



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

November 2, 2009

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

James M. 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 third 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 funded projects and activities through September 30, 2009. The report shows that the agencies are meeting their NEPA obligations in a timely manner. Once again, the progress reported to CEQ and our ongoing discussions with the departments and agencies indicates that NEPA analyses are informing decisions for expenditure of ARRA funds in a timely and environmentally sound manner. The 15 reporting departments and 9 reporting agencies continue to demonstrate that we can contribute to our nation's economic well-being while respecting the health of our environment. No departments or agencies have reported instances of substantial delays related to NEPA reviews. Once again, over 90 percent of the NEPA actions have been completed with the rest underway.

The report shows more than 139,000 NEPA reviews were completed. More than 134,000 Categorical Exclusions (CEs) were completed. The CE's were used when the departments and agencies found that the project or activity did not have significant individual or cumulative effects on the human environment. The departments and agencies reported completing approximately 6,900 Environmental Assessments (EAs) with a Finding of No Significant Impact (FONSI). Also completed were more than 670 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 7,600 NEPA reviews (almost 90 EISs, over 2,300 EAs, and almost 5,300 CE's) are reported underway. Several agencies are using programmatic NEPA reviews to address similar projects or activities. Analyzing several similar projects or activities programmatically facilitates subsequent implementation of individual

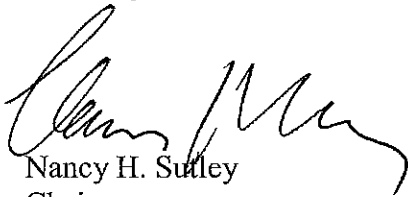
projects or activities by addressing common environmental issues and thereby eliminating the need to replicate review of those issues in any subsequent or project-specific analyses. CEQ is continuing to work with those departments and agencies that have large numbers of NEPA actions that have been pending for more than one reporting period to ensure that the NEPA processes remain focused and are conducted as expeditiously as appropriate.

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 published by United States Agency for International Development (USAID) and the Natural Resource Conservation Service at the Department of Agriculture. Previously, new and revised NEPA procedures were published by the Corporation for National and Community Service, the National Endowment for the Arts, the Department of Commerce (DOC), and the National Telecommunications and Information Administration at DOC. CEQ is also continuing to work with departments and agencies to facilitate the expeditious processing of NEPA reviews.

More than \$170 billion in ARRA funds, approximately 55% of the Division A ARRA appropriations for projects and activities, were obligated. 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 February 2010.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy H. Sutley".

Nancy H. Sutley  
Chair