

Attachment 10F (1)

Explanatory Note for the Bureau of Reclamation November 5, 2010

Attached is the NEPA report for Bureau of Reclamation's (BR) American Recovery and Reinvestment Act (ARRA) Projects covering project status through September 30, 2010. As of September 30, 2010, BR reports \$901,373,123 obligated. This is an increase of \$128,385,437 since the last report. Reclamation received \$950 million of ARRA appropriation funding. ARRA Section 403, as amended, allows for up to 0.5 percent of the amount appropriated to Reclamation to be set-aside for the expenses of management and oversight of the programs, grants, and activities funded by the ARRA appropriation. Reclamation budgeted \$945.25 million for ARRA projects and \$4.75 million for ARRA management and oversight. However, it was subsequently determined that the full \$4.75 million would not be needed for management and oversight so \$1.651 million was made available for the projects. At this time, a balance of approximately \$303,000 is not allocated to a specific BR program. These funds will be utilized for project administration and claims/contingencies per the authority provided in Title IV of the ARRA legislation.

There is a decrease in pending NEPA actions from 20 (10 percent) in the June 20, 2010, report to one (.05 percent) pending in this report. Some projects include a combination of multiple phases and activities that are individually analyzed under NEPA but may be tracked under a single project number. This results in a greater number of NEPA actions than the number of ARRA funded projects reported. Explanations and additional clarification of information contained in the report are provided below. To reduce confusion and better align the projects and associated activities with the programs on page 1 of the report, the line numbers for the activities have been re-numbered. A crosswalk from the previous numbering to the current numbering has been provided for reference. Please note that page 1 of the spreadsheet also lists the title/programs according to this renumbering.

NEPA Actions vs. ARRA Projects

The number of NEPA actions is not directly related to the number of ARRA projects for the following reasons:

- Rows 49, 183-186 each have several ARRA projects that are grouped together under one NEPA action because the actions are very similar in nature.
- A number of projects have multiple NEPA actions that are identified on separate rows.
- Rows 187, 191-193: Although not counted in the total NEPA actions, these rows are also included. The specific projects for these categories were not yet identified at the time the first report was submitted so these were added as place holders. The specific projects and therefore, NEPA activities have been identified and are provided on separate rows. Consequently, these rows were retained as space holders so the numbering did not change from one reporting period to the next.

- Rows 188-190, 194: Although not counted in the total NEPA actions, these rows are also included. Initially reported as separate line items, they have subsequently been consolidated into a single line item or with an already existing line item.

Pending EAs

There are no pending EAs.

Completed EAs with Other Federal Reviews/Documents Pending

There are 5 projects in this report with completed EAs waiting for additional federal environmental reviews or documents to be complete. Additional information about these projects is provided below.

- **Title XVI – Recycled Water System Pressurization and Expansion Project, Eastern Municipal Water District, #1.111** (row 11) – awaiting response from the State Historic Preservation Officer (SHPO). The anticipated completion date is 29-Oct-10.
- **Title XVI – Upper Mojave River Groundwater Regional Recharge and Recovery Project, Mojave Water Agency, #1.124** (row 24); and **Challenge Grant – Oro Grande Wash Groundwater Recharge Project, Mojave Water Agency, #27.105** (row 151) – awaiting completion of National Historic Preservation Act (NHPA) Section 106 process because the California SHPO rejected the original report. The report will be modified and resubmitted to the California SHPO. The anticipated completion date is 30-Oct-10.
- **Title XVI, Wildomar Recycled Water System, #1.127** (row 27) –The cultural resource survey report has been prepared by contractor and needs to be reviewed and SHPO consultation completed. The anticipated completion date is 29-Oct-10.
- **Inyo County, Native American Affairs Program, Bishop Wetlands, #110.532** (row 144) – Pre-construction notification for the Nationwide Permit 27 for Section 404 of the Clean Water Act was submitted 16-Sep-10. The anticipated completion date is 29-Oct-10.

Pending EISs

- **Title XVI - North San Pablo Bay Restoration and Reuse, Sonoma County Water Agency, #1.128** (row 28) – The final EIS was made available to the public. The biological analysis is complete; the Section 106/cultural/historical/archaeological analysis is anticipated to be completed by the end of the calendar year. Once the Section 106 analysis is complete we will issue the ROD. The anticipated completion date is 1-Dec-10.

Withdrawn Projects/Activities

There are currently 25 projects/activities that have been withdrawn. The following four projects/activities have been withdrawn in this reporting cycle:

- **Leavenworth Water Delivery System, Leavenworth Fish Hatchery, Intake Facilities, #11.000 (11.1)** (row 45b) – This portion of the project could not be completed within ARRA schedule requirements.
- **Leavenworth Water Delivery System, Leavenworth Fish Hatchery, Intake Facilities, #11.000 (11.3)** (row 45c) – Although previously reported as done, this portion of the project could not be completed within ARRA schedule requirements and has now been reported as withdrawn.
- **Rohnerville Rancheria, #28.122** (row 175) – This project was cancelled because the scope of work that fell within the authority of the American Recovery and Reinvestment Act and the Drought Act was not feasible.

