

## **Attachment 4A(1)**

### **Explanatory Note for Department of Defense (DOD) Report May 2, 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 March 31, 2011. The Department increased its total number of ARRA Funded Projects by 5, from 4,829 to 4,834 projects (including 16 projects with an undetermined NEPA status).

DoD has withdrawn 200 projects originally proposed for the ARRA, which is an increase of 7 over the last reporting period. All of these projects were withdrawn because the project was included as part of a larger project, was replaced by a more valuable project, did not meet requirements, or was not executable. None of these projects were withdrawn due to environmental concerns or delays in the process associated with NEPA requirements.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 (or reported) instances of substantial delays in the NEPA review process.

DoD has completed 4,682 NEPA analysis actions for the 4,618 ARRA projects determined to require action under NEPA. DoD completed these NEPA reviews using 4,593 Categorical Exclusions (CE), 115 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 16 projects that currently have an undetermined NEPA status, an increase from 15 in the last report. This is because of the addition of one project (4782) with an undetermined NEPA status. Those projects whose NEPA status is undetermined have been prioritized by the DoD Components and will be characterized in future reports.

#### 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 4,834 ARRA funded projects, of which 4,618 ARRA funded projects were determined to require actions under NEPA. Of the remaining 216 projects, 200 of these were withdrawn, and 16 are still in the process of determining whether a NEPA action is required, and if so, at what level. Of the 4,618 projects determined to require action under NEPA, 13 projects required more than one action, for a total of 4,693 NEPA actions.

DoD has identified 4,500 ARRA projects that require 4,572 Categorical Exclusion actions. DoD has completed 4,563 Categorical Exclusion actions. This is an increase from 4,558 in the previous report.

Nine Categorical Exclusions actions are pending, a decrease from 17 in the last report. Of the nine pending Categorical Exclusions actions, four (project rows 1516 and 1519, two actions each) are still being referred back to the California SHPO office by the Army National Guard. Two actions have no explanation for their pending NEPA status (project rows 4747 and 4749) even though their NEPA completion date has passed. DoD will follow up with the DoD Components to update the status of these Categorical Exclusion actions. Three projects (project rows 2345, 2382, and 2451) are projects that have completion dates in the future and are expected to be completed on time.

DoD has identified 114 ARRA projects that require 115 Environmental Assessment actions. DoD has completed 115 Environmental Assessment actions under the ARRA. This is the same number as was reported in the January 15<sup>th</sup> 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 7 projects from the ARRA process for a total of 200 withdrawn projects. This number is an increase from the total of 193 withdrawn projects reported in the previous cycle. These withdrawals were due to Air Force and Air National Guard reconsideration of their 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.

DoD's NEPA Status Summary				
		January 15 2011	April 15 2011	Change (Jan-April)
Number of ARRA Funded Projects	Total	4,829	4,834	5
	Section 1609(c) reportable	4,814	4,818	4
NEPA Status totals by Action	withdrawn	193	200	7
	done	4,677	4,682	5
	pending	17	9	<b>(8)</b>
Status of Completed Federal Environmental Reviews	yes	4,296	4,292	<b>(4)</b>
	NA	0	0	0
	no	268	272	4
Designated "Type of NEPA Action"	ce	4,575	4,572	<b>(3)</b>
	ea	115	115	0
	eis	4	4	0
	<b>Total NEPA Actions (ce + ea + eis)</b>	<b>4,694</b>	<b>4,691</b>	<b>(3)</b>
	NEPA NA	0	0	0
	Undetermined*	15	16	1
	<b>Total Projects not designated as NEPA Actions (NEPA NA + Undetermined)</b>	<b>15</b>	<b>16</b>	<b>1</b>

\*Reported total # of undetermined ARRA funded projects (Not undetermined NEPA Actions).

April 15th	# of ARRA Projects	# of NEPA Actions per Project	Total Actions
ce	7	0	0
ce	4481	1	4481
ce	4	2	8
ce	2	3	6
ce	2	4	8
ce	1	6	6
ce	1	10	10
ce	1	14	14
ce	1	39	39
<b>Total CEs</b>	<b>4500</b>		<b>4572</b>
ea	113	1	113
ea	1	2	2
<b>Total EAs</b>	<b>114</b>		<b>115</b>
eis	4	1	4
<b>Total EISs</b>	<b>4</b>		<b>4</b>
<b>Subtotal</b>	<b>4618</b>		<b>4691</b>
<i>withdrawn (No NEPA action)</i>	200	1	200
<b>Total</b>	<b>4818</b>		<b>4891</b>
<i>undetermined (No NEPA action)</i>	16		
<b>Total</b>	<b>4834</b>		

	# of ARRA Projects	# of NEPA Actions per Project	Total Actions
Done	7	0	0
Done	4593	1	4593
Done	3	2	6
Done	2	3	6
Done	2	4	8
Done	1	6	6
Done	1	10	10
Done	1	14	14
Done	1	39	39
<b>Total Done</b>	<b>4611</b>		<b>4682</b>
Pending	5	1	5
Pending	2	2	4
<b>Total Pending</b>	<b>7</b>		<b>9</b>
Withdrawn	200	1	200
<b>Total</b>	<b>4818</b>		<b>4891</b>
Undetermined	16		
<b>TOTAL</b>	<b>4834</b>		

April 15th	Done Projects	Pending Projects	Total Projects	Done Actions	Pending Actions	Total Actions
ce	4493	7	4500	4563	9	4572
ea	114	0	114	115	0	115
eis	4	0	4	4	0	4
<b>total</b>	<b>4611</b>	<b>7</b>	<b>4618</b>	<b>4682</b>	<b>9</b>	<b>4691</b>

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