2.3.17 Thirty Day Statute of Limitations

A statute of limitations defines the time period within which a suit can be filed on a particular action. Under CEQA Statutes Section 21167(b) [http://ceres.ca.gov/ceqa/stat/chap6.html](http://ceres.ca.gov/ceqa/stat/chap6.html), a 30-day statute of limitations applies after a Notice of Determination (NOD) has been filed for either a Negative Declaration or an EIR. Any court challenges related to the adequacy or certification of the EIR have to be filed within this period.

The 30-day period begins the first day after the filing of the NOD. It is important to confirm receipt of the NOD by OPR. The 30-day period ends 30 calendar days later, or on the first working day following a weekend or holiday. If no NOD is filed, a lawsuit may be filed up to 180 days after approval of the project.

**Practical Considerations**

If a suit is filed during the 30-day statute of limitations, the Offices of the General Counsel and the President should be contacted immediately.

It is generally best to delay project implementation and contractor mobilization until after the 30-day period and it is confirmed that no lawsuit has been filed.