

2.2.6 Notice of Determination (NOD) for Negative Declaration or Mitigated Negative Declaration

A Notice of Determination (NOD) is the formal notice filed with the State Clearinghouse after UC has approved a project that is subject to CEQA (*UC Handbook, Appendix J; CEQA Statutes Section 21108* <http://ceres.ca.gov/ceqa/stat/chap3.html>). A NOD advises the public and relevant agencies with jurisdiction by law over the project area that a Negative Declaration or Mitigated Negative Declaration and the corresponding project have been approved. It also starts a 30-day statute of limitations for court challenges to the CEQA document (*UC CEQA Handbook Section 2.2.7*).

Practical Considerations

- Two copies of the NOD should be sent to the State Clearinghouse. Request that one copy be date stamped and returned to verify receipt. A NOD must also be mailed to any person who has filed a written request for notices with the campus. The NOD must be mailed within five days of project approval (*CEQA Statutes Sections 21092.2* http://ceres.ca.gov/ceqa/stat/chap2_6.html and *21167(f)* <http://ceres.ca.gov/ceqa/stat/chap6.html>).
- State law requires that a filing fee be paid to the Department of Fish and Game <http://www.dfg.ca.gov/dfghome.html>, or a Certificate of Fee Exemption (COFE) to be filed if the UC decision maker makes a de minimis impact finding regarding wildlife resources. A sample Certificate of Fee Exemption is located at *Appendix P* of this Handbook. The fee is submitted with the NOD to the State Clearinghouse. The fee for a Negative Declaration is \$1,250. The NOD will only be accepted and posted by the State Clearinghouse if either a check or a Certificate of Fee Exemption is included.
- The state encourages all CEQA notices to be made available on the Internet in addition to other forms of public notification (*CEQA Guidelines Section 15075(f)* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art6.html).