

## Other (State)

### State Environmental Policy Act of 1971 (SEPA)

**What Activities Require This Permit?** SEPA is not a permit, but participation in the SEPA review process may be required prior to issuance of some permits. SEPA involves significant expenditure of public moneys or use of public land for projects and programs significantly affecting the quality of the environment of this State, a detailed statement by the responsible official setting forth the following:

- a. The direct environmental impact of the proposed action;
- b. Any significant adverse environmental effects which cannot be avoided should the proposal be implemented;
- c. Mitigation measures proposed to minimize the impact;
- d. Alternatives to the proposed action;
- e. The relationship between the short-term uses of the environment involved in the proposed action and the maintenance and enhancement of long-term productivity; and
- f. Any irreversible and irretrievable environmental changes which would be involved in the proposed action should it be implemented.

"Significant expenditure of public moneys" means expenditures of State funds greater than ten million dollars (\$10,000,000) for a single project or action or related group of projects or actions.

"Use of public land" means land-disturbing activity of greater than 10 acres that results in substantial, permanent changes in the natural cover or topography of those lands that includes:

- a. The grant of a lease, easement, or permit authorizing private use of public land; or
- b. The use of privately owned land for any project or program if
  - (i) the State or any agency of the State has agreed to purchase the property or to exchange the property for public land and
  - (ii) the use meets the other requirements of this subdivision."

**What Is The Purpose of This Permit?** SEPA is not an actual permit, but rather an environmental impact assessment process. The purpose of SEPA is to require state agencies to evaluate the potential negative environmental impacts of a proposed project. Environmental documents prepared for SEPA compliance allow state government agencies to make informed decisions about whether and under what conditions a project with potential adverse impacts should proceed. This is a public process allowing all views to be heard regarding the sufficiency of the impact analysis. SEPA review is not a permitting process, but is intended to help permitting agencies ensure regulatory requirements are met and that impacts are minimized and mitigated, much as possible. This review should take place in the early stages of project planning.

**Who Issues This Permit?** N.C. Department of Environmental Quality (DEQ) or other state agencies i.e., Department of Administration, Department of Natural and Cultural Resources, Department of Transportation, University of North Carolina, and the Community College System can be designated as the "SEPA lead agency." The agency is responsible for evaluating the environmental document and determining if the project is likely to impact the environment. If DEQ becomes a lead division, it is their responsibility to make sure the document is complete and then sends the final environmental document and FONSI - Finding of No Significant Impact (in case of Environmental Assessment (EA) and if not previously prepared)-to the State Clearinghouse (SCH). Next, the SCH provides a letter stating one of the following:

- Document needs supplemental information, or
- Document does not satisfy a FONSI (Finding of No Significant Impact), and an EIS (Environmental Impact Statement) should be prepared, or
- Document is adequate; SEPA is complete.

If an EIS is needed, then after the lead agency determines the EIS is adequate, the SCH publishes a Record of Decision (ROD) in the N.C. Environmental Bulletin.

**How Much Will This Permit Cost?** There is no cost for state agency review. However, cost may be incurred through the private sector.

**What Are My Payment Options for Permit Application Fees?** Not applicable.

**If Paying by Check, Who do I Make the Check Payable to and Where Do I Send the Check?** Not applicable.

# Other (State)

## State Environmental Policy Act of 1971 (SEPA)

(continued)

**Where Can I Get The Application For This Permit?** An applicant submits a draft environmental document to the lead division with the DEQ to assist in developing a complete document that meets their requirements. Any activity covered by the N.C. Environmental Policy Act must have an environmental document prepared for the project. An environmental document is either an environmental assessment (EA) or an environmental impact statement (EIS). The environmental document must be prepared in accordance with statutory and regulatory requirements, and under the guidance of a state agency. Many state agencies have developed approved minimum criteria establishing thresholds for certain minor or routine activities below which significant environmental impacts are not expected to occur, and provision is made so that the requirements of this act do not apply to these activities. Review of environmental documents is coordinated through the 'Lead Agency' first, then through the State Clearinghouse (SCH) in the N.C. Department of Administration. Comments are requested from state, regional and local agencies.

When an environmental document is prepared under the requirements of the National Environmental Policy Act (NEPA) and is reviewed through the State Clearinghouse process, then the requirements of the North Carolina Environmental Policy Act are considered to be satisfied.

**How Long Will It Take to Review My Applications?** The SCH review period is open 30 to 45 days depending on the type of document and date of receipt. That official review period is counted from the date a notice of the document is published in the N.C. Environmental Bulletin. The Bulletin is published bi-weekly by the State Clearinghouse. At the end of the review period, the responsible state agency is notified of the comments. If any further action is needed, the agency will be notified at this time.

<http://www.doa.nc.gov/clearing/flowchart.aspx>

**Where Do I Submit My Environmental Document?** The lead agency works with the applicant to develop a complete Environmental Document that meets the lead agency's requirements by way of DEQ's in-house review process. When DEQ determines that the environmental document is ready to be filed with the State Clearinghouse, *only six copies (2 hard copies, 4 CD, DVD or website address where the document can be accessed), need to be submitted to the State Clearinghouse.*

**How Long Is My Permit or License or Certificate Valid?** Once a FONSI or ROD has been issued, an environmental Document is usually valid for 5 years. There are some situations when the expiration time can be negotiated.

**Notes/Comments:** PUBLIC HEARING (S) ARE RECOMMENDED (BUT NOT REQUIRED) DURING THE DRAFT STAGE OF DOCUMENT PREPARATION FOR BOTH EA AND EIS.

**Legal Authority/Statute Reference:** North Carolina G.S. 113A, 1 through 113A-13 1 NCAC 25, 15A NCAC 1C

### Links:

<http://deq.nc.gov/permits-regulations/sepa>

[Division of Water Resources](#)

<http://www.doa.nc.gov/clearing/default.aspx>

<http://www.doa.nc.gov/clearing/faq.aspx>

<http://www.doa.nc.gov/clearing/minumumcriteria.aspx>

### Statewide Contact Information:

State Environmental Review Clearinghouse

Department of Administration

1301 Mail Service Center

Raleigh, North Carolina 27699-1301

Telephone: (919) 807-2425

Fax: (919) 733-9571