The other 22 projects/activities were withdrawn in previous reporting cycles and include the following:

- **Pittsburg Recycled Water Project Phase 2, Delta Diablo Sanitation District, #1.110** (row 10) – Sponsor requested cancellation of project funding due to changes in construction schedules so project has been withdrawn.
- **Title XVI – San Jose Water Reclamation and Reuse Project Phase 1c – San Jose Hedding Extension Rose Garden, #1.117** (row 17a) – The activity associated with this NEPA action is not going to be funded with ARRA funds.
- **Tuscany Recycled Water System, Elsinore Valley Municipal Water District, #1.122** (row 22) – Project cannot be done within ARRA schedule requirements due to no progress being made towards execution of the cooperative agreement for the project.
- **San Carlos Irrigation and Drainage District, #5.000** (row 38) – Sponsor turned down funding as the ARRA requirements negate the benefit to the District.
- **Yakima River Basin Water Enhancement Project (YRBWEP) Benton Irrigation District, #20.000** (row 125) – Sponsor turned down funding due to the impacts to the 2009 construction schedule and the uncertainty of additional costs to the District water users as a result of ARRA funding for the project.
- **Alturas Rancheria - Drill test well then install and develop a well to provide a community water supply, #28.101** (row 160) – Project proponent has failed to submit required information therefore, the project cannot be done within ARRA schedule requirements.

- **New Well Installation - REGION 4: Westlands Water District, #28.132** (row 181a) – The District decided not to pursue this portion of project #28.132, installation of any of the new wells, but will continue with the other ARRA funded portions of the project (rows 196 and 209).
- **Powerplant Life Safety, Riverton, #39.000** (row 55) and **CBT - Green Mountain, #66.000** (row 81) – Withdrawn due to construction costs and extended schedules that would prevent the projects from being completed in time to apply ARRA funding.
- **Retrofitting for ADA guidelines, West San Joaquin Division, #42.000** (row 58) – Project Proponent has failed to submit complete project description or project design, therefore, Reclamation will not be able to meet the deadline for completing environmental documentation and issuing a contract.
- **Retrofitting for ADA guidelines, San Felipe Division, #43.000** (row 59) and **Retrofitting for ADA guidelines, Delta Division, #45.000** (row 61) – Due primarily to staff and budget reductions, the State of California Department of Parks and Recreation requested this project be deleted.
- **Retrofitting for ADA guidelines, Ventura, #44.000** (row 60) – Withdrawn due to loss of critical personnel and increased workload resulting from their own ARRA projects, Forest Service will not be able to utilize ARRA funding for ADA projects in the Casitas Open Space within a reasonable timeframe.
- **Paint/Preservation, Friant, #63.000** (row 78) – Withdrawn due to health and safety issues with lead paint.
- **Boundary Fencing, Belle Fouche Unit, #83.000** (row 99) – Project cannot be done within ARRA schedule requirements.
- **Power plant station service breakers, Elephant Butte, #92.000** (row 108) – Could not be completed within ARRA time frame.
- **Power plant/Generator 15Kv Breakers, #93.000** (row 109) – Original cost estimate 5 years old, new cost estimate increased cost by 350%, Region requested project be deferred & the funds made available for another project.
- **Construction of the Blue River Fish Barrier, #96.000** (row 136) – has been withdrawn from ARRA funding because project construction could not meet the ARRA schedule.
- **Repair Spring Creek Powerplant Intake (Whiskeytown Lake) Temperature Curtain, #99.000** (row 139) – could not be completed within ARRA time frame.

- **Sheehy Springs Fish Barrier, #100.000** (row 140) – Project is located on private land - landowner (previously supportive) is no longer willing to locate the project on his property. Alternative sites have been investigated, but, none are viable
- **Orland Project, Double Vault Facility - 5 Units, #109.524** (row 116) – This is an alternate project funded with ARRA funds after the last report but was subsequently determined that it couldn't be completed within ARRA schedule requirements so it has been withdrawn.

Projects/Activities Added Since Last Report

No projects/activities have been added since the last reporting cycle.

Clarifications

Mercy Springs Water District, #28.116 (row 185) – Although the NEPA action for multiple drought relief project has been complete, this project has been withdrawn because it could not be completed within ARRA schedule requirements. This withdrawal is not reflected in the withdrawn totals on page 1 of the report or in the withdrawal section of these explanatory notes because it was part of a line item with multiple projects.

NEPA Benefits

The Bureau of Reclamation is providing Federal funds to enhance the Conservation Open Space Area (COSA) on the Bishop Paiute Reservation, Inyo County California. The Bishop-Paiute Tribe proposes to create a native fish refuge for the Federal and State endangered Owens pupfish and Owens tui chub in accord with the Owens Basin Wetland and Aquatic Species Recovery Plan (September 1998). This project is a subset of a larger “Conservation Area Management Project” to enhance and manage the entire 24.8-acre COSA. The overall goal is to enhance wetland habitat to encourage habitation of wetland native species of flora and fauna endemic to the Owens Valley. The primary objective is to provide a perennial and controlled supply of water thus restoring the major beneficial uses of that water for desert fishes indigenous to the Owens Valley. Secondary objectives of this project include: reduce localized flooding, reduce vector (mosquito) populations, restore function of the agricultural drain and improve soil drainage within an approximately a 180 acre area, foster environmental and cultural awareness, and encourage environmental stewardship in the schools.

Interagency coordination with US Fish and Wildlife, California Department of Fish and Game, the Corps of Engineers, and the Tribal Historic Preservation Officer and other entities was beneficial to the NEPA process. The Bishop-Paiute Tribe published a notice that an Environmental Assessment was prepared under tribal ordinance, and held a public hearing. The Tribe will apply to the Army Corps of Engineers for a NWP-27 permit under CWA section 404. The Tribe is authorized to administer water quality standards and issue water quality certifications on surface and groundwater of the Bishop Reservation, and was granted "Treatment in the Same Manner as a State (TAS)" under CWA §518(e) to administer CWA §303(c) and §401.

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