

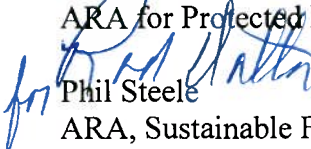


**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
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SEP 3 2008

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MEMORANDUM FOR: David Bernhart  
ARA for Protected Resources Division

FROM:   
Phil Steele  
ARA, Sustainable Fisheries Division

SUBJECT: Request for Reinitiation of Endangered Species Act (ESA) Section 7 Consultation on the Fishery Management Plan (FMP) for the Reef Fish Resources of the Gulf of Mexico.

We request reinitiation of the ESA section 7 consultation on the subject FMP.

The most recent biological opinion (opinion) for the Reef Fish FMP, completed on February 15, 2005, concluded authorization of the Gulf of Mexico reef fish fishery managed under this FMP is not likely to jeopardize the continued existence of sea turtles (loggerhead, Kemp's ridley, green, hawksbill, and leatherback) or smalltooth sawfish. An incidental take statement was issued specifying the amount and extent of anticipated take, along with reasonable and prudent measures and associated terms and conditions deemed necessary and appropriate to minimize the impact of these takes. Other listed species and designated critical habitat in the Gulf of Mexico were determined not likely to be adversely affected. Two new listed species, elkhorn (*Acropora palmata*) and staghorn (*Acropora cervicornis*) corals that occur in the Gulf of Mexico were subsequently listed as threatened. On July 17, 2006, these species were determined not likely to be adversely affected by the continued authorization of the reef fish fishery.

We have determined that at least one of the four conditions requiring reinitiation of the formal consultation specified at 50 CFR 402.16 has been met. A preliminary analysis by the Southeast Fishery Science Center of observer data collected since the last consultation indicates the overall amount and extent of incidental take specified in the incidental take statement has been exceeded for loggerhead sea turtles by the bottom longline component of the fishery. This take may also constitute new information revealing effects of the reef fish fishery not considered in the last opinion.

Please provide us with a written acknowledgement of this consultation request.

