



United States Department of the Interior

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In Reply Refer to:

AESO/SE
02-21-05-F-0409
02-21-02-F-0014
02-21-02-F-0162

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May 12, 2005

Memorandum

To: Acting Field Manager, Bureau of Land Management, Tucson Field Office, Tucson, Arizona

From: Field Supervisor

Subject: Reinitiation of Section 7 Consultation: Gila Topminnow Reestablishment in Empire Gulch

Thank you for your request for reinitiation of formal consultation with the Arizona Ecological Services Office (AESO) under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544), as amended (Act). We received your April 15, 2005, request on May 2, 2005. The purpose of this reinitiation is to evaluate effects of changes to the proposed action considered in the original biological opinion. At issue are impacts to the endangered Gila topminnow (*Poeciliopsis occidentalis*) and threatened Chiricahua leopard frog (*Rana chiricahuensis*).

Our original biological and conference opinion for the project was issued on October 19, 2001 (Gila topminnow reestablishment in Empire Gulch). The intent of the original five-year project, as identified in the original biological assessment, was to reestablish Gila topminnow and longfin dace (*Agosia chrysogaster*) in Empire Gulch. The biological opinion concluded that the proposed action was not likely to jeopardize the continued existence of either species. The biological opinion is incorporated here by reference.

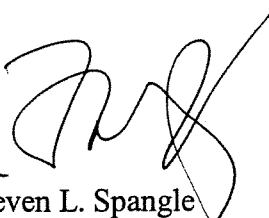
Your memorandum requested a change to the proposed action that would allow augmentation of Gila topminnow for five additional years. That was the only change you requested. The status of the species, environmental baseline, and effects to the species have not changed substantially since the original opinion. We agree that continuing the action as proposed will not change the effects for the two listed species for the following reasons:

The effects to the listed species are addressed in the biological opinions;

- all conservation actions are still in effect; and
- the proposed change should allow for a viable Gila topminnow population, which was the intent of the original action.

Therefore, the biological opinion is amended so that it expires five years from the date of this revision. No measures of incidental take, reasonable and prudent measures, or terms and conditions will be changed from the original biological opinion.

If you have questions regarding this biological opinion or the consultation process, please contact Doug Duncan (520) 670-6150 (x236) or Sherry Barrett (520) 670-6150 (x223).


For
Steven L. Spangle

cc: Regional Director, Fish and Wildlife Service, Albuquerque, NM (ARD-ES)
Assistant Field Supervisor, Fish and Wildlife, Tucson, AZ
Chief, Habitat Branch, Arizona Game and Fish Department, Phoenix, AZ

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