Attachment 11H(1)

Explanatory Note for the Fish and Wildlife Service Report
Period Ending March 31, 2010

Attached is the Fish and Wildlife Service's (FWS) National Environmental Policy Act (NEPA) compliance report for projects and activities funded under Section 1609 (c) of the American Recovery and Reinvestment Act (ARRA) of 2009. The Excel reporting template updates the NEPA compliance status for all FWS ARRA projects and activities identified or selected through March 31, 2010. This report updates and clarifies previous FWS submissions and reports on new projects added or completed during the current reporting period.

ARRA projects vs. NEPA actions

As of March 31, 2010 FWS has a total of 724 ARRA projects with 1066 NEPA actions. Some ARRA projects are defined broadly and therefore there can be broken down into subprojects that have independent utility and are individually analyzed under NEPA. This results in a higher number of NEPA actions per ARRA project. The row numbers on spreadsheet page 2 identifies each ARRA project. Multiple lines under an ARRA row number depict subprojects under the same project code. All sub-projects under the same ARRA project will have the same project code.

Additions

There were a total of 34 new ARRA projects. This increase in ARRA projects reflects the allocation of the final $10 million of ARRA funding to the regions in January. This funding was initially held in the Washington Office as unallocated funds, but after resolving several issues with the Department and OMB the funding was allocated to the regions. In addition, several new projects were added from the contingency list as the result of project withdrawals or awards that came in below fund targets.

A total of 24 sub-projects were added in this reporting cycle. Many of these projects fall under the FWS Partners Program and involve private landowners. As specific project sites are identified, landowner agreements are finalized and the NEPA process proceeds for each individual parcel under that project code. We are continuing to work with landowners in some regions to identify appropriate project sites.

Pending Actions

NEPA compliance has been completed for the majority of our ARRA funded projects. To date, 1, 037 (97%) of the current total of 1,066 FWS NEPA actions have been completed, while only 29 NEPA actions (3%) remain pending. We anticipate that NEPA compliance for most of these actions will be finalized by the next reporting period. Attached is a list of pending actions and the reasons they remain pending.

Withdrawn Actions

There were 15 projects cancelled or withdrawn during this reporting period. Thirteen of these projects were previously reported during the fourth report. Two ARRA projects were withdrawn that were never previously reported R1QF (row 732) and R1QH (row 733). Withdrawn projects are recorded at the bottom of the spreadsheet starting at row 726. Attached is a complete list of withdrawn projects including reasons why a project was withdrawn.

Corrections and Errors

Two projects were only partially funded with ARRA funds; however they are still being reported on page 2 of the spreadsheet since the NEPA actions were completed (R6GR row 537 and R6MA row 575).

R6UA has been deleted from the spreadsheet since this was reported in error. R6UA was a duplicate of R6TA (row 590).

A detail of the corrections to individual line items are in the table attached below.

ATTACHMENT

Summary of Second Quarter 2010 NEPA Status Updates

Number	Project/Activity Description	NEPA status	Notes
Corrections/Revisions			
354	R4KT - Energy Efficiency Rehabilitation of Maintenance Shop.	EA	Changed from CE to EA; project covered by an existing EA/CCP
336	R4JU - Replace Water Control Structure in Impoundment #16	CE	Title change from impound #2 to #16
	R4HD (row 307), RHZ (row 323), R4JL (row 330), R4JM (row 331), R4JN (row 332), R4KC (row 342), R4KD (row 343), R4KK (row 348), R4MB (row 360), R4PA (row 375), and R4PB (row 376)	CE	Previously listed as all Federal reviews completed; based on additional analysis, CWA permits will be required.
537 575	R6GR - Rehabilitate Billings Lake Main Dikes R6MA - Remediate Salinity Contamination of Hailstone Reservoir	CE	Some ARRA funded work was completed prior to withdrawal, therefore it remains on the list of ARRA funded projects
590	R6TA - Hire private contractor to remove Hartland Diversion dam	EA	Duplicate of R6UA; entry deleted
666	R8CA – Installation of Photovoltaic Systems throughout the Region	CE	Two additional CEs prepared to document project changes at Hopper Mountain NWR and Stone Lakes NWR.
688	R8GR – Replacement of Inefficient Water Heaters and HVACs Region-wide	CE	An additional CE prepared to document changes in installation of boilers at Humboldt Bay NWR.
New Withdrawals			
731	R1QF - Repair Sewage Treatment System		Projects completed with other funds
732	R1QH - Replace Generator		Significant additional project requirements were identified that were not included in the original scope or cost estimate
733	R1TB - NFPP: Upper Beaver Creek Fish Passage and Rehabilitation		Significant and unforeseen permit issues or site conditions have been identified which can not be resolved in time to meet Recovery Act requirements
736	R2GC - Repair Inlet and Outlet Water Control Structures		Significant additional project requirements were identified that were not included in the original scope or cost estimate
737	R2GE - Repair pond and dam, rebuild the spillway, and replace the drop pipe.		Same as above

