

city of
Petaluma, California

ELLIS CREEK

water recycling

FACILITY

**Animal Services Advisory
Committee Meeting**
February 8, 2008

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Engineering Manager
Department of Water Resources &
Conservation



Ellis Creek Water Recycling Facility

- 6.7 mgd plant
- Online late 2009
- Environmental Features
- Endangered Species
- Permits
 - Biological Assessment
 - USFWS
- Interpretation



Tertiary treatment area of the Ellis Creek Water Recycling Facility

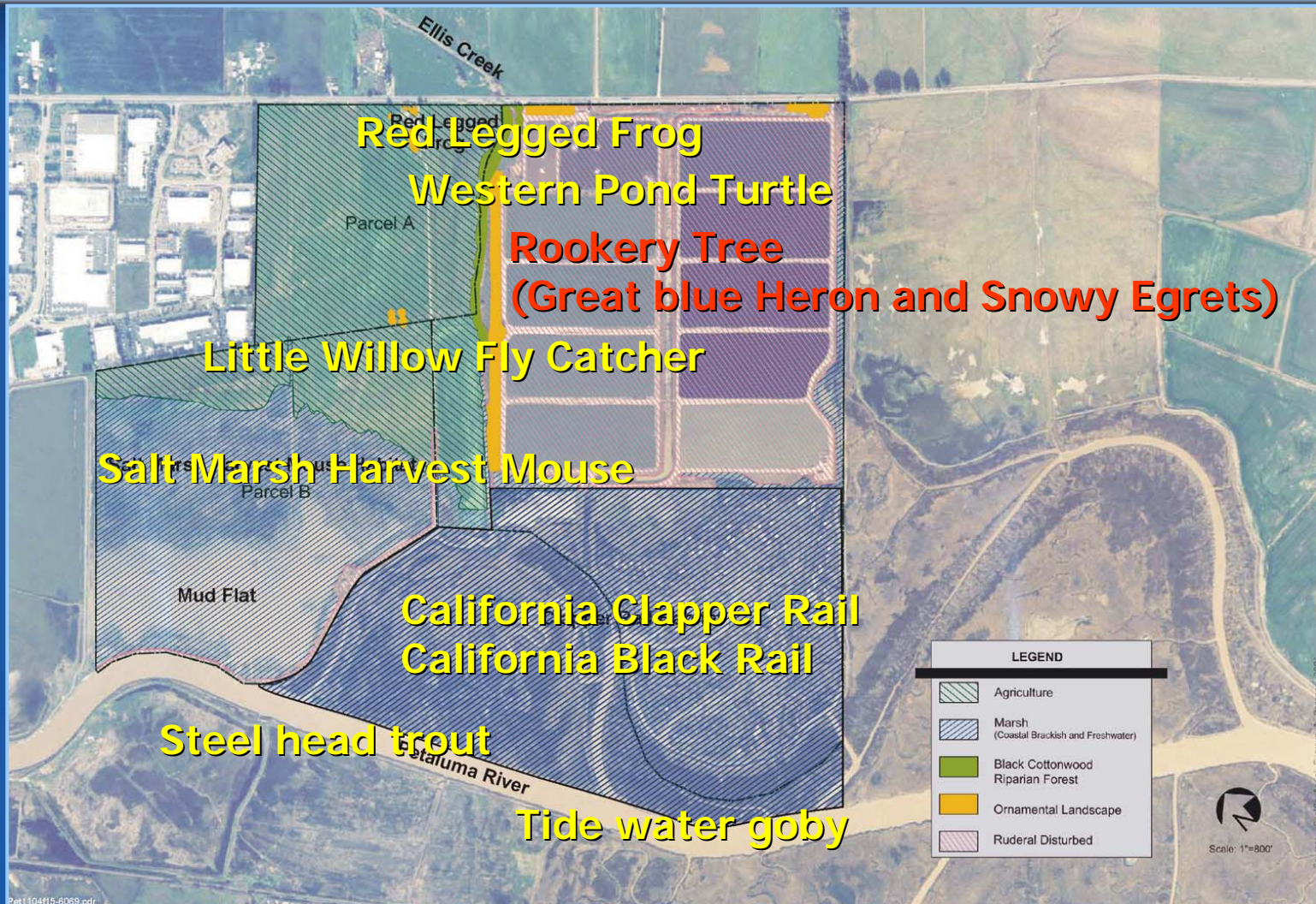
Lakeville Site



Environmental Feature: Jurisdictional Wetlands



Environmental Features: Endangered Species



Salt Marsh Harvest Mouse

- State and Federal Endangered Species
- Habitat
 - Salt and brackish water marshes SF Bay
- Reason for population reduction
 - Loss of habitat



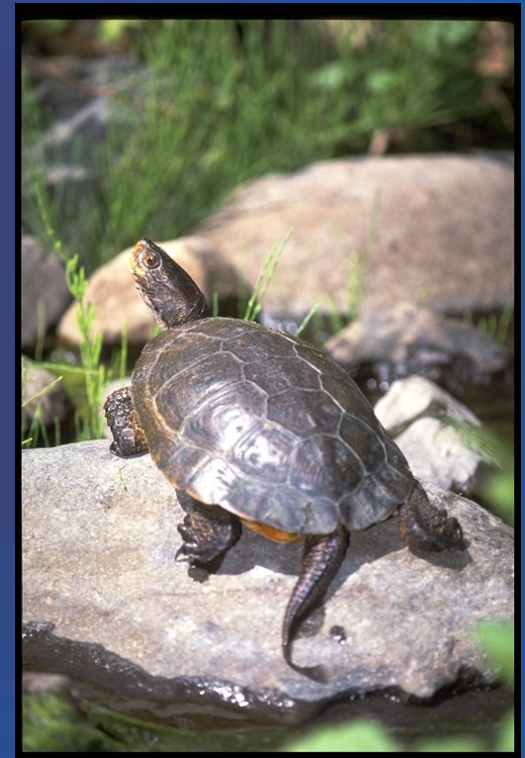
California Red-Legged Frog

- State species of concern
- Federal threatened species
- Habitat
 - Aquatic systems, riparian and upland habitats
- Reason for population reduction
 - Hunting
 - Habitat loss
 - Predation



Western Pond Turtle

- State Species of concern
- Habitat
 - Aquatic systems
- Reason for population reduction
 - Predation
 - Habitat loss



California Clapper Rail

- State endangered species
- Federal endangered species
- In danger of extinction
- Only three breeding areas left
 - Two of which are along the Petaluma River
- Habitat
 - Nests in vegetation close to the ground
 - Coastal salt and brackish marshes of Northern CA



California Black Rail

- State threatened species
- Federal species of concern
- Habitat
 - Saline, brackish, and fresh emergent wetlands in the SF Bay area
 - Pickleweed to sedges, salt grass, bulrushes, and cattails
 - Nests in upper limits of tidal flooding and dense vegetation



Little Willow Flycatcher

- State endangered species
- Federal species of concern
- Habitat
 - Foraging in riparian areas along streams
- Spring and Fall migrant in project area



Two Fish Species

- Steel Head Trout
 - State threatened species
- Tide Water Goby
 - Federal Endangered Species
 - State species of special concern
- Habitat
 - Petaluma River
 - Migration to Adobe Creek, Ellis Creek
- Reason for population reduction
 - Habitat loss
 - Degradation of habitat



Biological Assessment City of Petaluma – September 2004 (page 39)

- Invasive, non-native predators including red foxes, feral cats and dogs also prey on clapper rails and their eggs.”

Biological Assessment City of Petaluma (Chapter 6)

1. WRF Staff and docents monitor for feral cats and dogs, red foxes, and other non-native predators on the property; and for increased numbers of skunks and raccoons. If sighted, Petaluma Animal Services could be called to remove the animals.

Biological Assessment City of Petaluma (Chapter 6) continued

2. Having staff and docents monitor the business park and Shollenberger Park to ensure that shelter and food are not being provided to feral cats, and that garbage does not provide a food source
3. Placing signage in both locations to alert the public that feeding and sheltering feral cats is prohibited.

U.S. Fish & Wildlife Service (letter authorizing the project dated March 10, 2005)

- “We also have determined that the successful implementation of the City of Petaluma’s proposed mitigation and monitoring plan as identified in Chapter 6 of the City’s Biological Assessment dated September 1, 2004, for the proposed project is likely to prevent any indirect adverse affects to these species from occurring. Therefore, we concur with your determination that the proposed project is not likely to affect the harvest mouse and the clapper rail.”

Interpretation

- City is required to abide by the environmental mitigation program approved for the Ellis Creek Water Recycling Facility
- It is not an option for the City to take any City-sanctioned actions or approve any volunteer activities on any City property, including the Ellis Creek site, which would support feral cat colonies that could impact in any way the Ellis Creek plant site or the endangered species thereon and make the mitigation program approved by US Fish & Wildlife Service less effective

Interpretation (continued)

- The City Attorney will recommend against any actions which put the City at risk of failing to implement the mitigation program for the Ellis Creek Water Recycling Facility or incurring liability for violation of federal or state law or violation of the City's Municipal Code

If a feral cat feeding program is recommended...

- Animal Services will have to request and obtain an opinion from the City Attorney on the legality of doing so, in terms of
 1. Impairing the Ellis Creek mitigation program
 2. Evaluating any proposed actions in connection with violation of the Endangered Species Act in general
 3. Whether such actions would conform to City code
 4. And state law