FROM: ANIMAL SERVICES:

SUBJECT: ANIMAL SERVICES: Public hearing for the adoption of Ordinance 934, Prohibiting the Harassment and Feeding of Undomesticated Burros. [Districts-2 & 5]; [$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Conduct a public hearing for the adoption of Ordinance No. 934, Prohibiting the Harassment and Feeding of Undomesticated Burros; and
2. Upon the close of the public hearing, adopt Ordinance No. 934.

ACTION: Policy

Robert P Miller, Director Animal Services 6/20/2017

MINUTES OF THE BOARD OF SUPERVISORS
C.E.O. RECOMMENDATION:  Approve.

BACKGROUND:

Summary
Animal Services provides service for the residents of Riverside County, including the management of undomesticated burro herds living in highly populated areas in the unincorporated areas and cities within the County of Riverside. The Board of Supervisors approved the initiation of a Burro Ordinance on April 11, 2017, agenda item 3.13, and the introduction of Ordinance 934 was approved on May 9, 2017, agenda item 3.7.

Burros generally inhabit the Reche Canyon and Pigeon Pass areas, but have been using roadways and railroad tracks to enter populated areas. They are enticed to move further into more urbanized neighborhoods by increased contact with humans, by way of food left on the side of the road or handed-out through vehicle windows directly to the animals. This practice has greatly reduced burros’ instinctual fear of humans and vehicles and has led to burros being found on rail lines and roadways, increasing the number of vehicle accidents through which burros and citizens are injured.

A warning of the likelihood of rail and vehicle accidents was observed on December 4, 2015. Riverside County Transportation Commission requested Animal Services' assistance in removing burros from the Perris Valley Line, a commuter rail-line running through portions of Riverside and unincorporated Riverside County. The burros were found on or very close to tracks being tested, and subsequently, placed into service.

Animal Services’ investigated the rail-line issue and discovered the majority of burros removed for their safety were no longer exhibiting normal behavior patterns. In the wild, burros eat mostly grass or native vegetation and fear people and vehicles. However, due to easy access to human food, the burros discontinued grazing, instead seeking out populated areas, roadways and people to obtain the treats provided.

The federal government recognized the issue presented by undomesticated animals entering populated areas and enacted the Wild Free Roaming Horses and Burro Act of 1971, investing the management of the animals on federal lands to the United States Department of the Interior, Bureau of Land Management. The federal act does not apply to the burro herds found in Riverside County because the land they occupy is not federally controlled.
The State of California is also vested in addressing undomesticated burro herds. The Department of Fish and Game enacted Title 14, Division 1, Section 251.1 in an effort to assist counties in managing the wild herds. The regulation expressly prohibits the harassment, including feeding, of undomesticated burros. Ordinance No. 934 was based on section 251.1, and provides additional protections to these unique animals, as permitted by Fish and Game Code section 2156.

Reducing contact between burros and the public results in several positive outcomes, including fewer accidents with injuries on rail lines and roadways and encouraging the herds to return to their natural behaviors.

**Impact on Residents and Businesses**
Ordinance No. 934 will entice the burros to return to their natural habitat by reducing human contact, thereby decreasing vehicle accidents that result from burros entering populated areas. The reduction would ease the cost for emergency services necessary when an accident occurs on a roadway.

**SUPPLEMENTAL:**

**Additional Fiscal Information**
Approval of this Ordinance will not result in a cost to the county and no budget adjustment is required.

The implementation costs are included in the FY 2016/17 budget and will be supplemented by the penalty fees recovered from violations of ordinance. Additional support will be received from non-profit organizations working with the Department of Animal Services to develop cooperative agreements that will offset the costs associated with managing the herds.

**ATTACHMENT**
Ordinance No. 934