

EI-143



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
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IN REPLY REFER  
TO: FWS/RIFO

March 23, 2005

Ms. Christa Dean  
Surface Transportation Board  
Office of Economics, Environmental Analysis,  
and Administration  
1925 K Street NW  
Suite 500  
Washington DC 20423-0001

Dear Ms. Dean:

This is in response to your February 25, 2005, letter requesting our comments on the proposed abandonment of a 15.14-mile rail line in Cerro Gordo 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 Fish and Wildlife 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 furnishing you the following list of species which may be present in the concerned area:

<u>Classification</u>	<u>Common Name (Scientific Name)</u>	<u>Habitat</u>
Threatened	Bald eagle ( <i>Haliaeetus leucocephalus</i> )	Breeding
Threatened	Prairie bush-clover ( <i>Lespedeza leptostachya</i> )	Dry to mesic prairies
Threatened	Western prairie fringed orchid ( <i>Platanthera praeclara</i> )	Wet grassland habitats

The threatened bald eagle (*Haliaeetus leucocephalus*) potentially occurs statewide including Cerro Gordo County. During the winter, this species feeds on fish in the open water areas created by dam tailwaters, the warm water effluents of power plants and municipal and

industrial discharges, or in power plant cooling ponds. The more severe the winter, the greater the ice coverage and the more concentrated the eagles become. They roost at night in groups in large trees adjacent to the river in areas that are protected from the harsh winter elements. They perch in large shoreline trees to rest or feed on fish. There is no critical habitat designated for this species. The eagle may not be harassed, harmed, or disturbed when present nor may nest trees be cleared.

The **prairie bush clover** (*Lespedeza leptostachya*) is listed as threatened and considered to potentially occur statewide in Iowa based on historical records and habitat distribution including Cerro Gordo County. It occupies dry to mesic prairies with gravelly soil. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage, or removal of this species from Federal land or any other lands in knowing violation of State law or regulation, including State criminal trespass law. This species should be searched for whenever prairie remnants are encountered.

The **western prairie fringed orchid** (*Platanthera praeclara*) is listed as threatened and considered to potentially occur statewide in Iowa based on historical records and habitat distribution including Cerro Gordo County. It occupies wet to mesic grassland habitats. There is no critical habitat designated for this species. Federal regulations prohibit any commercial activity involving this species or the destruction, malicious damage, or removal of this species from Federal land or any other lands in knowing violation of State law or regulation, including State criminal trespass law. This species should be searched for whenever wet prairie remnants are encountered.

These comments provide technical assistance only and do not constitute a report of the Secretary of the Interior on a project within the meaning of Section 2(b) of the Fish and Wildlife Coordination Act, do not fulfill the requirements under Section 7 of the Endangered Species Act, nor do they represent the review comments of the U.S. Department of the Interior on any forthcoming environmental statement.

If you have any questions regarding our comments, please contact Kristen Lundh of my staff at (309) 793-5800 ext. 215.

Sincerely,



Richard C. Nelson  
Field Supervisor