

**01 NCAC 25 .0506            REVIEW PROCESS**

- (a) The State Project Agency must submit 16 copies of the EA and FONSI to the Clearinghouse, and any additional copies as may be requested. The Clearinghouse shall circulate these documents to state and local officials to obtain comments and shall publish a Notice of Availability in the Environmental Bulletin. In order to have a Notice of Availability published in the Environmental Bulletin, the documents must be submitted to the Clearinghouse no later than noon on the Friday preceding the publication date of the Bulletin. Reading copies shall be made available at the Clearinghouse for any interested parties. The review period is 30 calendar days after publication in the Bulletin.
- (b) Each reviewing agency and any interested party may make comments on the adequacy of the documents.
- (c) Based on consideration of the comments submitted, the Clearinghouse shall advise the State Project Agency as follows:
  - (1) the document has been determined to lack sufficient information. Supplemental documentation which provides adequate information should be submitted to the Clearinghouse for review and comment;
  - (2) the document does not satisfy a finding of no significant impact and an EIS should be prepared;
  - (3) the document is adequate and the next appropriate level document should be prepared for review; or
  - (4) the document is adequate and completes the review process requirements for the act.
- (d) The State Project Agency may adopt or reject the Clearinghouse's recommendation.
- (e) No administrative or judicial review is permitted unless undertaken in connection with review of the agency action. No other review of an environmental document is permitted.

*History Note:        Authority G.S. 113A-11;  
                              Eff. February 1, 1986;  
                              Amended Eff. April 1, 1999; May 3, 1993;  
                              Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,  
                              2016.*