NEPA Cases - 2001		
Lead Defendant	**Cases Filed**	**Injunctions - Remands**
FERC	0	0
Navy	2	1
NRC	0	0
DOI - BLM	20	2
- FWS	17	1
- BuRec	1	0
- NPS	7	2
- BIA/NIGC	3	0
- MMS	0	0
- OSM	0	0
USDA - FS	40	15
- APHIS	2	1
DOC - NOAA	8	3
Army - COE	7	2
Army	0	0
DOT - FHWA	3	2
- FTA	13	1
- FAA	7	0
- MARAD	0	0
- SLSC	0	0
DOE	2	0
EPA	4	0
HUD	0	0
Air Force	2	0
TVA	0	0
NSF	0	0
FCC	0	0
GSA	0	0
FDA	0	0
Total	**136**	**30**

NEPA Case Dispositions - 2001			
	pre-2001	**2001**	**All**
Judgment for defendant	41	20	**66**
TRO	2	3	**5**
Preliminary injunction	4	5	**6**
Permanent injunction	7	0	**9**
Remand	8	8	**18**
Dismissal w/ settlement	16	8	**24**
Dismissal w/o settlement	23	23	**41**
Other action	9	4	**15**
Pending			**135**

Plaintiffs	
Public Interest groups	175
Individual/Citizen assoc.	95
State government	11
Local government	37
Business groups	52
Property owners/residents	15
Indian tribes	11
Combination plaintiffs*	63

* i.e. local government AND individuals; if a plaintiff type was in a combination with other plaintiff types, it was counted in the combination category

Basis for NEPA Dipositions			
	pre-2001	2001	ALL
Jurisdictional issues	18	17	**35**
Settlements/other	23	17	**40**
EA/FONSI Adequacy*	19	13	**32**
EIS Adequacy*	27	11	**38**
SEIS*	5	1	**6**
Federal action req. NEPA*	3	2	**5**
Categorical Exclusion	4	2	**6**

* More details below

EA/FONSI Adequacy	
adequate	17
incomplete, essential info	7
inadequate indirect effects	1
inadequate cumulative effects	3
alternatives not considered	4

EIS Adequacy	
adequate	25
incomplete, essential info	5
inadequate indirect effects	2
inadequate cumulative effects	8
alternatives: no action	2
alt. excluded/range	1
other	5

SEIS	
need to prepare -new effects info	1
need to prepare - change in action	1
no need to prepare	4

Federal action requiring NEPA	
action not federal	5
NEPA required	0

NEPA Cases - 2002		
Lead Defendant	**Cases Filed**	**Injunctions - Remands**
FERC	0	0
Navy	3	1
NRC	0	0
DOI - BLM	18	1
- FWS	12	2
- BuRec	2	0
- NPS	4	1
- BIA/NIGC	3	1
- MMS	0	0
- OSM	0	0
USDA - FS	40	14
- APHIS	0	0
DOC - NOAA	10	6
Army - COE	13	2
Army	0	0
DOT - FHWA	10	5
- FTA	7	2
- FAA	16	3
- MARAD	0	0
- FMCSA	1	0
DOE	4	1
EPA	1	1
HUD	1	0
Air Force	0	0
TVA	1	0
NSF	0	0
FCC	0	0
GSA	0	0
FDA	0	0
State	1	0
Total	**148**	**40**

NEPA Case Dispositions - 2002			
	pre-2002	**2002**	**All**
Judgment for defendant	33	16	**49**
TRO	1	1	**2**
Preliminary injunction	4	4	**8**
Permanent injunction	11	8	**19**
Remand	12	3	**15**
Dismissal w/ settlement	18	4	**22**
Dismissal w/o settlement	26	26	**52**
Other action	36	17	**53**
Pending	107	61	**168**

Plaintiffs	
Public Interest groups	229
Individual/Citizen assoc.	142
State government	16
Local government	50
Business groups	64
Property owners/residents	19
Indian tribes	18
Combination plaintiffs*	84

