hereby finds that Alternative 1 is rejected because it fails to meet key and non-key Project objectives, as discussed above.

3. Alternative 6: Facilitate free trapping/certified trapping and streamlined permitting to surrender stray/feral cats to shelter without return to the environment/direct removal

A range of non-return/direct removal of cats to the environment was modeled (5,000 cats, 10,000 cats, 15,000 cats, and 20,000 cats) to demonstrate the impact on the free-roaming cat population under the Alternative 6. Non-return/direct removal of freeroaming cats reduces the free-roaming cat population over time, with larger numbers of annual trapping events and subsequent non-returns/direct removals from the environment resulting in larger population declines than smaller efforts. With 20,000 free-roaming cat trapping and removal events (compared to 20,000 spay/neuter surgeries under the proposed Project), Alternative 6 would result in fewer cats when compared to the future baseline without Project.

Compared to the proposed Project, the free-roaming cat population would decrease and be distributed similarly to baseline conditions and the future baseline without Project. Trapping events would increase and would be similar to the proposed Project. The magnitude of cat care and maintenance activities would decrease. The free-roaming cat population steadily declines; however, starting approximately at year 19, the free-roaming cat population starts to increase and continues the upward trend through the end of the 30-year horizon period, since as the modeled free-roaming cat population declines, competition declines, subsequently fecundity increases, and immigration continues, all of which eventually offset the population declines, resulting in an eventual population rebound. At some point in the future, the free-roaming cat population would approach or return to carrying capacity, and likely exceed the proposed Project free-roaming cat population, which consistently declines after the project implementation phase of 5 years through the 30-year horizon period.

Biological Resources: The smaller free-roaming cat population would result in reduced impacts on biological resources from free-roaming cats. Impacts within and near the sensitive areas would be expected to decrease compared to the proposed Project, directly and indirectly related to affecting the survival, reproductive success, and habitat use of a variety of special-status species. Impacts from domestic cats on biological resources would continue but would be smaller in magnitude than the proposed Project. Free-roaming cat abundance and density would decrease in sensitive locations because the spatial distribution of free-roaming cats would not be expected to change and there would be a net decrease in the free-roaming cat population across the City. Therefore, free-roaming cat impacts within and near such areas are expected to decrease compared to the proposed Project over the 30-year horizon period. Compared to baseline conditions and the future baseline without Project, fewer direct biological resources impacts would occur and direct impacts from domestic cats on biological resources would continue and would be of smaller magnitude. Impacts would be less than significant.

Water Resources: The smaller free-roaming cat population compared to the proposed Project would result in reduced direct water resources impacts from free-roaming cat feces, nutrient and

bacterial loading of waters, and the potential for waterborne toxoplasmosis outbreaks. Spay and neuter surgeries would increase but the daily wastewater flow from surgeries would be minimal, with little or no effect on existing wastewater treatment facilities. Surface water flows are not anticipated to change runoff volumes or pollutants. Compared to baseline conditions and the future baseline without Project, the smaller free-roaming cat population would result in reduced water resources impacts. Impacts would be less than significant.

Alternative 6 would meet the proposed Project's key objectives #1 and #2, facilitate spaying and neutering of cats in the City and would reduce the relative number of free-roaming cats in the City compared to the future baseline without Project. However, this alternative would not meet key objective #5 regarding implementing the City's no-kill policy by reducing euthanasia in LAAS animal services centers. Although not a key objective, it would also not support objective #6 regarding adopting TNR as the preferred policy to humanely address free-roaming cats. The City also finds that, as described in Response to Comments UWG-59 in Section 2.4.3 of the Final EIR, implementation of Alternative 6 would require considerably more resources than the proposed Project.

The City hereby finds that Alternative 6 is rejected because it would not lessen any significant impacts because there are none from the proposed Project. The City hereby finds that Alternative 6 is rejected because it fails to meet key and non-key Project objectives, as noted above. The City hereby finds that Alternative 6 is rejected because it would require considerably more costs and resources than the proposed Project, including the logistical and operational constraints of competing demands on limited agency resources to implement such an alternative.

C. Alternatives Rejected Prior to Further Analysis

In addition the above noted analysis of alternatives that met two or more of key Project objectives #1, #2, and #5, the Draft EIR evaluated ten additional alternatives to the proposed Project at the scoping phase that did not meet that same benchmark, as described in Section 5.3 of the Draft EIR. The City hereby finds that the other alternatives considered in the EIR at Section 5.3 are rejected because they would not meet most of the basic project objectives.

