Attachment 23A

Explanatory Note for National Science Foundation (NSF) Report
February 1, 2010

The NSF has a total of 4,715 projects under Division A of the American Recovery and Reinvestment Act of 2009 (ARRA). As of December 31, 2009, NSF has funded a total of 4,714 awards.

The NSF spreadsheet lists all three of the programs for which NSF received ARRA funding. These programs are: (1) Research & Related Activities (R&RA); (2) Major Research Equipment & Facilities Construction (MREFC); and (3) Education & Human Resources (E&HR). Page 2 of the spreadsheet lists three NEPA actions (NSF spreadsheet, page 2, rows 1, 2 and 4) for activities funded through the MREFC account; all three have now been either funded or obligated with ARRA funds.

During the reporting period, funding was obligated to the Advanced Technology Solar Telescope (ATST), a part of the MREFC program. The environmental compliance for the project, which was awaiting completion of applicable environmental reviews under the National Historic Preservation Act and the Endangered Species Act, was completed on December 3, 2009, with the issuance of a Record of Decision. The ARRA funding for ATST was awarded following the close of this reporting period and will be reflected in NSF's report for the next reporting period.

The NSF previously reported completion of a programmatic environmental assessment (EA) for the MREFC Oceans Observatory Initiative. The NSF is now in the process of planning for an EA that will examine site-specific actions relating to the initiative; completion is expected within a year. The site-specific EA has been added to page 2 of the spreadsheet at row 3.

The spreadsheet also lists awards through the R&RA and Education & Human Resources accounts. The 4,636 R&RA awards and 76 E&HR awards are general research awards that support individual scientific research projects that, under NSF's regulations implementing NEPA, are categorically excluded (*See* 45 C.F.R. § 640.3). During this reporting period, NSF increased the number of awards by 28.

<u>Benefits:</u>

The NEPA process for the ATST (see page 2, row 3 of the NSF spreadsheet) was very beneficial. As a result of the NEPA process, during which NSF prepared a Draft Environmental Impact Statement, Supplemental Draft Environmental Impact Statement, and Final Environmental Impact Statement, and completed NSF's compliance with Section 106 of the NHPA, NSF became aware of concerns about the ATST's potential impacts on cultural resources (among other resources). In response to those concerns, NSF agreed to implement many forms of mitigation, including the formation of the ATST Native Hawaiian Working Group, a novel approach designed to help ensure

continued consultation throughout the construction and operation phases of the ATST. This mitigation measure became part of both the NEPA and Section 106 mitigation measures. In addition, the NEPA process led to a $20 million mitigation measure designed to address the intersection between Native Hawaiian traditional cultural practices and science through an educational initiative with Maui Community College.

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