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Superior Court Orders City of Los Angeles To Stop Controversial Feral Cat Program Pending Environmental Review

Conservation groups win suit to force city to conduct required environmental review of feral cat program

Six conservation groups won a lawsuit on Friday against the City of Los Angeles and its Department of Animal Services to stop the practice of encouraging feral cat colonies until the legally required environmental impact reviews are performed.

The Los Angeles Superior Court found that the City of Los Angeles had been “secretly and unofficially” promoting “Trap-Neuter-Return,” a controversial program to allow feral cats to run free, even while the Department of Animal Services promised to conduct an environmental review of the program. The Court ordered the City to stop implementing TNR.

The plaintiffs, The Urban Wildlands Group, Endangered Habitats League, Los Angeles Audubon Society, Palos Verdes/South Bay Audubon Society, Santa Monica Bay Audubon Society, and the American Bird Conservancy, sued the City in June 2008 to ensure that the controversial program to sanction and maintain feral cat colonies was not implemented before a full and public environmental analysis.

The groups decided legal action was necessary after their investigation revealed that the City had been unofficially implementing a so-called “Trap-Neuter-Return” program and the City repeatedly declined their request to stop implementing the program until environmental review was performed.

Although the City insisted that no such program existed, the Court concurred with the

conservation groups and concluded in its Friday ruling that, “implementation of the program is pervasive, albeit ‘informal and unspoken.’”

“Our goal was to see that the City follows the California Environmental Quality Act by thoroughly assessing the program’s impacts on the environment and considering alternatives and mitigation measures before making specific programmatic decisions,” said Babak Naficy, attorney for plaintiffs.

“Feral cats have a range of impacts to wildlife, human health, and water quality in our cities. The impacts of institutionalizing the maintenance of feral cat colonies through TNR should be discussed in an open, public process before any such program is implemented,” Naficy said.

In June 2005, the Los Angeles Board of Animal Services Commissioners adopted TNR as the “preferred method of dealing with feral cat populations as its official policy.” Thereafter, the Board directed the General Manager to prepare an analysis of the program under the California Environmental Quality Act (CEQA).

This analysis was never completed but the Department implemented major portions of the program anyway.

The Department issued coupons for free or discounted spay/neuter procedures for feral cats being returned to neighborhoods and open spaces, including parks and wildlife areas. It also began refusing to accept trapped feral cats or to issue permits to residents to trap feral cats.

The Department assisted outside organizations that performed TNR by donating public space, advertising their services, and referring the public to their TNR programs. The Department even encouraged and assisted in establishing new feral cat colonies at City-owned properties.

The Superior Court recognized these actions as illegal implementation of the TNR program that could have an impact on the environment and enjoined the City from further pursuing the program until it complied with CEQA.

Dr. Travis Longcore, Science Director of The Urban Wildlands Group, said, “Feral cats are documented predators of native wildlife. We support spaying and neutering all cats in Los Angeles, which is the law, but do not support release of this non-native predator into our open spaces and neighborhoods where they kill birds and other wildlife.”

Even when fed by humans, cats instinctively hunt prey, including birds, lizards and small mammals. Colonies of feral cats, often thriving with the aid of handouts from humans, harm native wildlife and contaminate water bodies with fecal bacteria.

Longcore continued, “TNR is promoted as a way to reduce feral cat populations but scientific research shows that 70–90% of cats must be sterilized for cat populations to decline. This is virtually impossible to achieve in practice, but population reduction can be achieved with only 50% removal.”

The City must now stop its TNR program and any further proposal to implement such a program

must undergo objective scientific review as part of the CEQA process. This will ensure that the public has adequate opportunity to comment and that significant impacts on parks, wildlife, water quality, and human health are avoided.

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For further information about Trap-Neuter-Return see:

Longcore, T., C. Rich, and L. M. Sullivan. 2009. Critical assessment of claims regarding management of feral cats by trap–neuter–return. *Conservation Biology* 23(4):887–894.

http://www.ca.audubon.org/chapter_assets/Longcoreetal2009ConBio.pdf

Williams, T. 2009. Felines fatales. *Audubon Magazine*. Sept-Oct, pp. 30–38.

<http://audubonmagazine.org/incite/incite0909.html>

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The Urban Wildlands Group is dedicated to the conservation of species, habitats, and ecological processes in urban and urbanizing areas.