

Re: NEPA Call-In Technical Inquiry 0021 - Notice of Intent, Availability

Dear NEPA Call-In User:

This letter is in response to your January 22, 1997 request for information about who at GSA is responsible for publishing notices of intent to prepare an EIS, and notices of availability of a draft or final EIS, in the Federal Register (FR).

NEPA Call-In reviewed GSA Order ADM 1095.1E, "Environmental considerations in decisionmaking," December 8, 1995. The Order states Regional Administrators are responsible for the execution of GSA's responsibilities under NEPA. Further, Regional Administrators are required to maintain centers of expertise within their staff and it is recommended the environmental compliance section reside in Portfolio Management. This document assigns responsibility for implementing the requirements of NEPA, but does not explicitly state who is responsible for publishing the notice of intent or availability.

NEPA Call-In then reviewed PBS P 1095.4B "PBS Preparation of Environmental Assessments and Environmental Impact Statements," April 5, 1990, which ADM 1095.1E states may be employed on an interim basis. Chapter 4, Part 2, "Timing and Planning of the EIS," (enclosed) contains procedures for publishing a notice of intent. Section 7(g) states: "The notice must be signed by the Regional Administrator and sent to the Directives and Reports Management Branch (ATRAI) which submits it to the FEDERAL REGISTER." However, NEPA Call-In learned ATRAI no longer exists. Chapter 6, Part 1, Section 6, "Distribution and review of the draft environmental impact statement (EIS)" does not include information on who must sign the notice of availability of the draft or final EIS.

NEPA Call-In then contacted GSA Region 5, EQAG member, who referred us to GSA document OAD P 1812.1A, "Writing GSA External Directives" (enclosed), which is available through GSA Insite and is provided to you on 3.5" disk saved in html (Hypertext Markup Language) format. You may open this document using Netscape Navigator or Internet Explorer. Chapter 12, "General Notice Documents," Part 1, Section 4, "Publication," states: "General notice documents are published in the FR only. They do not appear in the Code of Federal Regulations (CFR) or in looseleaf form. All general notice documents must be submitted to the Directives and Correspondence Management Branch (CAID), which will forward the documents to the Office of the Federal Register, National Archives and Records Administration." The EQAG member stated CAID has been succeeded by the Federal Acquisition Policy Division (MVR) at GSA.

NEPA Call-In contacted Mr. Rod Lantier, Director, Regulations Secretariat, MVR, (202) 501-2647, who stated Federal Register notices should be sent to the GSA Acquisition Policy Office.

We contacted the GSA Acquisition Policy Office, who stated Federal Register notices should be sent to their attention at:

U.S. General Services Administration  
Attn: GSA Acquisition Policy Office (MVP)  
1800 F Street, N.W.  
Washington, D.C. 20405

The GSA Acquisition Policy Office submits the notice to the Federal Register. NEPA Call-In also contacted the office of the Federal Register Director, National Archives and Records Administration, (202) 523-4534, to determine if they had specific requirements or guidance on preparing Federal Register notices. A representative stated that Federal Register notices should be submitted exactly as they are to appear, and should be sent to the attention of Mr. Raymond Mosley, Director, The Federal Register, National Archives and Records Administration, 7th and Pennsylvania Avenue, N.W., Washington, D.C. 20408. In addition, the National Archives and Records Administration has guidance on how to prepare Federal Register notices and other documents, entitled "The Document Drafting Handbook." Chapter 3 (enclosed) deals with notices. The complete document can be found on the Internet at "[www.nara.gov/nara/fedreg/ddh/ddhout.html](http://www.nara.gov/nara/fedreg/ddh/ddhout.html)".

In summary, notices of intent to prepare an EIS and notices of availability of a draft or final EIS are prepared by the organization responsible for the EIS (Portfolio Management), and sent to the Regional Administrator for signature. The Regional Administrator's office forwards the notice to the GSA Acquisition Policy Office, attention Ms. Marjorie Ashby.

The materials in this TI have been prepared for use by GSA employees and contractors and are made available at this site only to permit the general public to learn more NEPA. The information is not intended to constitute legal advice or substitute for obtaining legal advice from an attorney licensed in your state and may or may not be the most current legal developments. Readers should also be aware that this response based upon laws, regulations, and policies in place at the time it was prepared and this response will not be updated to reflect changes to those laws, regulations and

Sincerely,

(Original Signed)

NEPA Call-In Researcher