



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Field Office

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February 18, 2011

Col Steven J. Roemhildt
Commander, Mobile District
U.S. Army Corps of Engineers
P.O. Box 2288
Mobile, Alabama 36628-0001

Dear Col. Roemhildt:

On November 19, 2010, the U.S. Army Corps of Engineers (Corps) and Fish and Wildlife Service (Service) reinitiated formal consultation for the Revised Interim Operating Plan (RIOP) for Jim Woodruff Dam, per section 7 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This reinitiated consultation only concerns the effects of the RIOP on the endangered fat threeridge mussel (*Amblema neislerii*) and its designated critical habitat. The 90-day consultation period expires today, and our biological opinion is due on April 1, 2011.

By letter dated January 31, 2011, we received your Annual Report for Fiscal Year 2010 summarizing compliance with the Reasonable and Prudent Measures (RPM) and terms and conditions of the June 1, 2008, Biological Opinion (BO) on the RIOP. Pursuant to RPM 2008-5c, the Annual Report included a Draft Report from [REDACTED] on the population size and depth distribution of listed mussels in the Apalachicola and lower Chipola rivers. This morning we received additional new information on fat threeridge in Swift Slough from EnviroScience, Inc., a contractor for the State of Florida. These reports will substantially improve the information base from which we formulate our opinion, but receiving them relatively late in the consultation process presents a challenge to us. Additional time is needed to review this information and prepare the biological opinion.

When an applicant is not involved in a consultation, section 7(b)(1)(A) of the Act and our regulations at 50 CFR 402.14(e) provide that the Service and the action agency may extend the period of consultation by a mutually agreeable period of time. We believe that an additional 60 days would provide us sufficient time to make proper use of the new data and information. Therefore, we request a 60-day extension of the consultation period in accordance with 50 CFR 402.14(e). The BO will be issued before June 1, 2011. We look forward to your response. If

you have any questions or comments, please contact myself or [REDACTED] at extension [REDACTED] or [REDACTED].

Sincerely,

A handwritten signature in black ink, appearing to read "Donald W. Imm". The signature is fluid and cursive, with a large loop at the end.

Dr. Donald W. Imm
Project Leader

cc:

DOI Solicitors Office, Atlanta, GA

DOJ, Washington DC

USFWS, Regional Director, Atlanta GA

USFWS, Field Supervisor, Athens, GA and Daphne, AL