

Lemos, June

From: Linda Jo Stern <lindajostern@gmail.com>
Sent: Saturday, July 24, 2021 5:51 PM
To: Lemos, June
Subject: CHAPTER 7.18 FEEDING OF WILDLIFE

Good afternoon, June. As a resident of Fort Bragg, and a frequent user of the local trails and parks, I would like to urge the City Council to vote for the ordinance that will add Chapter 7.18 prohibiting feeding of wildlife. Specifically, feeding of the ravens contributes to the raven population which is then a detriment to the eggs and chicks of many shore birds and songbirds. Feeding of the ground squirrels is not healthy for them and creates an unhealthy relationship between the squirrels who can forage and thrive on their own (without peanuts and cheetos) and the people feeding them who could potentially be scratched or bitten by the squirrels. There is a reason why wildlife is called such - they live in the wild, not in the laps or arms of humans.

If possible, could this new chapter include a requirement for additional signage that would be strongly worded, visually attractive and bilingual in English and Spanish.

Thank you for your consideration.

Linda Jo

Linda Jo Stern, MPH
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Lemos, June

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Monday, July 26, 2021 3:23 PM
To: Lemos, June; Munoz, Cristal
Cc: Gurewitz, Heather; O'Neal, Chantell
Subject: Public Comment -- 7/26/21 CC mtg., Item No. 8A

City Council,

In reviewing the staff report for the proposed ordinance, I was taken aback by how obviously deficient the consistency analysis section is. First, this (or any other) section of the staff report fails to include any actual analysis of the proposed ordinance's consistency with the applicable policies of the City's General Plans. All City actions, including ordinances, are required to be evaluated for and determined to be consistent with the City's General Plans but this requires something more than mere unsupported assertions of consistency without any explanation. How is this proposed ordinance consistent with anything cited in the staff report? The staff report certainly doesn't tell us how. All it does is claim that "The proposed ordinance does not conflict with any elements of the Coastal General Plan" but it doesn't explain how or why that asserted conclusion is justified.

Moreover, the project's alleged consistency with the single policy mentioned in the staff report, Policy OS-5.1, is not explained in any way. How would this new ordinance advance that policy's objective to "Preserve native plant and animal species and their habitat"? This is not explained at all nor can the alleged basis for the ordinance's consistency even be inferred from the rest of the content of the staff report. The City Council should expect better content in staff reports, particularly actual analysis supported by facts related to the specifics of the proposal, not meaningless assertions of consistency without any explanation.

At least this ordinance acknowledges the obvious connection between wildlife food sources and their habitat even though the same staff member erroneously assumed that the definition of bird habitat is limited to nesting locations in the staff report for agenda item 7A. However, this doesn't demonstrate in any way how prohibiting feeding of birds in City property is consistent with the objective of Policy OS-5.1 to preserve native animal species and their habitat.

On a different note, the draft ordinance attempts to rely on a categorical exemption from further environmental review but completely omits any justification or supporting analysis for doing so. Yet again, we have a completely unsupported assertion that "There is no possibility that the adoption of this ordinance will have a significant impact on the environment" without even a cursory attempt to explain how this ordinance could not, in any circumstance, have a significant effect on the environment and therefore is exempt from environmental review. Consistency analysis, and a finding regarding the appropriate level of CEQA review, require substantial evidence in the record to support the required determinations but no such evidence exists for this ordinance. As such, I must object to the City Council adopting this ordinance without first demonstrating, based on substantial evidence in the record, that the ordinance is consistent with the City's general plans and that adopting the ordinance is exempt from environmental review. Changing the existing feeding practices of wildlife on city property (even if those practices were already illegal under state law) obviously has an impact on the environment because both the plants and animals that were receiving nutrients from humans will no longer have access to food or water provided by humans and on which they were likely relying. How will wildlife obtain alternative food sources once food and water supplied by humans is no longer available or at least diminished compared to existing conditions? Is there any evidence that this ordinance will have a beneficial effect on the environment sufficient enough to justify the asserted conclusion? If so, what is it and why hasn't it been presented or analyzed in the staff report and agenda materials? The City Council should direct staff to perform

this necessary analysis and bring this item back for consideration at a future meeting once there is support in the record to justify the asserted conclusions.