D. Environmentally Superior Alternative

As detailed in Sections 4.2, 4.3, and 4.4 of the Draft EIR, the proposed Project would not have any significant impacts on the environment related to biological resources, water resources, and human health hazards, and the remaining environmental issues were screened out in Chapter 3 as clearly having less than significant or no adverse impacts. Therefore, the City analyzed the alternatives to the proposed Project in the context of increased or decreased the free-roaming cat population impacts compared to the proposed Project's less than significant impacts.

Alternative 6 would result in relatively fewer free-roaming cats than the proposed Project, which results in reduced impacts to biological resources, water resources, and human health hazards compared to the proposed Project. Thus, it would be considered the environmentally superior alternative. Alternative 6 would meet the proposed Project's key objectives #1 and #2, facilitating spaying and neutering cats and reducing the relative number of free-roaming cats.

However, the City rejected this alternative because it would not meet key objective #5 to further implement the City's no-kill policy by reducing euthanasia in LAAS animal services centers, and although not a key objective; it would also not support project objective #6 regarding adopting TNR as the preferred policy to humanely address free-roaming cats; and it would require considerably more costs and resources than the proposed Project.

Because no significant impacts were identified for the proposed Project, findings are not required for rejecting the alternatives, including the environmentally superior alternative.

Notwithstanding, the City hereby finds that none of the alternatives, including Alternative 6 as both an analyzed alternative and the environmentally superior alternative, would lessen any significant impacts because there are none from the proposed Project. Where the impacts will be less than significant, there is no need to resort to considering the feasibility of environmentally superior project alternative identified in the EIR. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 402.) The City also hereby finds that Alternative 6 is rejected because it fails to meet key and non-key Project objectives, as noted above. The City also finds that, as described in Response to Comments UWG-59 in Section 2.4.3 of the Final EIR, implementation of Alternative 6 would require considerably more costs and resources than the proposed Project, including the logistical and operational constraints of competing demands on limited agency resources to implement such an alternative.

V. OTHER CEQA CONSIDERATIONS

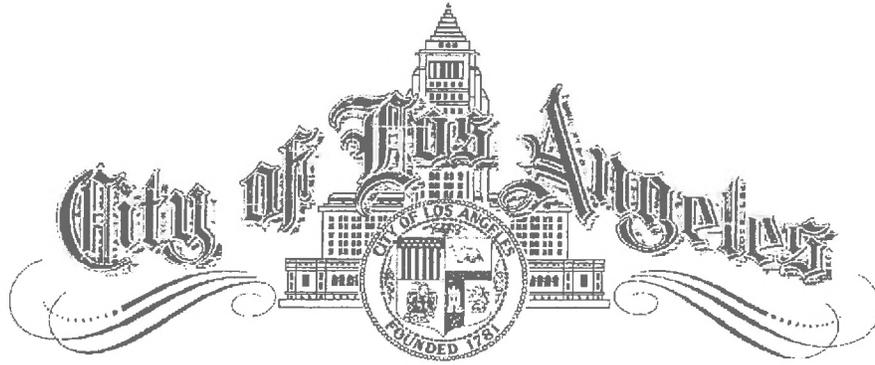
- A. The City is the Lead Agency under CEQA for the project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the information in the EIR for the proposed Project prior to approving the proposed Project, that the Draft EIR which was circulated for public review, reflected its independent judgment, and that the Final EIR reflects the independent judgment and analysis of the City.
- B. The EIR evaluated in detail the following potential project and cumulative environmental impacts: Biological Resources, Human Health Hazards, and Water Resources; and further evaluated in a screening analysis the other required environmental impact areas under CEQA. No significant environmental impacts of the proposed Project were identified in the EIR, and as a result no alternative would substantially reduce or avoid significant impacts of the proposed Project.
- C. The City finds that the EIR provides objective information to assist the decisionmakers and the public at large in their consideration of the environmental consequences of the proposed Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.
- D. Textual refinements and errata were compiled and presented to the decisionmakers for review and consideration. City staff made every effort to

notify the decisionmakers and the interested public/agencies of each textual change in the various documents associated with project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated in order to describe refinements suggested as part of the public participation process.

