



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Ecological Services
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003



IN REPLY REFER TO:
08EVEN00-2019-CPA-0131

August 22, 2019

Alexander Nguyen, City Manager
City of Oxnard
City Manager's Office
300 West Third Street, 4th Floor
Oxnard, California 93030

Subject: Homeless Encampments and Federally Listed Species on Ormond Beach, City of
Oxnard, Ventura County, California

Dear Mr. Nguyen:

We are writing to acknowledge and support the City of Oxnard's (City) efforts to address the homeless encampments on Ormond Beach and to express our concerns for the federally threatened and endangered birds that nest there. The mission of the U.S. Fish and Wildlife Service (Service) is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We would like to work with the City in the efforts to protect federally endangered California least terns (*Sterna antillarum browni*) and federally threatened western snowy plovers (*Charadrius nivosus nivosus*) that nest on Ormond Beach, as you move forward with homeless outreach and assistance and uphold the enforcement of City Ordinance 2906 to regulate activities at Ormond Beach.

On June 7, 2016, the City adopted Ordinance 2906 Regulating Activities on Ormond Beach, adding Article XVIII "Ormond Beach Regulations" to the Oxnard City Code (Article). In the ordinance, the City "...recognizes the importance of Ormond Beach as unique and sensitive habitat, supporting numerous plant and wildlife species and enjoyed by the public..." The ordinance describes sensitive habitats and species, citing studies and describing effects from human and domestic animal disturbance. The purpose and scope of the Article are "to protect and preserve the unique natural wildlife and other attributes of Ormond Beach for the public enjoyment of current and future generations." The Article goes on to describe prohibited activities and violations. Prohibited activities include, but are not limited to, entering or interfering with protected habitat areas, camping and related activities, and bringing or walking domestic animals on the beach. Sec. 7-302 part B states, "A violation of any section of this article and any use or condition caused, or permitted to exist, in violation of any provision of this article shall be, and hereby is declared to be, a public nuisance."

Every year, the Ventura Audubon Society works to protect and monitor the nesting areas of western snowy plovers and California least terns at Ormond Beach. Ventura Audubon Society regularly informs us of disturbance in the nesting areas by beachgoers and residents of the homeless encampments. This season, we were informed of incidences of nest destruction, removal of eggs from nests, removal of protective nest enclosures, evidence of intentional nest tampering, encampments in the nesting area, and

increases in trash and debris associated with the encampments. Additionally, theft of trail cameras, protective fencing, informational signs, and research equipment has occurred. Observations indicate that these incidences are becoming more frequent and severe, and volunteers are left to deal with potentially unsafe situations on their own. Every year, we become more concerned with the safety of the biologists and the nesting birds at Ormond Beach.

We recognize the City in its reinvigorated efforts to address the homeless issues at Ormond Beach. This summer, we joined homeless outreach representatives of the City and Oxnard Police Department, along with The Nature Conservancy, Ventura Audubon Society, and Interface social workers at Ormond Beach, as part of the City's effort to reach out to the homeless community and initiate services for assistance and relocation. During our visit, we observed City representatives and officers initiate conversations with the community, and in some cases, joined in the conversations to talk about the protected areas for federally listed birds. We are also aware that Oxnard Police Department is engaging in efforts to address homeless encampments at Ormond Beach this summer. We commend the City's initiative in reaching out to the encampment community, and support your strategies for continued solutions.

We realize there are numerous landowners, stakeholders, and jurisdictions to engage in the protection and stewardship of Ormond Beach. We also understand working toward solutions for the homeless encampment community is a large and humanitarian undertaking that will involve multiple jurisdictional efforts and resources. In our interest for protecting the federally listed species that nest at Ormond Beach and the biologists who are dedicated to their success, we ask for the City's engagement and awareness of these issues and enforcement of Ordinance 2906 while moving toward long-term assistance for the homeless.

Comments and Recommendations

- We ask the City to enforce violations of the prohibited activities stated in Ordinance 2906, in order to protect the California least tern and western snowy plover on Ormond Beach, while helping to ensure the safety of volunteers and monitors working in the area. Enforcement could help to alleviate trespassers within the fenced nesting habitat; theft of materials used for outreach, protection, and monitoring of federally listed species; dogs on the beach; and trash and debris accumulated from homeless activities.
- We understand that there may be resources to help assist municipalities with homelessness issues, and we encourage you to request assistance from the County of Ventura or other entities that can provide funding, resources, and ideas that can help improve the current homeless situation at Ormond Beach.
 - We encourage the City to continue to organize and participate in multi-agency/organization coordination efforts to discuss and implement solutions to address impacts of homelessness in the Ormond Beach area. Entities such as Naval Base Ventura County, Environmental Protection Agency, The Nature Conservancy, City of Port Hueneme, County of Ventura, California Coastal Conservancy, California Department of Fish and Wildlife, the Service, and others are all stakeholders that are affected by the homeless issues at Ormond Beach, and no single entity can solve the problem alone. We emphasize prioritizing coordination with stakeholders who share property boundaries with the City at Ormond Beach, to focus on permanent near- and long-term solutions.

- In future coordination, additional discussions could include bringing a series of case studies to the larger group to discuss solutions that other municipalities have implemented and consider whether similar strategies could be feasible for Ormond Beach. We would be happy to participate in this type of multi-agency call to action.

In conclusion, we acknowledge and support City's efforts to address the homeless encampments on Ormond Beach and their impacts to the federally threatened and endangered birds that nest there. We ask the City to consider our recommendations and request you take strides to enforce City Ordinance 2906 to meet its purpose and scope and to regulate activities at Ormond Beach. We look forward to our continued coordination on these matters. If you have any questions or concerns, please feel free to contact Lena Chang of my staff at (805) 677-3305 or lena_chang@fws.gov.

Sincerely,



Jenny Marek
Deputy Field Supervisor

cc:

Kelly Long, County of Ventura
Steven Gama, City of Port Hueneme
Mark Alvarado, City of Oxnard
Isidro Figueroa, City of Oxnard
Jeffrey Lambert, City of Oxnard
Jose Silva, Oxnard Police Department
Cynthia Hartley, Ventura Audubon Society
Chris Kroll, California Coastal Conservancy
Kat Selm, The Nature Conservancy