* i.e. local government AND individuals; if a plaintiff type was in a combination with other plaintiff types, it was counted in the combination category

Basis for NEPA Dipositions			
	pre-2002	2002	ALL
Jurisdictional issues	23	20	**43**
Settlements/other	31	20	**51**
EA/FONSI Adequacy*	22	17	**39**
EIS Adequacy*	34	13	**47**
SEIS*	6	1	**7**
Federal action req. NEPA*	3	2	**5**
Categorical Exclusion	5	3	**8**

* More details below

EA/FONSI Adequacy	
adequate	20
incomplete, essential info	9
inadequate indirect effects	1
inadequate cumulative effects	4
alternatives not considered	4

EIS Adequacy	
adequate	27
incomplete, essential info	8
inadequate indirect effects	2
inadequate cumulative effects	9
alternatives: no action	2
alt. excluded/range	2
other	5

SEIS	
need to prepare -new effects info	2
need to prepare - change in action	1
no need to prepare	4

Federal action requiring NEPA	
action not federal	5
NEPA required	0

NEPA Cases - 2003		
Lead Defendant	**Cases Filed**	**Injunctions - Remands**
FERC	0	0
Navy	0	0
NRC	1	0
DOI - BLM	15	1
- FWS	2	3
- BuRec	11	0
- NPS	1	1
- BIA/NIGC	2	1
- MMS	0	0
- OSM	1	0
USDA - FS	66	14
- APHIS	3	0
DOC - NOAA	6	3
Army - COE	12	4
Army	2	0
DOT - FHWA	6	2
- FTA	2	0
- FAA	3	1
- MARAD	1	0
- FMCSA	1	0
DOE	1	2
EPA	0	0
HUD	1	0
Air Force	0	0
TVA	0	0
NSF	0	0
FCC	2	0
GSA	1	0
FDA	0	0
Total	**140**	**32**

NEPA Case Dispositions - 2003			
	pre-2003	**2003**	**All**
Judgment for defendant	46	3	**49**
TRO	2	2	**4**
Preliminary injunction	7	4	**11**
Permanent injunction	5	2	**7**
Remand	14	2	**16**
Dismissal w/ settlement	19	3	**22**
Dismissal w/o settlement	24	5	**29**
Other action	23	10	**33**
Pending	107	96	**205**

Plaintiffs	
Public Interest groups	191
Individual/Citizen assoc.	82
State government	8
Local government	16
Business groups	28
Property owners/residents	5
Indian tribes	9
Combination plaintiffs*	42

* i.e. local government AND individuals; if a plaintiff type was in a combination with other plaintiff types, it was counted in the combination category

Basis for NEPA Dipositions			
	pre-2003	2003	ALL
Jurisdictional issues	18	3	**21**
Settlements/other	19	3	**22**
EA/FONSI Adequacy*	20	3	**23**
EIS Adequacy*	28	2	**30**
SEIS*	3	1	**4**
Federal action req. NEPA*	3	0	**3**
Categorical Exclusion	1	3	**4**

* More details below

EA/FONSI Adequacy	
adequate	13
incomplete, essential info	9
inadequate indirect effects	2
inadequate cumulative effects	0
alternatives not considered	0

EIS Adequacy	
adequate	21
incomplete, essential info	8
inadequate indirect effects	1
inadequate cumulative effects	0
alternatives: no action	0
alt. excluded/range	1
other	0

SEIS	
need to prepare -new effects info	1
need to prepare - change in action	0
no need to prepare	3

