

SECTION .0400 - COMPLIANCE

01 NCAC 25 .0401 METHOD OF COMPLIANCE

(a) Unless a project falls below the threshold established in an agency's approved minimum criteria, compliance with this Chapter will be achieved through the preparation of one or more of the following environmental documents:

- (1) an environmental assessment (EA);
- (2) a finding of no significant impact (FONSI); or
- (3) an environmental impact statement (EIS); and
- (4) a record of decision (ROD).

(b) The agency responsible for compliance may choose to immediately prepare an EIS.

(c) For all other projects, an EA shall be prepared.

(d) If the EA demonstrates that the project activity will not have a significantly adverse effect on the quality of the environment, the State Project Agency will file a FONSI.

(e) If the environmental assessment demonstrates that the project may result in a significant adverse affect on the quality of the environment, the State Project Agency will file an EIS in accordance with Section .0600 of this Chapter.

(f) Before an activity is commenced for which an EIS has been completed, the State Project Agency will file an ROD as required by Section .0600 of this Chapter.

*History Note: Authority G.S. 113A-11;
Eff. February 1, 1986;
Amended Eff. May 3, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.*