

Attachment 4A(1)

Explanatory Note for Department of Defense (DOD) Report February 1, 2010

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 December 30, 2010. The Department increased its total number of ARRA Funded Projects by 3, from 4,826 to 4,829 projects. Those 4,829 projects include 15 projects with an undetermined NEPA status; consequently, the spreadsheet shows 4,814 total ARRA funded projects and activities.

DoD has withdrawn 193 projects originally proposed for the ARRA, which is an increase of 18 over the last reporting period. All of these projects were withdrawn because the project was included as part of a larger project, was replaced by a more valuable project, did not meet requirements, or was not executable. None of these projects were withdrawn due to environmental concerns or delays in the process associated with NEPA requirements.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 4,677 NEPA analysis actions for the ARRA projects determined to require action under NEPA. DoD completed these NEPA reviews using 4,558 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 15 projects that currently have an undetermined NEPA status, a decrease from 25 in the last report. Of the 25 projects previously reported as undetermined, 11 projects gained a NEPA determination. Additionally, 1 project was added with an undetermined designation (4777). Of the 11 projects whose NEPA action was determined in the period since the last report, 11 projects/actions became CEs. All of these reviews are done, and none are pending. Those projects whose NEPA status is undetermined have been prioritized by the DoD Components and will be characterized in future reports.

Of those 11 projects discussed above whose NEPA status was determined during this reporting period, 2 projects (4249 and 4266) were Army Planning and Development projects whose environmental review already fell under the NEPA review for the construction of those projects. In this report, their NEPA Action type has been designated "ce", while the number of actions has been made zero. They join the 5 Navy Planning and Development previously reported, for a total of 7 projects with the designation "ce" and a action count of zero. This prevents the project

from being double-counted when it was already accounted for under the NEPA review of another project.

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 4,829 ARRA funded projects, of which 4,621 ARRA funded projects were determined to require actions under NEPA. Of the remaining 208 projects, 193 of these were withdrawn, and 15 are still in the process of determining whether a NEPA action is required, and if so, at what level. Of the 4,621 projects determined to require action under NEPA, 13 projects required more than one action, for a total of 4,694 NEPA actions.

DoD has identified 4,503 ARRA projects that require 4,575 Categorical Exclusion actions. DoD has completed 4,558 Categorical Exclusion actions. This is a decrease from 4,562 in the previous report. This is a result of several formerly completed Categorical Exclusion actions being withdrawn.

17 Categorical Exclusions actions are pending, the same number as the last report. Of the 17 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. Five projects (project rows 2347, 2350, 2376, 2382, 2451) are projects that have been updated with completion dates in the future. The remaining projects have future NEPA 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 a decrease from 116 in the previous report. This is a result of a project (project row 4257) that was withdrawn.

No Environmental Assessment actions are pending. Two prior pending projects (project rows 4678 and 4681) were both withdrawn.

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.

There are no projects reported with a NEPA not applicable determination.

During this period, DoD withdrew 18 projects from the ARRA process for a total of 193 withdrawn projects. This number is an increase from the total of 175 withdrawn projects reported in the previous cycle. These withdrawals were due to Army 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 Projects versus Actions			
	# of ARRA Projects	# of NEPA Actions per Project	Total Actions
ce	7	0	0
ce	4484	1	4484
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
Total CEs	4503		4575
ea	113	1	113
ea	1	2	2
Total EAs	114		115
eis	4	1	4
Total EISs	4		4
Subtotal	4621		4694
<i>withdrawn (No NEPA action)</i>	193	1	193
Total	4814		4887
<i>undetermined (No NEPA action)</i>	15		
Total	4829		

DoD Projects/Actions Completed versus Pending			
	# of ARRA Projects	# of NEPA Actions per Project	Total Actions
Done	7	0	0
Done	4588	1	4588
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
Total Done	4606		4677
Pending	13	1	13
Pending	2	2	4
Total Pending	15		17
Withdrawn	193	1	193
Total	4814		4887
Undetermined	15		
TOTAL	4829		

DoD Projects/Actions Completed versus Pending by Action Type						
	Done Projects	Pending Projects	Total Projects	Done Actions	Pending Actions	Total Actions
ce	4488	15	4503	4558	17	4575
ea	114	0	114	115	0	115
eis	4	0	4	4	0	4
total	4606	15	4621	4677	17	4694

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