



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

May 3, 2010

Barbara Boxer, Chairman  
Environment and Public Works Committee  
U.S. Senate  
410 Dirksen Senate Office Building  
Washington, D.C. 20510

James Inhofe, Ranking Member  
Environment and Public Works Committee  
U.S. Senate  
456 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Boxer and Ranking Member Inhofe:

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

This report covers all NEPA activity for ARRA Division A funded projects and activities through March 31, 2010. The report shows the agencies continue to meet their NEPA obligations in a timely manner. Once again, the progress reported to CEQ indicates that NEPA analyses are informing decisions for expenditure of ARRA funds in a timely and environmentally sound manner.

The report includes specific examples of the benefits brought about by the NEPA process. The 15 reporting departments and 9 reporting agencies continue to demonstrate that 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. As of March 31, 2010, more than 95 percent of NEPA actions have been completed and the rest are underway. Agencies will continue to identify the need for additional NEPA actions as ARRA funding applications are reviewed and projects are developed, and these will be reflected in future reports.

The report shows that departments and agencies completed more than 173,000 NEPA reviews. More than 165,600 Categorical Exclusions (CEs) were completed. 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 more than 7,300 Environmental Assessments (EAs) with a Finding of No Significant Impact (FONSI). They also reported analyzing more

than 800 projects or activities in an Environmental Impact Statement (EIS) where the NEPA review was completed with a Record of Decision (ROD).

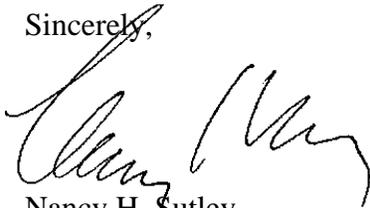
In addition to the completed NEPA reviews, more than 2,750 NEPA reviews are reported to be underway, including more than 1,600 CEs, more than 1,120 EAs, and approximately 45 EISs. Several agencies are using programmatic NEPA reviews to address similar projects or activities. This facilitates implementation of individual projects or activities by addressing common environmental issues programmatically, eliminating the need to replicate review of those issues in subsequent or site-specific analyses. The number of NEPA reviews underway has been decreased by more than 2,850 since the previous report. CEQ is continuing to work with those departments and agencies that have had large numbers of NEPA actions pending for more than one reporting period to ensure that the NEPA processes remain focused and are conducted as expeditiously as appropriate. The number of NEPA reviews pending for more than one reporting period has been reduced by more than 1,300 since the previous report.

This report also highlights instances where the environmental review process assisted Federal agencies in improving the quality of their decisions, thereby saving money and energy, protecting vital resources, and increasing public participation.

The completed environmental reviews support making approximately \$216 billion in ARRA funds available, an increase of more than \$28.5 billion since the previous report. 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 quarterly report will be submitted in August 2010.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy H. Sutley', written in a cursive style.

Nancy H. Sutley  
Chair