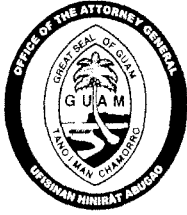


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Office of the Attorney General
Alicia G. Lintiacco
Attorney General of Guam
Civil Division
287 West O'Brien Drive
Hagåtña, Guam 96910 • USA
(671) 475-3324 • (671) 472-2493 (Fax)
www.guamattorneygeneral.com

Attorneys for the Government of Guam

**UNITED STATES DISTRICT COURT
TERRITORY OF GUAM**

UNITED STATES OF AMERICA)	CIVIL CASE NO. 02-00022
)	
Plaintiff,)	
)	
vs.)	
)	DEPARTMENT OF PUBLIC WORKS
GOVERNMENT OF GUAM,)	BI-WEEKLY
)	PROGRESS REPORT
Defendant.)	
)	

The Department of Public Works (DPW), by and through the Office of the Attorney General, files the attached bi-weekly report with attachment thereto, pursuant to the Consent Decree Order (*see* Docket No. 464), dated July 15, 2009.

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30-09-1241

Office of the Speaker
Judith T. Wines, Ph.D., S.J.D.

///

Date: _____
Time: _____
Received by: *[Signature]*

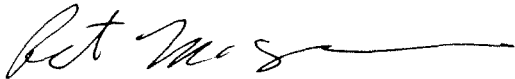
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1 The attached report outlines the progress on the mitigation of the endangered *Partula*
2 *Radiolata* known as the Pacific Tree Snail located in the Ylig River Bridge construction site.

3 Respectfully submitted this 26th day of October, 2009.

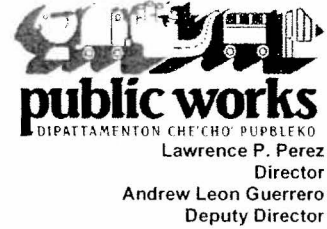
4 OFFICE OF THE ATTORNEY GENERAL
5 **Alicia G. Limtiaco, Attorney General of Guam**

6 By: 
7 **J. PATRICK MASON**
8 Deputy Attorney General
9 Attorneys for Defendant Government of Guam
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The Honorable
Felix P. Camacho
Governor

The Honorable
Michael W. Cruz, M.D.
Leutenant Governor



Bi-Weekly Snail Mitigation Report Ylig River Bridge Project

USA v. Government of Guam,
District Court of Guam Civil Case No. 02-0022

FHWA Project No. GU-NH004(104)

October 26, 2009

INTRODUCTION

Pursuant to the Order of the District Court of Guam, dated July 15, 2009, the Guam Department of Public Works Division of Highways (“DPW”) hereby submits the following bi-weekly report. The purpose of this report is to advise on the progress being made to address the mitigation of the endangered *Partula Radiolata* (Pacific Tree Snail) at the Ylig River Bridge construction site.

STATUS UPDATE

1. Status of Snail Mitigation Plan:

a. The Snail Mitigation Plan has been finalized, and it was submitted to the Department of Agriculture, Division of Aquatic & Wildlife Resources (DAWR) on October 6, 2009 for approval and permitting.

b. According to the Snail Mitigation Plan, out of 22 potential habitat sites surveyed between August and September 2009, only 11 sites were observed to contain the endangered snail species, *Partula Radiolata*. Out of these 11 sites, only 4 were deemed suitable for receiving the Ylig snails.

c. Once DAWR approves the Snail Mitigation Plan, a determination of the final relocation site for the Ylig snails will be made.

2. Next Steps:

The following tasks are planned:

a. Obtain DAWR’s approval of the final Snail Mitigation Plan.

b. Determine the final relocation site for the Ylig snails after considering all factors, including location and availability.

c. Secure any necessary property rights, approvals, or agreements regarding the final relocation site.

d. Obtain any necessary permits or approvals from DAWR for the removal of the snails from the Ylig Bridge site to the final relocation site.

e. Begin and engage in relocating the Ylig snails pursuant to approved methodology and procedures.

3. **Deadlines and Timelines:**

The design phase of the Ylig Bridge project continues to progress and is on schedule. Additionally, because construction is not scheduled to begin until sometime in Summer 2010, the snails may continue to safely remain at the Ylig Bridge site until then.

Assuming the successful implementation of the snail mitigation plan, and barring any other unexpected contingencies, the anticipated date for completing the design of the Ylig River Bridge replacement project and for commencing construction continues to remain approximately February 2011 (allowing one lane of traffic for haul trucks). In the meantime, deadlines and timelines detailing the specifics of the snail mitigation plan continue to be developed as discussed above.

DEPARTMENT OF PUBLIC WORKS

By:  **LAWRENCE B. PEREZ**
Director

10/23/09

AV