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DISTRICT COURT OF GUAM

FEB 16 2010

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CLERK OF COURT

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**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM**

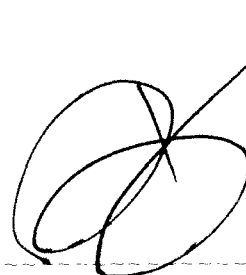
11	UNITED STATES OF AMERICA)	CIVIL CASE NO. 02-00022
)	
12	Plaintiff,)	
)	
13	vs.)	DEPARTMENT OF PUBLIC WORKS
)	BI-WEEKLY
14	GOVERNMENT OF GUAM,)	PROGRESS REPORT
)	
15	Defendant.)	

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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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 Submitted this 16th day of February, 2010.
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5 OFFICE OF THE ATTORNEY GENERAL
6 ALICIA G. LIMTIACO, Attorney General of Guam

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J. PATRICK MASON
Deputy Attorney General



The Honorable
Felix P. Camacho
Governor

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



public works
DIPATTAMENTON CHE'CHHO' PUPBLEKO
Lawrence P. Perez
Director
Andrew Leon Guerrero
Deputy Director

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)

February 16, 2010

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. Based upon the Department of Agriculture’s approval of the mitigation actions set forth in the Final Mitigation Plan, DPW has been authorized to relocate the Pacific Tree Snails from the Ylig Bridge Project Site to certain nearby areas of public and private property.

b. The snails will first be relocated to the nearby area of public property that were surveyed and found to be suitable habitat. Snails that are unable to fit within the public property will be placed upon the private property.

c. In order to provide the snails with the best chance of survival and to minimize mortality, the snails will be relocated as environmental conditions permit, preferably during a cool rainy period.

2. Next Steps:

The following tasks are planned:

a. Execute the safe harbor agreement with the private property Owner concerning the temporary relocation of the Ylig snails to the private property.

b. 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. A diligent effort is being made, however, to relocate the Ylig snails as soon as possible.

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.