



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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IN REPLY REFER
TO:

FWS/RIFO

May 29, 2009

Mr. David K. Pelton
Division of License Renewal
Office of Nuclear Reactor Regulation
Nuclear Regulatory Commission
Washington, D.C. 20555-0001

3/24/09
74 FR 12399
(2)

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RULES AND DIRECTIVES
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Dear Mr. Pelton:

This is in response to your letter of May 6, 2009, requesting a list of protected species within the area under evaluation for the Duane Arnold Energy Center license renewal application in Linn County, Iowa.

To facilitate compliance with Section 7(c) of the Endangered Species Act of 1973, as amended, Federal agencies are required to obtain from the U.S. Fish and Wildlife Service (Service) information concerning any species, listed or proposed to be listed, which may be present in the area of a proposed action. Therefore, we are providing the following list of threatened and endangered species that may occur in the county of the proposed actions.

<u>Classification</u>	<u>Common Name (Scientific Name)</u>	<u>Habitat</u>
Threatened	Prairie Bush Clover (<i>Lespedeza leptostachya</i>)	Dry to mesic prairies with gravelly soil.
Threatened	Western Prairie Fringed Orchid (<i>Platanthera praeclara</i>)	Wet to mesic grasslands.

In addition, there have been recent efforts by the Service and the Iowa Department of Natural Resources to restore the endangered Higgins eye pearly mussel to the Cedar River, downstream of the project area. Target release areas and future plans for Higgins eye recovery in the area can be provided upon request, and we recommend that the Nuclear Regulatory Commission evaluate existing and potential project impacts to local water resources in relation to this recovery effort.

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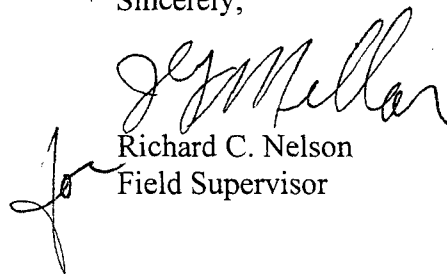
The project area is within the documented range of numerous species that are protected under the Migratory Bird Treaty act and/or have been identified by the Service as Resource Conservation Priorities (http://www.fws.gov/Midwest/EcosystemConservation/conservation_species.html). At a minimum, project evaluations should contain delineations of whether or not habitat for these species occurs within project boundaries or will be affected by project operations, particularly electrical transmission lines.

Finally, the proximity of the project area to the Cedar River provides a unique opportunity to augment local fish and wildlife resources through habitat restoration and environmentally friendly project operations. The Service would be pleased to provide information and assistance to the Nuclear Regulatory Commission and/or their representative during the relicensing process to develop ways to minimize project impacts to these resources and facilitate habitat restoration within the scope of the project.

This letter provides technical assistance and comments under the authority of and in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.); and the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

If you have any questions regarding our comments or would like to arrange a meeting, please contact Amber Andress of my staff at (309) 757-5800 x 222.

Sincerely,



Richard C. Nelson
Field Supervisor