- E. The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of key environmental issues raised. The Final EIR provides adequate, good-faith and reasoned response to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.
- F. These findings recognize that the determination of significance thresholds and conclusions of significance and non-significance are judgments within the discretion of the City; the significance thresholds and determinations of significance and non-significance used in the Final EIR are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and City staff; and the significance thresholds used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the proposed Project.
- G. The City finds that, in weighing the evidence on the whole record, the conclusions of the Final EIR are supported by substantial evidence, including evidence from the expert opinion of the Final EIR preparers and City staff, and the level of detail is sufficient to provide an informed understanding of the issues presented, and that comment letters disputing the expert opinion, data, analysis, and conclusions of the Final EIR preparers and City staff are not credible based on evidence presented in the Final EIR and the whole record, including but not limited to the fact that any contrary opinions presented were not supported based on expert literature review and modeling conducted in the Final EIR on the specific facts and circumstances of the proposed Project. Notwithstanding the lack of credibility of the comments, the City finds that disagreements on issues in question have been adequately and in good faith discussed, and substantial evidence in the whole record supports the Final EIR's reasonably explained approach regarding the scope of analysis, methodology, and accuracy of data relied upon.
- H. The Final EIR documents changes to the Draft EIR. The Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no

new significant impacts, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings or other criteria under CEQA that would require recirculation of the Draft EIR, or preparation of a supplemental or subsequent EIR. Recirculation is not required where new information added makes insignificant modifications in an adequate EIR. (CEQA Guidelines Section 15088.5 (b).) As more fully described in the Final EIR and based on the evidence in the whole record of this proceeding, the City finds that substantial evidence supports the decision not to recirculate the EIR. (CEQA Guidelines Section 15088.5(e).)

1. The changes to the project description do not deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the proposed Project or a feasible way of mitigating or avoiding such effects, because no such significant impacts have been identified from either the circulated draft project description or the final modification in the project description.
 2. The Responses To Comments contained in the Final EIR fully considered and responded to comments claiming that the proposed Project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the proposed Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
 3. The City has thoroughly reviewed the public comments received regarding the proposed Project and the Final EIR as it relates to the proposed Project to determine whether under the requirements of CEQA any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.
 4. None of the information submitted after publication of the Final EIR constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
- I. The City finds and declares that substantial evidence for each and every finding made herein that is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
 - J. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the proposed Project.



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 20-0313
NOV 02 2020

REPORT RE:

DRAFT ORDINANCE AMENDING SECTION 53.00 OF THE LOS ANGELES MUNICIPAL CODE AND ADDING A NEW SECTION 53.06.1 TO RAISE THE LIMIT OF CATS THAT A PERSON MAY KEEP OR MAINTAIN FROM THREE TO FIVE AND IMPOSING CONDITIONS UPON A PERSON WHO KEEPS OR MAINTAINS MORE THAN THREE CATS

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 13-1513

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance adds a new Section 53.06.01 to the Los Angeles Municipal Code (LAMC) to raise the limit of cats a person may keep or maintain from three to five and requires a person with more than three cats to: (1) spay or neuter all cats; (2) keep all cats solely inside; (3) implant electronic identification devices or microchips in all cats; and (4) submit a form that provides the number of cats owned or kept, and any other information the Department of Animal Services deems relevant. The newly added Section 53.06.1 also clarifies the current maximum limit of three dogs that a person may keep or maintain. The draft ordinance also amends the definition of "Cat Kennel" in Section 53.00 of the LAMC.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Animal Services with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Steve Houchin, at (213) 978-8197. He or another member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:LR:ev
Transmittal

ORDINANCE NO. _____

An ordinance amending Section 53.00 of the Los Angeles Municipal Code and adding a new Section 53.06.1 to raise the limit of cats that a person may keep or maintain from three to five and imposing conditions upon a person who keeps or maintains more than three cats.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The definition of Cat Kennel in Section 53.00 of the Los Angeles Municipal Code is amended to read as follows:

“Cat Kennel” shall mean any premises, including any Dwelling Unit as defined in Section 12.03, or any lot, building, structure, enclosure, or premises that does not constitute a Dwelling Unit, where six (6) or more cats at least four (4) months of age are kept or maintained, with the exception of a Pet Shop.

Sec. 2. A new Section 53.06.1 is added to the Los Angeles Municipal Code to read as follows:

SEC. 53.06.1. MAXIMUM NUMBER OF DOGS AND CATS.

(a) **Dogs.** No person shall keep or maintain more than three (3) dogs over four (4) months of age at any premises, including any Dwelling Unit as defined in Section 12.03, or at any lot, building, structure, enclosure, or premises that does not constitute a Dwelling Unit.

