



EXECUTIVE OFFICE OF THE PRESIDENT  
COUNCIL ON ENVIRONMENTAL QUALITY  
WASHINGTON, D.C. 20503

August 3, 2009

Nick J. Rahall, II, Chairman  
Natural Resources Committee  
U.S. House of Representatives  
1324 Longworth House Office Building  
Washington, D.C. 20515

Charles Hastings, Ranking Member  
Natural Resources Committee  
U.S. House of Representatives  
1329 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Rahall and Ranking Member Hastings:

Pursuant to the President's assignment of his reporting function under Subsection 1609(c) of the American Recovery and Reinvestment Act (ARRA), I respectfully submit the second progress report on Federal department and agency compliance with the National Environmental Policy Act (NEPA). The full report is available online at [www.nepa.gov](http://www.nepa.gov).

This second report shows the agencies expending ARRA funds are continuing to meet their NEPA obligations in a timely manner. Overall, the progress reported to CEQ indicates that NEPA analyses are informing decisions for expenditure of ARRA funds in an environmentally sound manner. This indicates we can contribute to our nation's economic health while respecting the health of our environment. No departments or agencies have reported instances of substantial delays related to NEPA reviews. Over 90 percent of the reported projects have completed the NEPA analysis and the rest are underway.

This report provides the status of NEPA compliance for all projects/activities receiving ARRA funds that the departments and agencies have reported to OMB as of June 30, 2009, and those which will, after approval, appear as "funds available". The report shows over 70,000 NEPA reviews were completed using Categorical Exclusions (CE). The CEs were used when the departments and agencies found the project or activity did not have significant individual or cumulative effects on the human environment. The departments and agencies reported completing over 1,600 Environmental Assessments (EA) for ARRA funded projects or activities with a Finding of No Significant Impact (FONSI). Also completed were over 840 projects or activities analyzed in an Environmental Impact Statement (EIS) where the NEPA review was completed with a Record of Decision (ROD).

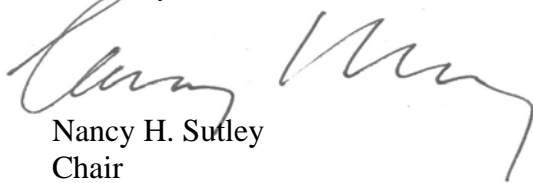
In addition to the completed NEPA reviews, over 10,000 NEPA reviews (over 90 EISs, over 3,000 EAs, and over 6,800 using CEs) are reported underway. Several agencies are using programmatic NEPA reviews to address similar projects or activities. This will facilitate implementation of individual projects or activities by eliminating the need to replicate review of those issues in any subsequent or site specific analyses.

Also during this reporting period, CEQ worked with several agencies to revise and update their NEPA implementing procedures to expedite NEPA compliance. New and revised NEPA procedures were prepared by the Corporation for National and Community Service, the National Endowment for the Arts, the Department of Commerce (DOC), the National Telecommunications and Information Administration at DOC, and the Natural Resource Conservation Service in the Department of Agriculture. CEQ is also continuing to work with departments and agencies to facilitate the expeditious processing of NEPA reviews.

The completed NEPA reviews support making over \$97 billion in ARRA funds available, an increase of approximately \$40 billion since April 24. For up-to-date information regarding the status of agency obligations and payments under ARRA, please see the ARRA website at [www.recovery.gov](http://www.recovery.gov).

The next report will be submitted on November 2, 2009, and subsequent reports will be submitted every 90 days thereafter.

Sincerely,



Nancy H. Sutley  
Chair