



1.0 Purpose & Scope

The National Environmental Policy Act of 1969 (NEPA) is a federal law that serves as the nation’s fundamental charter for environmental protection. It requires that all federal agencies consider the potential environmental impacts of proposed actions. NEPA promotes better agency decision-making by ensuring that quality environmental information is available to agency officials and the public before the agency decides whether and how to undertake a major federal action.

To implement NEPA, all federal agencies follow procedures issued by the Council on Environmental Quality (CEQ) in the Code of Federal Regulations (40 CFR 1500-1508), GSA Order ADM 1095.1F (Environmental Considerations in Decision making), other applicable laws, Executive Orders and regulations and GSA’s procedures are published in the PBS NEPA Deskguide. The PBS Deskguide provides policies, procedures and practices that apply to GSA actions including leasing, acquiring, developing, managing and disposing of real property that may have an impact on the quality of the human environment. They apply to all GSA business lines, GSA staff, contractors, and others who operate under GSA oversight.

Because GSA’s actions take place in urban as well as rural areas, there is potential for effects (beneficial or adverse) on minority and low-income populations. An agency must consider the impacts on the natural, social, and cultural environments, including environmental justice, through the NEPA process for all proposed GSA actions. Some proposed actions may occur in situations where an EIS, EA or a CATEX might be the operative level of NEPA analysis. Thus consideration must be given to conducting some level of environmental justice review as part of each GSA NEPA review.

2.0 Activities & Departments Affected

- NEPA review is required for all federal actions in the region to assess environmental impacts to the human environment.

3.0 Exclusions

- None. NEPA analysis and documentation is required for all actions as outlined in the NEPA Deskguide. Certain actions may be categorically excluded from more extensive NEPA analysis if they do not individually or cumulatively have a significant effect on the human environment – see Chapter 5 “Categorical Exclusions” in the GSA NEPA Deskguide.

4.0 Forms Used & Permits Required: (include reporting requirements)

In-house GSA Forms:

- Automatic Categorical Exclusion Form



Federal and State Forms and Permits:

- No Federal or State Permits are required unless a permit is identified as mitigation for an action

5.0 Acronyms, Abbreviations, and Definitions

Acronyms	Meaning
CATEX	Categorical Exclusion
CEQ	Council on Environmental Quality
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
FONSI	Finding of No Significant Impact
GSA	General Service Administration
NEPA	National Environmental Policy Act
NOI	Notice of Intent
PBS	Public Building Services

6.0 Procedure

State Specific Procedures & Requirements

- NEPA is a Federal law and there are no State regulations in Region 8 that are applicable.

Federal Specific Procedures & Requirements

- Refer to the Reference section

Standardized Procedure:

- 6.1 Project Manager or Planner identify a need for action.
- 6.2 Project Manager or Planner develops a proposal for agency action (scope) and defines purpose and need and completes an Automatic Categorical Exclusion form and submits to the R8 NEPA Program Specialist for concurrence and signature.
- 6.3 R8 NEPA Program Specialist determines if environmental effects are likely to be significant.
- 6.4 If environmental effects are not likely to be significant, the Regional NEPA Program Specialist determines if proposed action is described in Agency Automatic Categorical Exclusion (CE) in Chapter 5 of the NEPA Deskguide.
 - If yes, sign the Automatic Categorical Exclusion form and include in the project file.



- If no, a CE Checklist is developed.
- 6.5 If environmental effects are not likely to be significant, the Regional NEPA Program Specialist determines if the proposed action is described in Agency CE Checklist in Chapter 5 of the NEPA Deskguide.
- If yes, the NEPA Program Manager completes a CE Checklist
 - If the proposed action has no extraordinary circumstances, make a decision and include documentation in project file.
 - If the proposed action has extraordinary circumstances and it is uncertain if environmental effects are likely to be significant, develop an Environmental Assessment (EA).
- 6.6 If there is uncertainty about the significance of environmental impacts and there is no Agency CE, the Regional NEPA Program Specialist will develop an EA with appropriate public involvement to the extent practicable as outlined in Chapter 6 of the NEPA Deskguide.
- If there are no significant environmental effects, a Finding of No Significant Impact document is developed by the Regional NEPA Program Specialist and signed by the regional decision maker, which is currently the Regional Commissioner per Chapter 6 of the NEPA Deskguide. The Project Manager then implements the proposed action including any proposed mitigation that was identified in the EA. The Project Manager and the Regional NEPA Program Specialist monitors the project over time to ensure that the mitigation is followed and that the action continues to have no significant environmental impacts.
 - If there is certainty that significant environmental effects will or may occur, the Regional NEPA Program Specialist develops an Environmental Impact Statement (EIS).
- 6.7 The R8 NEPA Program Specialist will develop an EIS which will include the following step as outlined in Chapter 7 of the GSA NEPA Deskguide:
- Develop a Notice of Intent (NOI)
 - Conduct Public Scoping and appropriate public involvement
 - Draft EIS
 - Public Review and Comment and appropriate public involvement
 - Final EIS
 - Public Availability
 - Record of Decision (ROD)
 - Implementation with monitoring as provided in the Decision

7.0 Records Management

- Automatic Catex Forms
- Environmental Assessments
- Environmental Impact Statements



- NEPA reviews are documented and tracked in the R8 NEPA Tracker found on P drive.