Number	Project/Activity Description	NEPA status	Notes
738	R2GF - Replace Sandy Point public observation tower.		Same as above
766	R4JR - Energy Efficiency Rehabilitation of Office		Significant and unforeseen permit issues or site conditions have been identified which can not be resolved in time to meet Recovery Act requirements
771	R4QC - Replace HVAC System		Project completed with other funds
775	R6BD - Replace Bench Marsh WCS		Same as above
780	R6HA - Replace Sign Storage Building		Same as above
781	R6HB - Replace Grain Bin Storage		Same as above
782	R6HC - Replace Building Warehouse		Same as above
810	R8GA - Replace 10,500 ft refuge boundary fence and signs at Ash Meadows		Significant additional project requirements were identified that were not included in the original scope or cost estimate
811	R8UA - WNTI Susie Creek Fish Barrier to Protect High Priority Recovery Habitat for Lahontan cutthroat trout in Humboldt Co. NV		Significant unforeseen permit issues or site conditions have been identified which can't be resolved in time to meet ARRA requirements
812	R9VG - Exterior Solar Powered Lighting--Installation of solar powered external lighting at NCTC will reduce electrical usage and contribute towards LEED certification.		Significant additional project requirements were identified that were not included in the original scope or cost estimate
Pending			
56	R1PM - Rehabilitate Water Recirculation System	CE	Reinstated (formerly withdrawn); completion of all Federal requirements by 5/17/10
121	R2MC - Construct water diversion and delivery system for Topock Marsh (lift pumps and pipelines) to better manage listed species and improve efficiency of water used from the Colorado River	EA	Anticipate completion by next reporting period
185	R2UA -Gila trout restoration in the Pinalen Mt. streams; Ash, Frye & Marijilda Creeks	EA	Anticipate completion by next reporting period
186	R2UC - Renovate Barrier to Protect Rio Grande Cutthroat trout in Tanques Creek	EA	Anticipate completion by next reporting period
191	R3BC - Repair Erosion on Guttenburg Moist Soil Unit Dikes	EA	Public comment in progress; anticipate completion by next report
196	R3EA - Pecatonia River Floodplain Wetland Habitat	CE	Landowner negotiations and project designs are still in progress
198	R3EC - Grand Kankakee Wetland and Upland Restoration	CE	Same as the above
201	R3EF - Topeka Shiner Oxbow Restoration in N. Raccoon River Watershed	CE	Same as the above
202	R3EG - Improve Copperbelly Watersnake Habitat	CE	Same as the above
204	R3EJ - Lake Michigan Watershed Wetland Restoration	CE	Same as the above

Number	Project/Activity Description	NEPA status	Notes
205	R3EK - Hydrologic restoration of degraded wetlands in the Lake Huron/Saginaw Bay watershed for migratory birds and waterfowl.	CE	Same as the above
206	R3EL - Hydrologic restoration in degraded wetlands in the western Lake Erie watershed for migratory birds and waterfowl.	CE	Same as the above
207	R3EM - Northern Tallgrass Prairie Wetland Restoration	CE	Same as the above
208	R3EN - Northern Tallgrass Prairie Invasive Species Control	CE	Same as the above
210	R3EQ - Invasive species removal in western Ohio Oak Savanna habitat for the listed endangered Indiana bat.	CE	Same as the above
211	R3ER - Beaver Farm Prairie and Wetland Restoration	CE	Same as the above
212	R3ET - Wetland re-vegetation and hydrologic improvement in the Lake Superior, northern Clay Plain, to benefit Coaster brook trout and waterfowl	CE	Same as the above
216	R3GB - Water Management Ditch Rehabilitation	CE	Awaiting SHPO approval
231	R3GU - Preliminary Designs to Replace the Radial Gate Structure	CE	Awaiting preliminary designs for a water control structure
521	R6EB - Prairie habitat restoration to native vegetation & hydrology (Wetland/Grassland Restoration MT)	CE	Same as the above
562	R6JA- Install renewable energy system (5 umbrella projects) Bear River NWR, Des Lacs, Sand Lake Shop, Twaukon Fir, and Tewau Qt	5 CEs	Awaiting selection of specific project sites
590	R6TA Hire private contractor to remove Hartland Diversion dam	EA	Anticipate completion of EA by next reporting period
660	R8AA - Headquarters/Administration/ Visitor Building at San Diego, NWR	EA	Public review of the EA and environmental reviews are completed. Awaiting signature on the FONSI.
665	R8BD - Repair drainage channels parallel to Millar Ranch Road, San Diego, NWR	CE	Awaiting completion of NHPA compliance to finalize CE
717	R9VA - Obtain LEED EB Certification, upgrade existing building systems to reduce energy consumption, construct onsite sustainable energy systems.	CE	Data collection on-going to determine energy needs and finalize specifications on the scope/size of solar panel array; anticipate completion by next report

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