Regards,

--Jacob

From: [Robert Jorgensen](#)
To: [Lemos, June](#)
Subject: Comment on Agenda Item 8A 21-24 for Sept 13 Meeting
Date: Thursday, September 9, 2021 4:15:40 PM

While we all realize that Ravens can be a problem (if you do not keep your garbage can lid closed), they are also highly intelligent and do interact with humans that they view as friendly. I see this daily on my walks when one raven will swoop over me, land in the street and follow along. Yes, I do give them some treats--dog kibble--but they continue to arrive every day and are not afraid of me. Anyone who has studied or read up on these intelligent birds knows that they are choosy in trusting people and only acting as their innate nature controls. I believe this particular ordinance arose from complaints about ravens on the coastal trail and "certain" people feeding them. As for enforcement, are you planning on a bounty for individuals who turn in these miscreants, increased police patrols to find the perpetrator in the act?

So, instead of addressing that particular "complaint"(i.e. ravens doing what they naturally do) you now propose to regulate bird feeders??

So, what is the rationale behind a 5 foot high bird feeder (oh, and by the way is it measured from the top or bottom of the feeder?) and how do you propose to enforce this quite silly restriction--neighbors looking over my fence and estimating how high up the bird feeder is? Also discriminates against short people and children--if you aren't tall enough to fill the feeder at the now prescribed 5 ft height what then? Too many ways to run afield of this law.

This reads like some of the worst HOA stories. Will you also include acceptable bird feeder designs, colors, maximum number per yard, size??

Then, somehow you brought feral cats into the story without a description of what a feral cat IS. Does this mean that I can trap (according to the ordinance proposed) any cat in my yard without a collar and owners tag?

So, in summary--this is an unnecessary law and as a taxpayer I have some trouble believing that you had all the staff time spent on what I consider pretty much nonsense. You have better uses for your time as city government than this. On the other hand, if you are going to start acting like an HOA, how about getting more paint on some of the buildings?

Sincerely hoping that you have better use for your time

Robert J Jorgensen, Fort Bragg

Public Comment -- 9/13/21 CC Mtg., Item No. 8A

From: "Jacob Patterson" <jacob.patterson.esq@gmail.com>

To: "June Lemos" <Jlemos@fortbragg.com> "Cristal Munoz" <cmunoz@fortbragg.com>

September 13, 2021 2:23 PM

City Council,

Upon reading the other public comments--my comment from the earlier meeting includes a reference to another agenda item that doesn't apply tonight--I have follow up comments and a specific objection to this ordinance as currently written. First, the exceptions for bird feeders in proposed section 7.18.040 is arguably discriminatory against people with mobility needs and methods that rely on wheelchairs or scooters to get around and access things. The height limits effectively discriminate against disabled people who cannot reach a five-foot high bird feeder. Second, proposed section 7.18.030, subd. B is vague and ambiguous (i.e., it is poorly written to the point of not being enforceable, in my opinion). "B. No person shall leave or store any refuse, garbage, pet food, seed or birdseed, fruit, meat, dairy, vegetable, grain or other food in a negligent manner likely to feed wildlife." This language is problematic because it includes the term "negligent" but doesn't define what negligent would be in this context nor is there any clear direction provided to the public on what actions or conditions would violate this provision.

The idea behind this ordinance is fine but the execution of that idea is lacking, IMO. It should probably be tabled or brought back after the City Attorney's office revises the proposed language to make sure it is both clear and enforceable as written as well as looking ahead to make sure it will be enforceable as applied to particular situations. That said, I also agree with Robert Jorgensen that this is an odd and unnecessary use of CDD staff time when so many more important items are not happening. For example, the City is arguably out of compliance with legal requirements concerning a lack of progress implementing housing element programs. We also don't have a functional cannabis cultivation ordinance even though the delays meant significant additional cost to the City because of the required CEQA review.

Regards,

--Jacob