

Proposed Draft Contact List Regulations

TITLE 14 (Natural Resources), DIVISION 18 (Native American Heritage Commission)

CHAPTER 1: Native American Heritage Commission Contact List Regulations

SECTIONS:

31030. Preamble

- (a) These rules and regulations are intended to interpret and make specific the term “Contact List” along with establishing the procedures for inclusion and removal from the “Contact List,” established pursuant to Title 7, Division 1 (commencing with Section 65352) of Chapter 3, Article 6 of the Government Code.
- (b) The contact list is intended for the use of the Native American Heritage Commission to facilitate consultation under Chapter 905 of the Statutes of 2004 (SB 18) and Chapter 532 of the Statutes of 2014 (AB 52). Any other use of the Contact List is outside the scope of these regulations.
- (c) It is the intent of these Regulations to support, protect, and uplift the inherent tribal sovereignty of Federally Recognized Tribes and in doing so, protect the political status of Federally Recognized Tribes.
- (d) These regulations do not establish a State of California recognition process for any culturally affiliated groups within the state that are not recognized by the federal government.

Note: Authority cited: Sections 65092, 65352, and 65352.3 of the Government Code.

31031. Definitions

- (a) “Commission” means the Native American Heritage Commission established pursuant to Section 5097.91 of the Public Resources Code.
- (b) “Contact List” means the list maintained by the Native American Heritage Commission for the purposes of Title 7, Division 1 (commencing with Section 65352) of Chapter 3, Article 6 of the Government Code.
- (c) “Cultural Affiliation” means that there is a reasonable relationship of shared group identity that can be reasonably traced historically or precontact between members of a present-day group and an identifiable earlier tribe or group.
- (d) “Federally Recognized Tribe” means any Indian band, nation, pueblo, village, or community recognized as eligible for the special programs and services provided by the United States Government to Indians because of their status as Indians by its inclusion on

the list of recognized Indian Tribes published by the Secretary of the Interior under the Act of November 2, 1994 (25 U.S.C. 5131).

- (e) “Final Notice of Incomplete Submission” means the final written notice to a Requester who has either:
 - (1) Failed to timely respond to the Notice of Incomplete Submission; or
 - (2) Responded to the Notice of Incomplete Submission with insufficient information and/or documentation to complete the submission.
- (f) “Listed Entity” means an entity that is listed on the Contact List.
- (g) “Notice of Complete Submission” means the written notice to the Requestor that its submission is complete and contains the information and documentation required under sections 31033-31035.
- (h) “Notice of Incomplete Submission” means the written notice to the Requestor that its submission is incomplete because it failed to submit all the information and documentation specified in Sections 31033-31055. The Notice of Incomplete Submission is not a denial of the request for inclusion on the Contact List.
- (i) “Preponderance” means more likely to be true than not true.
- (j) “Requester” means a group seeking inclusion on the Contact List that is not recognized as a tribe by the federal government.

Note: Authority cited: Sections 65092, 65352, and 65352.3 of the Government Code; and Sections 21073, 21080.3.1 of the Public Resources Code.

31032. Contact List

- (a) The Contact List shall include all Federally Recognized Tribes currently located within the geographic boundaries of California, as reflected on the list of recognized Indian Tribes published by the Secretary of the Interior under the Act of November 2, 1994 (25 U.S.C. 5131) and culturally affiliated groups that are not recognized by the federal government as tribes that have been approved for inclusion on the Contact List. The Contact List will clearly identify which Listed Entities are Federally Recognized Tribes.
- (b) The Commission shall maintain a Contact List to facilitate consultation on general and specific plans pursuant to the purposes of Chapter 905 of the Statutes of 2004 (SB 18).
- (c) The Contact List will also be used by the Commission to facilitate consultation pursuant to Chapter 532 of the Statutes of 2014 (AB 52).