8.0 References

GSA NEPA Deskguide, October 1999

Environmental Protection

- Clean Air Act of 1970, 42 U.S.C. § 7401 *et seq.*
- Coastal Zone Management Act of 1972, 16 USC § 1451 *et seq.*
- Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 *et seq.*
- Council on Environmental Quality (CEQ) in the Code of Federal Regulations (40 CFR 1500-1508)
- Endangered Species Act, 16 U.S.C. § 1531 *et seq.*
- Executive Order (EO) 11514, Protection and Enhancement of Environmental Quality, March 5, 1970; as amended by EO 11991, May 24, 1977
- EO 11593, Protection and Enhancement of Cultural Environment, May 13, 1971
- EO 11990, Protection of Wetlands, May 24, 1977
- EO 12088, Federal Compliance With Pollution Control Standards, October 13, 1978; as amended by EO 12580, January 23, 1987 – Superfund Implementation
- EO 12580, Superfund Implementation, January 23, 1987; as amended by EO 12777, October 18, 1991, EO 13016, August 28, 1996, and amended by EO 13286, February 28, 2003
- EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994
- EO 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition, September 14, 1998
- Fish and Wildlife Coordination Act, 16 U.S.C. § 661 *et seq.*
- Federal Water Pollution Control Act (Clean Water Act), 33 U.S.C. §§ 1251–263 *et seq.*
- GSA Order ADM 1095.1F (Environmental Considerations in Decision making)
- GSA Order ADM 1095.6 (Floodplain Management)
- GSA Order ADM 1095.5 (Wetland Compliance Guide)
- National Environmental Policy Act of 1969, 42 U.S.C. § 4321 *et seq.*
- Safe Drinking Water Act, 42 U.S.C. § 300f *et seq.*
- Solid Waste Disposal Act, 42 U.S.C. § 6901 *et seq.*
- Toxic Substance Control Act, 15 U.S.C. § 2601 *et seq.*
- Wild and Scenic Rivers Act, 16 U.S.C. § 1271 *et seq.*

Location

- EO 11988, Floodplain Management, May 24, 1977
- EO 12072, Federal Space Management, August 16, 1978
- EO 13006, Locating Federal Facilities on Historic Properties in Our Nation's Central Cities, May 21, 1996
- EO 13514, Federal Leadership in Environmental, Energy, and Economic Performance,



October 8, 2009

- Farmlands Protection Act, 7 U.S.C. § 4201 *et seq.*
- Federal Management Regulation part 102–83 - Location of Space, 41 CFR part 102 -83
- Federal Urban Land Use Act, 40 U.S.C. §§ 901-905
- Rural Development Act, 7 U.S.C. § 2204b-1

Historic Preservation

- American Indian Religious Freedom Act, 42 U.S.C. §§ 1996–1996a
- Archaeological Resource Protection Act, 16 U.S.C. §§ 470aa–470mm
- EO 13007, Indian Sacred Sites, May 24, 1996
- Federal Management Regulation part 102–78 - Historic Preservation, 41 CFR part 102–78
- National Historic Preservation Act of 1966, 16 U.S.C. § 470 *et seq.*
- Native American Graves Protection and Repatriation Act, 23 U.S.C. § 3001 *et seq.*
- Religious Freedom Restoration Act, 42 U.S.C. §§ 2000bb–2000bb-4

Climate Change Adaptation

- EO 13514, Federal Leadership in Environmental, Energy, and Economic Performance, sections 8(i) and 16, October 5, 2009
- GSA Order ADM IL-11-1 Climate Change Adaptation Planning Actions for FY 2012, September 30, 2011
- Instructions for Implementing - Sustainable Locations for Federal Facilities, Council on Environmental Quality, September 15, 2011, Section IV c

