# **TEMPLATE FOR “NOTICE OF STATUTE OF LIMITATIONS ON CLAIMS”**

**Instructions:**

* Notice must be double-spaced. Enter project information as instructed in the form fields.
* Additional instructions are shown below in blue text and are marked by the word “Note.” Remove all instructions and the title above before finalizing.
* Once the notice is finalized and has completed a quality control review, email to the current FHWA Environmental Specialist (Shawn Oliver) at: Shawn.Oliver@dot.gov. Include a brief description of the document and request the document be posted in the Federal Register (e.g., Hello, please find the attached Notice of Limitation on Claims and post to the Federal Register.).
* It takes an average of 2 days for the notice to post, but please allow 5 working days for publication. To see if the notice has posted, go to <https://www.federalregister.gov/>, search for the term “limitation on claims” or “limitation on claims, Caltrans,” then under agency filter by Federal Highway Administration and click on newest to see the most recent postings. You can also click on the notices under “Current Issue” or “Public Inspection.” Click on “Show Advanced Search” and filter by agency (Federal Highway Administration (FHWA)) and specify the date or a range of dates.

**DEPARTMENT OF TRANSPORTATION [4910-RY]**

**Federal Highway Administration**

**Notice of Final Federal Agency Actions on Proposed Highway in California**

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT)

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), and enter applicable Federal agencies, such as US Army Corps of Engineers (USACE) that are using this NEPA document in its decision-making.

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans, and list applicable Federal agencies that are final. The actions relate to a proposed highway project, enter highway name/number and starting and ending cities or other points in the County enter county name(s), State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. §139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before [Insert date 150 days after publication in the Federal Register] [Note: previous phrase must be included as written, including the brackets, since it is an instruction to the Federal Register]. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For Caltrans: enter contact information (Chief, Environmental Branch responsible for the project), including name, title, agency name, office address and regular office hours, telephone, and e-mail. [Note: for each federal agency (repeat as applicable), enter the following sentence]: For list Federal Agency: enter contact information, including name, title, agency name, office address and regular office hours, telephone, and e-mail. [Note: Only include contact for FHWA if this is a non-assigned project, or they are working directly on the project for an issue such as 4(f).]

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans, and list applicable Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: Enter very brief description of project (target is no more than 3-5 sentences): project location, project/construction type, length of project, general purpose, FHWA project reference number. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Impact Statement (FEIS) for the project, approved on enter date, in the Record of Decision (ROD) issued on enter date, and in other documents in the project records. The FEIS, ROD, and other project records are available by contacting Caltrans at the address provided above. The Caltrans FEIS and ROD can be viewed and downloaded from the project web site at enter link, or viewed at public libraries in the project area. [Note: delete text on electronic and library access if not applicable] [Note: For each Federal agency that is using this NEPA document in its decision, complete the following]. The enter name of agency decision and permit enter permit reference are available by contacting enter name of agency at the address provided above, and can be viewed and downloaded from enter link to agency or project web site, or delete this electronic availability text if not applicable, or viewed at public libraries in the project area. [Note: delete text on library access if not applicable]

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to: [Note: List the key laws and Executive Orders under which Federal agencies have made final, documented decisions about the project below (add/edit information as needed, list numbers should auto-populate); drafters should not list any law or Executive Order that does not apply to the project, or for which the Federal agency decision is not final.]:

1. National Environmental Policy Act of 1969
2. Clean Air Act, 42 U.S.C. 7401-7671
3. Endangered Species Act of 1973 (ESA), 16 U.S.C. 1531-1544
4. National Historic Preservation Act of 1966 (NHPA)
5. Clean Water Act, 33 U.S.C. 1251-1387 (Sections 319, 401, and 404)
6. Enter key law or Executive Order
7. Enter key law or Executive Order

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. §139(l)(1)

Date: Enter date signed

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Antonio Johnson

Director of Planning, Environmental and Right of Way

Federal Highway Administration, California Division

[Note: the signature must be exactly as typed]

[Note: signature must not be on a separate page from text of notice.]