

Attachment 4A(1)

Explanatory Note for Department of Defense (DOD) Report August 1, 2011

DoD is pleased to submit this report on the status of NEPA compliance for projects and activities funded under Division A of the American Recovery and Reinvestment Act of 2009 (ARRA). DoD continues to work with the DoD Components to ensure the quality and accuracy of the data contained in the report.

This report is cumulative for DOD NEPA actions on ARRA funded projects and activities through June 30, 2011. The Department increased its total number of ARRA Funded Projects to 4,838.

DoD has withdrawn 233 projects originally proposed for the ARRA, which is an increase of 33 over the last reporting period. All of these projects were withdrawn because the project was included as part of a larger project, was replaced by a more valuable project, did not meet requirements, or was not executable. None of these projects were withdrawn due to environmental concerns or delays in the process associated with NEPA requirements. The Department has not experienced (nor reported) instances of substantial delays in the NEPA review process.

DoD has completed 4,685 NEPA analysis actions for the 4,605 ARRA projects determined to require action under NEPA. DoD completed these NEPA reviews using 4,565 Categorical Exclusions (CE), 116 Environmental Assessments (EA) with a Finding of No Significant Impact (FONSI) and four Environmental Impact Statements (EIS). Each of the projects that required an EIS has a signed Record of Decision.

There are no projects for which DoD determined that NEPA was not applicable.

There are no projects with an undetermined NEPA status, which is a decrease from 16 in the last report. DoD determined that 12 projects required CEs, one required an EA and three projects were withdrawn.

Benefits of the NEPA Process

The DoD Components provided the following benefits of the NEPA process with regards to their projects:

- “Process increased awareness of need to consider and incorporate environmental requirements” was provided by both the Marine Corps and the Marine Corps Reserves for all of their projects.
- “NEPA process provided a check and balance system to ensure the project did not adversely impact the environment or cultural resources” was provided by the Army National Guard for all of their projects.

Clarification on information submitted in the spreadsheet:

DoD has 4,838 ARRA funded projects, of which 4,605 ARRA funded projects were determined to require actions under NEPA. The remaining 233 projects were withdrawn. Of the 4,605 projects determined to require action under NEPA, 13 projects required more than one action, for a total of 4,685 NEPA actions.

DoD identified 4,486 ARRA projects that completed 4,565 Categorical Exclusion actions. This is a decrease from a total of 4,563 in the previous report.

There are no pending Categorical Exclusions actions, down from nine in the last report. DoD closed out nine previously pending categorical exclusions (projects in rows 1516 and 1519, with two actions each and the projects in rows 2345, 2382, 2451, 4747, 4749). These actions were closed out at the installation level but we failed to report the completion in the DOD Recovery Act database.

DoD identified 115 ARRA projects that require 116 Environmental Assessment actions. DoDs completed these 116 Environmental Assessment actions under the ARRA. This is an increase of one as reported in the April 15th report.

No Environmental Assessment actions are pending.

DoD has identified four projects requiring an Environmental Impact Statement. This is the same as the previous report. DoD has completed four Environmental Impact Statements under the ARRA, which is the same four as in the previous report.

No Environmental Impact Statements are pending.

There are no projects reported with a NEPA not applicable determination.

During this period, DoD withdrew 33 projects from the ARRA process for a total of 233 withdrawn projects. This number is an increase from the total of 200 withdrawn projects reported in the previous cycle. These withdrawals were due to reconsideration of ARRA projects, resulting in the removal of some repair and maintenance projects from the ARRA project effort for various programmatic or budgeting reasons. None of these projects were withdrawn due to environmental concerns or delays in the NEPA process.

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