9.0 Appendices

Attachment A: NEPA Flowchart

Attachment B: Automatic Categorical Exclusion Form

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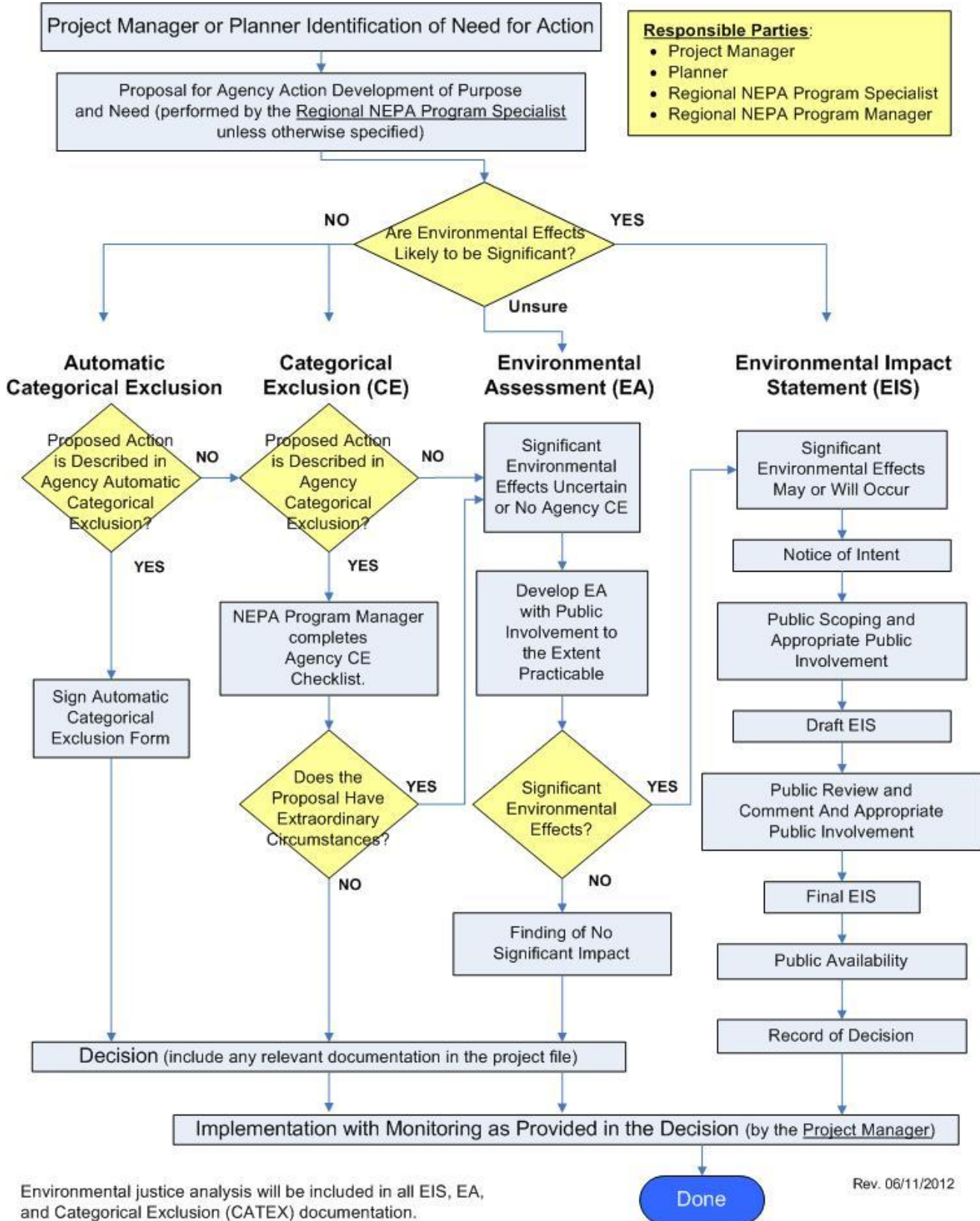
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04/20/2012	Working Draft	Lisa Haskins
07/06/2012	Move references from section 6 to section 8, insert flowchart	Robert Melvin



NATIONAL ENVIRONMENTAL POLICY ACT

Region 8 Sustainability & Environmental Management System

ATTACHMENT A: National Environmental Policy Act (NEPA) Flowchart



- Responsible Parties:**
- Project Manager
 - Planner
 - Regional NEPA Program Specialist
 - Regional NEPA Program Manager

Environmental justice analysis will be included in all EIS, EA, and Categorical Exclusion (CATEX) documentation.

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Attachment B: Automatic Categorical Exclusion

Filling Out An Automatic Categorical Exclusion Form by GSA Project Proponent

Section I: Project Information

- Your name, title and date
- Agency name

Section II: Site Information

- Building name if GSA-owned
- Location of project – address and city
- RSF of space impacted
- Date Building Constructed – important for historic preservation screening
- #personnel, parking spaces and type of space impacted (ie., office, lab, detention cells)
- Confirm if in 100-year or 500-year floodplain
- Attach critical action letter if applicable
- Floodplain justification?
- Identify “Yes” or “No” whether R8 RHPO notified of the project

Section III: Action Description

- Provide a complete description of the project so a determination of whether there may be significant environmental impact can be determined. For example – new lease for 10 years, new construction or in an existing building.
- Indicate if you are attaching supplemental documentation such as a map, floodplain determination map, etc.

Section IV: Types of Action

- Based on the proposed action, select a category from those provided on page 2 of the form, Section VI – Category Descriptions, that best apply to the proposed action.

Section V: Approval

- Sign name and date.
- R8 NEPA Program Specialist will sign and return the form to include in the project file.