Federal action requiring NEPA	
action not federal	1
NEPA required	2

NEPA Cases - 2004		
Lead Defendant	**Cases Filed**	**Injunctions - Remands**
FERC	2	0
Navy	2	2
NRC	2	0
DOI - BLM	19	5
- FWS	5	0
- BuRec	1	0
- NPS	4	2
- BIA/NIGC	0	2
- MMS	0	0
- OSM	0	0
USDA - FS	76	12
- APHIS	3	0
DOC - NOAA	15	1
Army - COE	13	1
Army	1	0
DOT - FHWA	11	2
- FTA	0	0
- FAA	2	1
- MARAD	0	0
- SLSC	0	0
DOE	4	2
EPA	6	0
HUD	0	0
Air Force	0	2
TVA	0	0
NSF	0	0
FCC	0	0
GSA	0	0
FDA	0	0
Total	**167**	**32**

NEPA Case Dispositions - 2004			
	pre-2004	**2004**	**All**
Judgment for defendant	42	8	**50**
TRO	2	2	**4**
Preliminary injunction	9	6	**15**
Permanent injunction	6	1	**7**
Remand	17	0	**17**
Dismissal w/ settlement	23	5	**28**
Dismissal w/o settlement	26	15	**41**
Other action	0	0	**0**
Pending	126	125	**251**

Plaintiffs	
Public Interest groups	232
Individual/Citizen assoc.	83
State government	11
Local government	21
Business groups	27
Property owners/residents	11
Indian tribes	13
Combination plaintiffs*	9

* i.e. local government AND individuals; if a plaintiff type was in a combination with other plaintiff types, it was counted in the combination category

Basis for NEPA Dipositions			
	pre-2004	2004	ALL
Jurisdictional issues	21	2	**23**
Settlements/other	21	5	**25**
EA/FONSI Adequacy*	24	2	**26**
EIS Adequacy*	19	6	**25**
SEIS*	4	0	**4**
Federal action req. NEPA*	6	0	**6**
Categorical Exclusion	1	1	**2**

* More details below

EA/FONSI Adequacy	
adequate	21
incomplete, essential info	6
inadequate indirect effects	1
inadequate cumulative effects	1
alternatives not considered	0

EIS Adequacy	
adequate	15
incomplete, essential info	10
inadequate indirect effects	0
inadequate cumulative effects	2
alternatives: no action	0
alt. excluded/range	3
other	0

SEIS	
need to prepare -new effects info	2
need to prepare - change in action	1
no need to prepare	1

Federal action requiring NEPA	
action not federal	4
NEPA required	2

NEPA Cases filed in 2005		
Lead Defendant	**Cases Filed**	**Injunctions - Remands**
FERC	4	0
Navy	1	1
NRC	0	0
DOI - BLM	12	4
- FWS	3	1
- BuRec	3	0
- NPS	4	0
- BIA/NIGC	2	0
- MMS	1	1
- OSM	1	0
USDA - FS	50	26
- APHIS	3	1
DOC - NOAA	3	2
Army - COE	8	4
Army	1	0
DOT - FHWA	5	1
- FTA	2	0
- FAA	3	0
- MARAD	2	0
- SLSC	0	0
DOE	3	0
EPA	2	0
HUD	4	0
Air Force	0	1
TVA	1	0
NSF	1	0
FCC	1	0
GSA	0	0
FDA	0	0
Total	**118**	**43**

2005 NEPA Case Dispositions	
	Gov't Agency
Judgment for defendant	**94**
Adverse dispositions:	**101**
TRO	**1**
Preliminary Injunction	**18**
Permanent Injunction	**7**
Remand	**23**
Dismissal w/ settlement	**24**
Dismissal w/o settlement	**24**
Case pending, NEPA	**204**

Basis for NEPA Dispositions	
	Gov't Agency
Jurisdictional - P prevailed	2
Jurisdictional - D prevailed	25
NEPA - Not required	9
NEPA - Is required	4
CE - Adequate	10
CE - Not Adequate	2
EA - Adequate*	24
EA - Not Adequate*	20
EIS - Adqequate*	25
EIS - Not Adqequate*	13
SEIS - Needed*	4
SEIS -Not Needed*	3
* More detailed info in tables below	

EA/FONSI Adequacy	
adequate	23
incomplete, essential info	16
inadequate indirect effects	1
inadequate cumulative effects	2
alternatives not considered	1

