



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

SEP 20 2010

Inland Environment Team
Planning and Environmental Division

Mr. Donald Imm
Field Supervisor
U.S. Fish and Wildlife Service
1601 Balboa Avenue
Panama City, Florida 32405-3721

Dear Mr. Imm:

I am writing in response to your September 14, 2010 letter, recommending that the U.S. Army Corps of Engineers (Corps), Mobile District reinstate consultation of the 2008 biological opinion (BO) of the Revised Interim Operations Plan (RIOP) for Jim Woodruff Dam, per section 7 of the Endangered Species Act (ESA). We agree that the depth distribution data recently collected by Dr. Michael Gangloff, documenting the re-colonization of endangered fat threeridge mussels at river stages greater than 5,000 cubic feet per second (cfs) constitutes new information that was not considered in the BO. Furthermore, the Corps agrees that this information could affect the conclusions of the BO and incidental take statement.

Pursuant to Section 7 of the ESA, the Corps is requesting to reinstate formal consultation on its RIOP at Jim Woodruff Dam. At this time, we are not recommending any changes to the RIOP and until formal consultation is concluded we intend to operate Jim Woodruff Dam in accordance with the provisions contained in the RIOP. As we notified you on September 14, 2010, in compliance with the RIOP provisions, we resumed the reduction in flows from Jim Woodruff to approximately 5,000 cfs.

The mussel depth distribution data collected by Dr. Gangloff has already been provided to your staff and we stand by ready to assist with additional data collection or analysis. Should you have any questions, comments, or recommendations, please contact Mr. Brian Zettle, (251) 690-2115, Email: brian.a.zettle@sam.usace.army.mil.

Sincerely,

Steven J. Roemhildt, P.E.
Colonel, Corps of Engineers
District Commander