

# REF 400-ab5: Notice of Availability

---

Effective June 2012

1. **The Notice of Availability (NOA)** alerts interested parties that the environmental document is available for review. It must contain the following:
  - a. Location of the project.
  - b. A brief description of the project.
  - c. Information on wetlands, floodplains, Section 4(f) property, or endangered species that may be impacted by the project.
  - d. Purpose of the EIS.
  - e. Responsible agency (typically WSDOT).
  - f. Federal Lead Agency.
  - g. Where documents are available.
  - h. Where to send comments.
  - i. "Comments are requested by (date)".
  - j. Date, time, and location of public hearing.
  
2. **For state funded projects** the notice is published in the local papers and submitted to the Washington State Department of Ecology. Procedures and requirements can be found on the [Ecology web site](#).
  
3. **For an EA** the NOA is published in a local newspaper in the project area.
  - a. Include a copy of the notice in the project file.
  
4. **For an EIS** the NOA is submitted to USEPA and they publish the NOA in the Federal Register. Format, schedule, and submission requirements are provided on the [US EPA web page](#).
  - a. Include a copy of the NOA in the project file.

## Critical Submission and Timing Issues for U.S. EPA

- Be sure to distribute copies of the environmental document *before* submitting the NOA to EPA. Copies of the environmental documents must be *received* by all interested parties by the time the NOA appears in the Federal Register in order to allow the full, minimum comment period which begins on the publication date. If EPA discovers that the environmental document has not been received prior to

publication of the NOA, they will retract the notice and publish the retraction in the Federal Register. Agencies will then have to provide evidence that the documents have been received by all interested parties before EPA will publish a new NOA.

- Be sure to allow processing time for your NOA request. EPA publishes the Federal Register once a week on Fridays. Your submission must be received no later than close of business on Tuesday to appear in that week's update.
- **As of October 1, 2012, all Environmental Impact Statements must be filed electronically through the new EPA e-NEPA website. See the FHWA Guide for instructions and requirements.**
- If your document is available on the web, email the web address (URL) to [EIS-Filing@epa.gov](mailto:EIS-Filing@epa.gov) at the same time you send the hard copy to EPA.