- (d) Upon request, the Commission shall provide a copy of the Contact List to any Listed Entity and to cities, counties, lead agencies, and any other entity as permitted by law.
- (e) Contact information for each Listed Entity on the Contact List will be updated quarterly. It is the responsibility of each Listed Entity to update its contact information with Commission staff to ensure the provision of accurate information in support of consultation. In the event an entity is added or removed from a Contact List, the Commission shall update the Contact List upon the effective date of the addition or removal.
- (f) Within one year of the effective date of these regulations, the Commission shall use its best efforts to create the first edition of the Contact List, which shall include a link to each Listed Entity's consultation map. However, the first edition shall not be created until after the Commission has completed reviewing all requests submitted pursuant to these regulations. Any list created prior to the establishment of the first edition of the Contact List shall be void. Each time the Contact List is updated, it shall include a statement identifying additions and removals from the last version. The first edition and all following updates shall include a link to each Listed Entity's consultation map.

Note: Authority cited: Sections 65352, and 65352.3 of the Government Code; and Sections 21073 and 21080.3.1 of the Public Resources Code.

31033. Request for Inclusion on the Contact List

- (a) All documents submitted pursuant to this section must be accompanied by an attestation that the documents are true and correct copies, are available for inspection by Commission staff, and that all information contained within the records is accurate. The Commission shall provide a sample form with this language for use.
- (b) A request for inclusion on the Contact List must include the name of the Requestor and contact person, electronic and U.S. mail addresses, and information and documentation concerning the following:
 - (1) Information establishing cultural affiliation, connection, and capacity as specified in Section 31034; and
 - (2) Description of Area for Consultation as specified in Section 31035.
- (c) Other than records exempt from disclosure under the law, which include records of Native American graves, cemeteries, and sacred places, all documents submitted to the Commission are subject to the California Public Records Act and are required to be disclosed upon receipt of a request for records.

Note: Authority cited: Sections 7920 – 7931, 65352, and 65352.3 of the Government Code.

31034. Establishing Cultural Affiliation, Connection, and Capacity

- (a) A Requester must establish its Cultural Affiliation and that it is traditionally and culturally affiliated with the geographic area where it seeks consultation. Additionally, a Requestor must demonstrate that it has historically and currently engages in consultations and implemented efforts to preserve and protect archaeological, historical, cultural, and sacred sites that are located within the geographic area where it seeks consultation. Documents submitted pursuant to this section must be accompanied by an attestation that they are true and correct copies that are available for inspection by the Commission staff on request and that all information contained in the documents is accurate.
- (b) In order to demonstrate its Cultural Affiliation, a Requester shall submit information that may include, but is not limited to oral tradition evidence; documentation of tribal traditional knowledge; that the group is connected to a California Native American linguistic group that shares its cultural identity, and historical federal documentation of its past recognition in support of one or more of the following:
 - (1) Evidence that the group was a signatory to one of the eighteen unratified treaties with the United States drafted between April 29, 1851, and August 22, 1852. If more than one Requestor asserts that it is connected to an earlier group that was a signatory to one of the eighteen unratified treaties, then none of the Requestors will be considered for inclusion on the Contact List until the Commission makes a determination of which Requestor is the appropriate entity. This determination shall be made prior to the creation of the first edition of the contact list. If this situation arises, Commission staff shall inform each Requestor that the Commission will make a determination of the appropriate entity. if a Requestor chooses, it may submit the dispute as to which is the correct group for resolution in accordance with section 31039.
 - (2) Evidence that the present-day group was at one time recognized as a tribe by the federal government but was subject to termination in the 20th century. If more than one Requestor asserts that it is connected to an earlier group that was formally federally recognized but later terminated, then none of the Requestors will be considered for inclusion on the Contact List until the Commission makes a determination of which Requestor is the appropriate entity. This determination shall be made prior to the creation of the first edition of the contact list. If this situation arises, Commission staff shall inform each Requestor that the Commission will make a determination of the appropriate entity. if a Requestor chooses, it may submit the dispute as to which is the correct group for resolution in accordance with section 31039.
 - (3) Evidence that the present-day group was at one time recognized as a tribe by the federal government.

