Attachment 11E(1)

Explanatory Note for Bureau of Land Management
February 1, 2010

This memorandum transmits the Bureau of Land Management's (BLM) National Environmental Policy Act (NEPA) report for projects that are funded under Section 1609 (c) of the American Recovery and Reinvestment Act of 2009 (ARRA). The BLM NEPA report documents the NEPA status for all BLM ARRA projects through December 31, 2009.

The NEPA reporting procedures and requirements have been completed for BLM ARRA projects. NEPA compliance for BLM ARRA funded projects consist of the following NEPA actions: Categorical Exclusions (CEs), Environmental Assessments (EAs), and Environmental Impact Statements (EISs).

The BLM currently has 470 NEPA actions for Recovery Act projects. BLM has completed 421 NEPA actions for Recovery Act projects. The BLM documents CEs by completing a NEPA compliance checklist for ARRA projects. NEPA documentation for many CEs reported as pending in the previous BLM ARRA NEPA report has been completed. There are currently 65 pending NEPA actions for Recovery Act projects. On the previous report, BLM had 435 pending NEPA actions.

Following the last report, we gave the BLM District and Field Offices a deadline of Thursday, December 31, 2009 to complete all NEPA documentation for ARRA projects. We were able to complete 86% of the required NEPA documentation and made significant progress towards our goal. BLM District and Field Offices will continue efforts to complete the remaining pending NEPA actions for ARRA projects.

The BLM submits the following explanations summarizing BLM's changes from the previous report.

<u>Large reduction of Pending NEPA actions</u> – Between the last reporting period and this one, BLM has reduced our number of pending NEPA actions from 435 to 65. On the last report (September 30, 2009), BLM had only completed 24% of our NEPA actions. At the end of this reporting period, BLM has completed 86% of our NEPA actions. This is an additional 62% from the last report. We estimate an additional 44 NEPA actions will be completed by the end of the next reporting period, with the remaining 21 completed in the following reporting period. Efforts are being made to move up those 21 pending NEPA actions and be closer 100% complete by the end of this next reporting period.

<u>Corrected reporting errors from last report (Total NEPA Actions)</u> – In the last report, there were some projects that were double counted (listed twice in the 2nd section). These duplicates have been removed from this report and the decrease in total NEPA actions from 576 to 470 is reflective of those corrections.

Corrected reporting errors from last report (Total NEPA Actions) – In the last report, an incorrect number of projects were shown as having all federal environmental reviews and documents completed (289). For that period, BLM listed only 141 completed NEPA actions. These errors have been corrected in this report as reflected in the total NEPA actions (405) and all federal environmental reviews and documents are completed (374) sections.

Progress towards obligating funds - For the period ending 9/30/2009, we had obligated $43,456,378. At the end of this reporting period (12/31/2009), we have obligated $91,040,717. This is an increase of $47,584,339 in a 3 month period.

Total ARRA appropriations for MLR and Construction Funds – The appropriation totals reflected in this report are only for the project categories and do not include the funds allocated towards administrative support of ARRA. The total shown for MLR on the report is $118,473,000 with the remaining $6,527,000 allocated towards administrative support. The total shown for Construction is $172,982,000 with the remaining $7,018,000 allocated towards administrative support.

Reported Obligation Amounts are not matching Recovery.gov numbers
The numbers reflected on Recovery.gov do not include interagency agreements. The BLM is utilizing other agencies on some ARRA projects to accomplish various components of these projects. The obligations that BLM has reported in this report include those agreements with other agencies.

Withdrawn Projects – On the previous report, BLM had not reported numbers for projects withdrawn. On this report we have now reported all the projects that have been withdrawn to date (22). There have been various reasons why these projects have been withdrawn in the past. Some of these reasons were: inability to get clearances accomplished (NEPA, Consultation, EPA water permits) within the ARRA timeframes, seasonal and wildlife issues/restrictions, inability to accomplish within the ARRA timeframe.

Increase in N/A's (NEPA not applicable) – After the last reporting period, BLM had an increase of 22 projects that are listing not applicable (N/A) for NEPA. There were some data errors in the previous data that incorrectly showed projects as requiring NEPA clearance. These errors have been corrected for this report.

Example(s) of ARRA Projects that benefitted from the NEPA process
BLM has two project examples where the NEPA process was beneficial.

Umpqua Basin Fish Passage Restoration project (LXHAB0930000) (row 263)
The Umpqua Basin Fish Passage project was part of a programmatic Environmental Assessment for aquatic restoration work that was completed in the fall of 2009. The process ensured that BLM followed all applicable regulations and conducted appropriate surveys for resources that could be affected by the ARRA project such as rare and endangered plants and cultural resources. Because of the NEPA process the location of one of the culverts was changed because potentially significant

cultural resources were found at the original location.

Lime Kin Salvage Road (LDRBC045000) (row 402)

With this ARRA project, approximately 5.3 miles of new road will be built in order to access and salvage blow down timber north of Lewistown, Montana. About the first mile of the road will be permanent and will give the general public motorized access to BLM land and provide future recreational opportunities. The remaining road (4.3 miles) will access both BLM and state of Montana damaged timber. After the timber sale, with the exception of the first mile, the road will be closed to motorized travel and will be rehabilitated to the extent possible. Some portions will be incorporated into the existing Limekiln Trail System. This project will be completed through contract work.

The public involvement (as part of the NEPA) process was instrumental in helping to design a road system to access the blow down timber and recognize the recreational values of the area.

The public emphasized the need for the area to be maintained as a non-motorized use area but also the need to address the blow down timber and subsequent forest health issues. Several proposals were laid out and discussed during public meetings and ultimately the decision was made to build a road to access salvage logging and then close the road to motorized use at the conclusion. Additionally, portions of the road would be rehabilitated to the extent possible while other portions would be incorporated to expand the existing recreational trails in the area.

The decisions were made and subsequently no protest/appeals were received on the project due in large part to the public involvement.