EIS Adequacy	
adequate	24
incomplete, essential info	10
inadequate indirect effects	2
inadequate cumulative effects	7
alternatives: no action	1
alt. excluded/range	2
other	1

SEIS	
need to prepare -new effects info	4
need to prepare - change in action	0
no need to prepare	3

Plaintiffs	
Public Interest groups	236
Individual/Citizen assoc.	46
State government	10
Local government	12
Business groups	15
Property owners/residents	8
Indian tribes	18
Muliple plaintiffs	43

NEPA Cases in 2006		
Lead Defendant	**Cases Filed**	**Injunctions - Remands**
FERC	2	0
Navy	1	0
NRC	3	1
DOI - BLM	21	14
- FWS	6	3
- BuRec	0	1
- NPS	0	3
- BIA/NIGC	1	0
- MMS	0	0
- OSM	0	0
USDA - FS	30	33
- APHIS	2	1
DOC - NOAA	4	4
Army - COE	25	7
Army	0	2
DOT - FHWA	7	1
- FTA	1	0
- FAA	3	0
- MARAD	0	0
- SLSC	0	0
DOE	0	1
EPA	2	0
HUD	0	0
Air Force	0	1
TVA	0	0
NSF	0	0
FCC	0	0
GSA	0	0
FDA	0	0
Total	**108**	**72**

2006 NEPA Case Dispositions	
	Gov't Agency
Judgment for defendant	**84**
Adverse dispositions:	**120**
TRO	**1**
Preliminary Injunction	**8**
Permanent Injunction	**16**
Remand	**48**
Dismissal w/ settlement	**13**
Dismissal w/o settlement	**34**
Case pending, NEPA	**195**

Basis for NEPA Dispositions	
	Gov't Agency
Jurisdictional - P prevailed	13
Jurisdictional - D prevailed	14
NEPA - Not required	4
NEPA - Is required	0
CE - Adequate	9
CE - Not Adequate	4
EA - Adequate*	27
EA - Not Adequate*	23
EIS - Adequate*	29
EIS - Not Adequate*	26
SEIS - Needed*	14
SEIS -Not Needed*	4
* More detailed info in tables below	

EA/FONSI Adequacy	
adequate	27
incomplete, essential info	14
inadequate indirect effects	3
inadequate cumulative effects	4
alternatives not considered	2

Plaintiffs	
Public Interest groups	62
Individual/Citizen assoc.	22
State government	5
Local government	2
Business groups	3
Property owners/residents	2

EIS Adequacy	
adequate	29
incomplete, essential info	13
inadequate indirect effects	6
inadequate cumulative effects	2
alternatives: no action	0
alt. excluded/range	4
other	1

SEIS	
adequate	2
need to prepare -new effects info	8
need to prepare - change in action	6
no need to prepare	4

Indian tribes	2
Multiple plaintiffs	10
Total	**108**

NEPA Cases in 2007		
Lead Defendant	**Cases Filed**	**Injunctions - Remands**
FERC	2	0
Navy	1	0
NRC	0	1
DOI - BLM	7	8
- FWS	3	1
- BuRec	3	0
- NPS	2	1
- BIA/NIGC	2	0
- MMS	2	0
- OSM	1	0
USDA - FS	40	23
- APHIS	1	4
DOC - NOAA	2	2
Army - COE	1	3
Army	0	2
DOT - FHWA	4	0
- FTA	2	0
- FAA	5	1
DOE	1	0
EPA	2	1
HUD	0	0
Air Force	0	1
TVA	1	1
FCC	0	0
GSA	0	0
Ex-Im Bank (OPEC)	0	0
USPS	1	0
HHS-FDA	1	0
-NIH	0	0
VA	0	0
DHS - CBP	1	0
- CG	1	0
Total	**86**	**49**