(c) A Requester's connection to the geographic area where it seeks consultation shall be determined in the following manner:

- (1) If it is establishing its Cultural Affiliation through evidence that it was a signatory to one of the eighteen unratified treaties, then it shall demonstrate that the area in which it intends to engage in consultation is within the territory ceded under the treaty.
 - (2) If it is establishing its Cultural Affiliation through evidence that it was at one time recognized by the federal government but was subject to termination, then it shall demonstrate that the area in which it intends to engage in consultation is within the area occupied at the time of termination.
 - (3) If it is establishing its Cultural Affiliation through evidence that it was at one time recognized by the federal government, then it shall demonstrate that the area in which it intends to engage in consultation is within the area occupied at the time of recognition.
- (d) In order for a Requester to demonstrate that it historically and currently engages in consultation and efforts to preserve and protect archaeological, historical, cultural, and sacred sites located within the geographic area in which it wishes to consult, it shall provide the following:
- (1) Names and backgrounds of persons who will be consulting on behalf of the group. The background information shall include, but not be limited to, the number of years working or volunteering in cultural preservation; cultural knowledge and expertise; educational background; and how each person is affiliated with the group.
 - (2) Information regarding past and current consultations under SB 18 and AB 52 with state, county, and local governments and agencies which shall include approximate dates and the subject of consultation.
 - (3) Information on locations the Requestor has placed on the Commission's sacred lands file, including approximate date(s) of the request(s).
- (e) In addition to the information submitted under subsection (d), a Requestor may provide a resolution of support from all Federally Recognized Tribes of the same Cultural Affiliation attesting that the Requestor has demonstrated capacity to protect and preserve cultural resources within the geographic area that it seeks consultation.

Note: Authority cited: Sections 65092, 65352, and 65352.3 of the Government Code.

31035. Description of Area for Consultation

(a) In order for the Commission to effectively facilitate consultation conducted pursuant to Chapter 905 of the Statutes of 2004 (SB 18) and Chapter 532 of the Statutes of 2014 (AB 52), a Federally Recognized Tribe shall provide the Commission with information regarding the geographic area over which it seeks consultation. This information shall be conveyed via a map and narrative and may include identification of counties, cities, unincorporated communities, national parks or forests, and state and local parks that are located within the area. If this information is not provided, the Commission will use the best information available, to meet its statutory requirements.

(1) When maps and narratives are submitted or updated, Commission staff shall review its records to determine whether another Federally Recognized Tribe is seeking consultation in the same area. If there is more than one Federally Recognized Tribe seeking consultation in an area, the Commission staff shall provide copies of each tribe's submitted map and narrative to the others, requesting confirmation of or revision to the map. If there is a dispute between Federally Recognized Tribes, concerning the geographic area in which consultation is sought, it shall be resolved in accordance with section 31038.

(2) Commission staff will review the information provided and, if necessary, work with the Federally Recognized Tribe to finalize a digital consultation map.

(b) In order for the Commission to effectively facilitate consultation conducted pursuant to Chapter 905 of the Statutes of 2004 (SB 18) and Chapter 532 of the Statutes of 2014 (AB 52), a Requestor shall provide the Commission with information regarding the geographic area over which it seeks consultation. This information shall be conveyed via a map and a narrative and may include identification of counties, cities, unincorporated communities, national parks or forests, and state and local parks that are located within the area.

(1) When new maps and narratives are submitted, Commission staff shall review its records to determine whether another Requestor is seeking consultation in the same area. If there is more than one Requestor seeking consultation in an area, the Commission staff shall provide copies of each Requestor's submitted map and narrative to the others, requesting confirmation of or revisions to the map. If there is a dispute between Requestors concerning the geographic area in which consultation is sought, it shall be resolved in accordance with section 31038.

(2) Once a Requestor has been approved for inclusion on the Contact List, Commission staff will work to finalize a digital consultation map and, if necessary, will consult with the newly Listed Entity, a former Requestor.

(3) If any time after inclusion on the Contact List, a former Requestor, now a Listed Entity, wishes to update its consultation map, it must follow the process in this

subsection (b). Additionally, the updated consultation map will be reviewed by the Commission staff and is subject to Commission approval in a public meeting in accordance with the provisions contained in section 31037.

Note: Authority cited: Section 65352.3 of the Government Code.

