

Attachment 13A

Explanatory Note for Department of Labor (DOL) Report November 2, 2009

Department of Labor (DOL) projects/activities funded under Division A of the American Recovery and Reinvestment Act of 2009 (ARRA) include projects/activities administered by the Employment and Training Administration, the Office of Job Corps, the Employment Standards Administration, the Employee Benefits Security Administration, the Occupational Safety and Health Administration, and DOL Management activities.

A description of the ARRA funded projects/activities reported on the DOL spreadsheet follows.

- The \$2,914,702,690 obligated for adult, youth, and dislocated services (Rows 1-3 on Page 1 of the spreadsheet) are formula block grants and NEPA is not applicable. The dollar value of these grants is determined by a mandated formula for states and local governments to provide employment and training services.
- The \$30,129,889 obligated for the dislocated worker national reserve (Row 4) includes \$26.5 million in National Emergency Grants. This program is not discretionary and NEPA does not apply.
- For the \$47,624,999 obligated for YouthBuild activities (Row 5), funds were awarded in the form of 75 project grants to public or private nonprofit institutions and/or organizations.
- For Training and Placement in High Growth Industries (Row 6), no funds have been obligated because grant awards were not announced prior to September 30, 2009. The Department has announced six grant competitions via Solicitations for Grant Applications (SGAs) totaling up to \$720 million. See below for additional information about the grant competitions.
- The \$118,800,000 obligated for Community Service Employment for Older Workers (Row 7) are formula grants and NEPA is not applicable. The dollar value of these grants is determined by a mandated formula for states and local governments and national sponsors to provide community service employment and training.
- The \$396,000,000 obligated for unemployment insurance grants to states and re-employment services (Rows 8 and 9) are grant funds for payments through the workforce system that are categorically excluded (unemployment insurance, trade adjustment assistance, workers' compensation programs, retirement programs, employee protection programs, and related employees benefit programs or activities involving the replacement or regulation of employee wages).

- Obligations for \$150,681,071 were for Job Corps projects (Row 10 - see explanation below).
- Rows 11-15 on page 1 of the spreadsheet are Salaries and Expenses accounts which include program and administrative funds for which breakouts are not available and therefore the entire amount of ARRA Division A appropriated funds is listed in column D. These programs administer inspections and investigations for administrative civil enforcement actions and therefore NEPA is not applicable (40 CFR 1508.18).

Training and Placement in High Growth Industries SGAs:

The Department announced six grant competitions via SGAs totaling up to \$720 million. On June 24, 2009, DOL released five competitions to fund projects that prepare workers for green jobs in the energy efficiency and renewable energy industries. The competitions are entitled as follows: 1) State Labor Market Information Improvement Grants; 2) Energy Training Partnership Grants; 3) Pathways out of Poverty Grants; 4) State Energy Sector Partnerships and Training Grants; and 5) Green Capacity Building Grants. On July 21, 2009 the Department released a sixth SGA for training in Health Care, and Other High Growth and Emerging Industries. Grant competitions started in August, and have remained open for periods between 45 and 120 days, depending on the complexity of the required application materials. The last competition will close on October 20, 2009. Technical review panels evaluate applications against selection criteria laid out in the SGAs before funding decisions are made. Funding announcements are scheduled to begin in November, 2009 and continue until January, 2010. Funds will be obligated after grants are announced and as the Department executes grant agreements with each grantee. No grant awards were announced prior to September 30, 2009, so funds have not been obligated.

Job Corps projects:

The Office of Job Corps will relocate several leased buildings at the Los Angeles Job Corps Center into one large leased building using Recovery Act funding. An Environmental Assessment was conducted in 2005. The Department concluded that 2005 Environmental Assessment is sufficient and no updates are required. A new Job Corps Center in Ottumwa, Iowa will be constructed using ARRA Funding. The Environmental Assessment for the Ottumwa Iowa Center has been completed and the Finding of No Significant Impact (FONSI) was published in the Federal Register on April 10, 2008 (Page 19531).

The Office of Job Corps originally proposed 9 renewable energy projects using ARRA funds, and decided to prepare Environmental Assessments on 8 wind turbine projects and 1 ground mounted solar project. The decision to conduct Environmental Assessments for the wind turbine projects was because of their potentially sensitive and prominent nature. Wind turbines require high towers and may generate noise, cause flickering shadows, and alter landscapes. These changes may be significant and may differ from a community's

standard expectations for a Job Corps Center. Therefore, wind turbine projects are considered to need an Environmental Assessment. Similarly, a ground mounted solar project is not typical for a Job Corps Center so an Environmental Assessment is considered to be needed for this project. Originally, Job Corps combined all renewable energy projects into one row on Page 2 of the previous 1609 spreadsheet even though Job Corps had seen progress on several of the projects. To make it easier to track these Job Corps projects, each renewable energy project is now shown as a separate row on the spreadsheet.

A wind turbine for Treasure Lake was to be located in the Wichita Mountains Wildlife Refuge which is a habitat for Eagles and other soaring birds, and Boxelder's location was to be located in the Black Hills National Forest, which is also a habitat for soaring birds. Based on the results of the Environmental Assessments, Job Corps management decided to cancel both projects on September 1, 2009 because the advantages of these renewable energy projects were not worth the risk of threatening migratory birds. Currently 5 of the other wind turbine projects (Hawaii, Angell, North Texas, Laredo, and Cassadaga) had a FONSI recommended and subsequently Job Corps published the required Federal Register Notice on September 1, 2009. The public comment period concluded October 1st and Job Corps hopes to move forward with posting SOW's based on the results of the comments. The final wind turbine project (Pine Ridge) received a concern on the assessment about a view shed and potential impacts on wildlife. Job Corps management decided to begin to examine those concerns from Fish and Wildlife, The Forest Service, and the Nebraska Parks and hopes to have those consolidated by December 1, 2009. Job Corps will evaluate any concerns if raised and will determine if the project will proceed or be withdrawn. Those comments will be appended to the Environmental Assessment. Job Corps hopes to make its decision by January 1, 2010. The one solar project (Westover) received its assessment and a FONSI was recommended. Job Corps published the required Federal Register Notice on September 1, 2009 and the public commentary ended October 1st and Job Corps hopes to publish a SOW after it reviews all the comments.

A large majority of Job Corps projects funded by the Recovery Act involve alteration, renovation, equipment replacement, or repair of existing Job Corps Centers. These actions will not result in a substantial alteration to an individual Job Corps Center and are appropriate for classification as categorical exclusions.

Other Office of Job Corps projects (educational services, green center projects, fleet efficiency, program oversight, outreach, and technology enhancements) involve the purchase of products or services which do not have an environmental impact as described in the Department of Labor NEPA regulations.

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