



United States Department of the Interior

FILE



FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

In reply refer to:
1-1-07-F-0179

MAY 16 2007



Memorandum

To: Regional Planning Officer, Mid-Pacific Regional Office, Bureau of Reclamation, Sacramento, California (Attn.: Alan Candlish)

From: ^{FOL} Acting Field Supervisor, Sacramento Fish and Wildlife Office, Sacramento, California *Chf Nagano*

Subject: Amendment to the Formal Consultation on the Contra Costa Water District Alternative Intake Project, Contra Costa County, California

This memorandum amends the April 27, 2007, biological opinion from the U.S. Fish and Wildlife Service (Service) (Service file: 1-1-07-F-0044) on the effects of the Contra Costa Water District Alternative Intake Project on the threatened delta smelt and giant garter snake (*Thamnophis gigas*). This amendment is in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

The following change is made on page 1 of the April 27, 2007, biological opinion.

Change:

This document represents the U.S. Fish and Wildlife Service's (Service) draft biological opinion on the effects of the action on the threatened delta smelt (*Hypomesus transpacificus*) and giant garter snake (*Thamnophis gigas*).

To:

This document represents the U.S. Fish and Wildlife Service's (Service) biological opinion on the effects of the action on the threatened delta smelt (*Hypomesus transpacificus*) and giant garter snake (*Thamnophis gigas*).

This concludes the reinitiation of the formal consultation on the Contra Costa Water District Alternative Intake Project. As provided in 50 CFR § 402.16, reinitiation of formal consultation



is required where discretionary Federal agency involvement or control over the action has been maintained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action.

If you have any questions regarding this amendment to the biological opinion for Contra Costa Water District Alternative Intake Project, please contact Kim Squires or Ryan Olah of my staff at (916) 414-6625.

cc:

- ✓ Samantha Salvia, Contra Costa Water District, Concord, California
- Bruce Oppenheim, NMFS, Sacramento, California
- Anna Holmes, California Department of Fish and Game, Stockton, California