31036. Review Process

- (a) For a request for inclusion on the Contact List to be deemed complete, it must contain the following:
 - (1) Information and documentation described in section 31033;
 - (2) Information and documentation establishing cultural affiliation described in section 31034; and
 - (3) Area for Consultation described in section 31035.
- (b) If the submission is determined to be complete, the Requestor will be sent a Notice of Complete Submission. If the submission is determined to be incomplete, the Requestor will be sent a Notice of Incomplete Submission that identifies the information and/or documentation needed for the submission to be considered complete.
- (c) Upon determining that the submission is complete, Commission staff shall:
 - (1) Review the submission and develop any recommendations to the Commission. The evaluation and recommendation shall include a reference to the evidence supporting the criteria set forth in these regulations. During this review, Commission staff may request and receive additional information from the Requestor.
 - (2) Provide the Requestor with a copy of the evaluation and recommendation along with the procedures for the public hearing.
 - (3) Schedule a public hearing, in accordance with section 31037 where the Commission will make a final determination on the submission.
 - (4) Provide the Requestor with at least 30 days to file a response to the Commission staff's evaluation and recommendation.
 - (5) Provide public notice at least 30 days prior to the scheduled public hearing so as to allow for review of the submission and to provide information to the Commission about the submission. Any information submitted to the Commission must be done

so no later than 10 days before the public hearing and, unless exempt under the Public Records Act, shall be included in the materials made available to the public.

(d) If a submission is determined to be incomplete, a Requestor who receives a Notice of Incomplete Submission will have 60 days from the date of the notice to submit the additional information requested. The Requestor may submit a request for an additional 60 days to comply with this deadline.

(1) If the Requestor timely responds to the Notice of Incomplete Submission with the information and/or documents requested, Commission staff will send a Notice of Complete Submission.

(2) If the Requestor fails to timely respond to the Notice of Incomplete Submission or fails to provide the documentation requested, the submission will be deemed incomplete, and Commission staff will send a Final Notice of Incomplete Submission.

(3) A Requestor who fails to timely respond to a Final Notice of Incomplete Submission will not be eligible to request inclusion on the Contact List for a minimum of 6 months from the date of the Final Notice of Incomplete Submission.

(e) A Requestor may seek review of a Final Notice of Incomplete Submission within 30-days from the date of the Final Notice of Incomplete Submission. Upon receipt of a timely request for review, the Commission staff shall:

(1) Prepare an evaluation explaining the reasons the submission was determined to be incomplete, which shall include citations to information provided by the Requestor and any applicable sections of these regulations.

(2) Provide the Requestor with a copy of the evaluation.

(3) Provide those members of the Commission who oversee the staff's work on the contact list with a complete copy of the Requestor's submission along with a copy of the evaluation.

(4) Provide the Requestor with at least 30 days to file a response to the Commission staff's evaluation which shall be provided to the reviewing Commission members.

(a) If after reviewing the submission and the staff evaluation, the reviewing Commission members determine that the submission is incomplete, they shall inform the Requestor of the decision and indicate what materials are needed for the submission to be complete.

(b) If after reviewing the submission and the staff evaluation, the reviewing Commission members determine that the submission is complete, they shall inform the Commission staff of the decision and direct that a Notice of Complete Submission be sent to the Requestor.

Note: Authority cited: Sections 65092, 65352, and 65352.3 of the Government Code.

31037. Public Hearing Procedures – Requests for Inclusion

(a) All requests for inclusion on the Contact List will be decided by majority vote of the Commission after a public hearing.

(b) Prior to a public hearing, Commission staff shall:

- (1) Provide the Requestor with at least 30 days written notice.
- (2) Provide the Requestor with a copy of the Commission staff's evaluation and recommendation on the submission.
- (3) Provide the Requestor with at least 15 days to file a response to the Commission staff's evaluation and recommendation.
- (4) Provide the Requestor with a copy of the public hearing procedures.
- (5) Provide members of the public with the opportunity to provide comment on the submission, consistent with the requirements set forth in the Bagley-Keene Open Meeting Act.

(c) During the public hearing, the Commission will consider the following:

- (1) The Commission staff's evaluation and recommendation(s).
- (2) Any timely filed written responses to the Commission staff's evaluation and recommendation(s).
- (3) Any timely submitted information submitted by Federally Recognized Tribes and Culturally Affiliated groups that are not recognized as tribes by the federal government.
- (4) Testimony by the Requestor.
- (5) