

COMMENTS: MONTGOMERY RESERVOIR

The Service agrees that the special status plant and animal species mentioned in the Montgomery Reservoir proposal warrant additional consideration before the project proceeds. Analysis of the potential effects of the project on each of these species is appropriate. Therefore, the Service recommends thorough and adequate biological surveys be conducted to determine the effects of the project on the species mentioned in the proposal as well as on the plant and animal species discussed below.

The Service is very concerned about the effects of the proposed Montgomery Reservoir project on listed plant species. Of particular concern is the impact of the project on one of the sixteen remaining populations the federally listed endangered Hartweg's golden sunburst (*Pseudobahia bahiifolia*). The population, which is the southeastern-most population in Stanislaus County, grows just over the Merced County line within one-half mile of the proposed area of inundation. In addition, the project is in the vicinity of six listed vernal pool plants. Succulent owl's-clover (*Castilleja campestris* ssp. *succulenta*), Hoover's spurge (*Chamaesyce hooveri*), Colusa grass (*Neostapfia colusana*), and hairy Orcutt grass (*Orcuttia pilosa*) are known from north of the site in Stanislaus County. Succulent owl's-clover, Hoover's spurge, Colusa grass, San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*), hairy Orcutt grass, and Greene's tuctoria (*Tuctoria greenei*) are known from south of the site in Merced County. Hairy Orcutt grass and Greene's tuctoria are federally listed endangered, and the remaining species federally listed threatened. Because the project may impact vernal pools that have not yet been discovered within the species' ranges and that may provide valuable habitat for these listed species, the Service recommends thorough botanical surveys in all areas that will be inundated or otherwise directly or indirectly impacted by the construction of the project (see below also). Further, because northern claypan vernal pools are special status plant communities (State rank S1.1), their presence in the project area also indicates that complete botanical surveys of the project area are prudent if potential impacts to special status plant species and communities are to be identified.

The Service recommends that botanical surveys for federal species of concern be conducted well before any project construction efforts are undertaken. Federal species of concern include all listed, proposed, and candidate species as well as species of concern that have been identified in species lists that have been generated by the Sacramento Field Office. Botanical surveys need to be conducted as per Service protocols which are attached. Timing of botanical surveys is crucial to ensure that species are present and qualified botanists are able to make determinations to species (or subspecies) level.

The Service is also concerned that the proposal submitted does not fully consider the potential effects of the project on vernal pool fairy shrimp (*Branchinecta lynchi*), a federally threatened species known from the Snelling quadrangle (quad) where the project site is located as well as from adjacent quads. Similarly, the proposal neglects California tiger salamander (*Ambystoma californiense*), a federal candidate species, also known from Snelling quad and adjacent quads.

The Service notes that the California red-legged frog (*Rana aurora draytonii*) is not a proposed species but has been federally listed as threatened.

In reviewing the proposed projects that have been identified in the CALFED process, an adequate biological assessment of the impacts to any of the proposed projects needs to include an effects analysis. At a minimum, the effects analysis needs to include direct, indirect, and cumulative effects. Additionally, growth-inducing, interrelated and interdependent effects should be clearly and concisely described and analyzed in terms of what projects have been completed in the past, what other projects are proposed, and what the individual and collective effects of these projects are likely to be.

Attachment 2