2007 NEPA Case Dispositions	
	Gov't Agency
Judgment for defendant	**87**
Adverse dispositions:	**95**
TRO	**2**
Preliminary Injunction	**10**
Permanent Injunction	**18**
Remand	**23**
Dismissal w/ settlement	**15**
Dismissal w/o settlement	**27**
Case pending, NEPA	**168**

Basis for NEPA Dispositions	
	Gov't Agency
Jurisdictional - P prevailed	3
Jurisdictional - D prevailed	12
NEPA - Not required	10
NEPA - Is required	4
CE - Adequate	7
CE - Not Adequate	6
EA - Adequate*	14
EA - Not Adequate*	15
EIS - Adequate*	29
EIS - Not Adequate*	35
SEIS - Needed*	9
SEIS -Not Needed*	6
* More detailed info in tables below	

EA/FONSI Adequacy	
adequate	23
incomplete, essential info	3
inadequate in/direct effects	7
inadequate cumulative effects	3
other	2

EIS Adequacy	
adequate	29
incomplete, essential info	17
inadequate indirect effects	8
inadequate cumulative effects	4
alternatives: no action	0
alt. excluded/range	6
other	0

SEIS	
adequate	3
need to prepare -new effects info	6
need to prepare - change in action	3
no need to prepare	3

Plaintiffs	
Public Interest groups	222
Individual/Citizen assoc.	58
State government	9
Local government	13
Business groups	16
Property owners/residents	10
Indian tribes	18
Multiple plaintiffs	9
Total	**355**

NEPA Cases in 2008		
Lead Defendant	**Cases Filed**	**Injunctions - Remands**
FERC	3	0
Navy	1	3
NRC	3	0
DOI - BLM	14	3
- FWS	6	0
- BuRec	1	0
- NPS	6	1
- BIA/NIGC	3	0
- MMS	0	2
- OSM	1	0
USDA - FS	46	13
- APHIS	3	5
DOC - NOAA	8	0
Army - COE	15	5
Army	2	0
DOT - FHWA	9	1
- FTA	1	0
- FAA	0	0
DOE	6	0
EPA	1	0
HUD	1	0
Air Force	0	0
TVA	1	1
FCC	0	1
GSA	1	0
Ex-Im Bank (OPEC)	0	0
USPS	0	0
HHS-FDA	0	0
-NIH	0	0
VA	Pending	Pending
DHS - CBP	Pending	Pending
- CG	Pending	Pending
Total	**132**	**35**

2008 NEPA Case Dispositions	
	Gov't Agency
Judgment for defendant	**77**
Adverse dispositions:	**73**
TRO	**0**
Preliminary Injunction	**6**
Permanent Injunction	**10**
Remand	**19**
Dismissal w/ settlement	**26**
Dismissal w/o settlement	**12**
Case pending, NEPA	**233**

Basis for NEPA Dispositions	
	Gov't Agency
Jurisdictional - P prevailed	1
Jurisdictional - D prevailed	27
NEPA - Not required	3
NEPA - Is required	0
CE - Adequate	5
CE - Not Adequate	3
EA - Adequate*	14
EA - Not Adequate*	9
EIS - Adequate*	21
EIS - Not Adequate*	15
SEIS - Needed*	1
SEIS -Not Needed*	8
* More detailed info in tables below	

EA/FONSI Adequacy	
adequate	16
incomplete, essential info	5
inadequate in/direct effects	3
inadequate cumulative effects	1
other	5

EIS Adequacy		
adequate		21
incomplete, essential info		4
inadequate indirect effects		4
inadequate cumulative effects		2
alternatives: no action		0
alt. excluded/range		5
other		2

SEIS		
adequate		3
need to prepare -new effects info		1
need to prepare - change in action		0
no need to prepare		5

Plaintiffs	
Public Interest groups	210
Individual/Citizen assoc.	56
State government	13
Local government	9
Business groups	15
Property owners/residents	10
Indian tribes	10
Multiple plaintiffs	50
Other	1
Total	**374**