(b) **Cats.** No person shall keep or maintain more than five (5) cats over four (4) months of age at any premises, including any Dwelling Unit as defined in Section 12.03, or at any lot, building, structure, enclosure or premises that does not constitute a Dwelling Unit. Any person who keeps or maintains more than three (3) cats at any such location shall comply with the following requirements:

1. Notwithstanding Section 53.15.2(b)(1), all cats shall be kept solely indoors;
2. All cats shall be spayed or neutered, unless exempt under Section 53.15.2(b)(2)(E);
3. All cats shall be implanted with an animal identification device, such as a microchip, identifying the owner of the cat; and
4. The location where the cats are kept or maintained shall be registered with the Department of Animal Services using a Department approved form that specifies the name of the cat owner, the address of the location, the

number of cats at the location, and any other information the Department deems necessary.

(c) **Exceptions.** The restrictions in this section shall not apply to any premises operating as a Pet Shop, Dog Kennel, or Cat Kennel pursuant to a valid permit issued by the Department.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
STEVE R. HOUCHIN
Deputy City Attorney

Date 11/2/2020

File No. 13-1513

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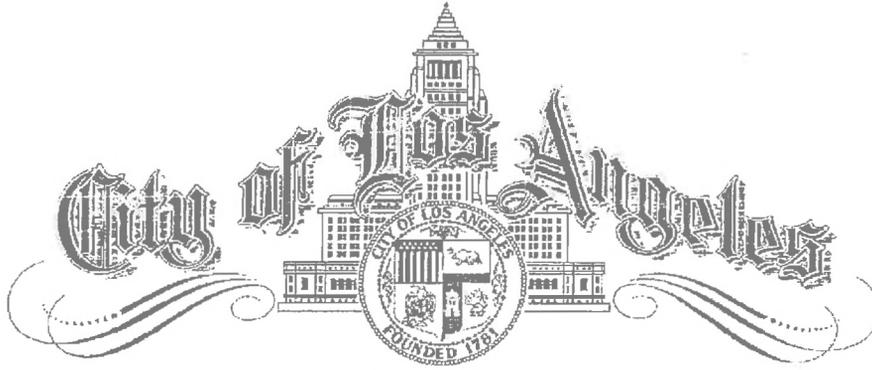
The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 20-0312
NOV 02 2020

REPORT RE:

**DRAFT ORDINANCE AMENDING SECTION 5.199 OF THE LOS ANGELES
ADMINISTRATIVE CODE TO ALLOW THE ANIMAL STERILIZATION FUND
TO BE USED FOR FERAL CAT STERILIZATION**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 13-1513-S1

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends Section 5.199 of the Los Angeles Administration Code to allow the Animal Sterilization Fund to be used for the sterilization of a feral cat.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Animal Services with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Assistant City Attorney Laurie Rittenberg at (213) 978-8147. She or another member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:LR:ev
Transmittal

ORDINANCE NO. _____

An ordinance amending Section 5.199 of the Los Angeles Administrative Code to allow the Animal Sterilization Fund to be used for feral cat sterilization.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection 5.199(b) of the Los Angeles Administrative Code is amended to read as follows:

(b) Subject to any special terms or conditions of individual gifts, contributions, or bequests to the Fund, the Fund shall be used to provide animal sterilization services to residents of the City of Los Angeles who meet applicable program eligibility requirements, as established by the General Manager of the Department of Animal Services (hereinafter referred to in this Section as the "Department") and approved by the City Council; and for dogs, cats, and rabbits adopted from City animal shelters by other persons.

Sec. 2. Subsection 5.199(c) of the Los Angeles Administrative Code is amended to read as follows:

(c) Any gift, contribution, or bequest accepted by the City Council or the General Manager of the Department for the purpose of providing animal sterilization services shall be placed in the Fund.

Sec. 3. Subsection 5.199(g) of the Los Angeles Administrative Code is amended to read as follows:

(g) Within 30 days after the end of each calendar quarter, there shall be transferred to the Fund from the General Fund an amount equal to \$2.00 for each paid dog license for an unaltered dog and an amount equal to \$7.00 for each paid dog license for an altered dog issued during that calendar quarter. Any additional allocations for animal sterilization services shall be transferred from the General Fund to the Fund.

Sec. 4. Subsection 5.199(j) of the Los Angeles Administrative Code is amended to read as follows:

(j) The Fund shall be administered and expenditures shall be authorized by the General Manager of the Department in accordance with established City practices. Expenditures of funds shall be made for the purpose of providing animal sterilization services and for purposes as stated in Subsection (h) of this section.

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
LAURIE RITTENBERG
Assistant City Attorney

Date 11-2-2020

File No. 13-1513-S1

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\LAAC 5.199 - Animal Sterilization Ordinance.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____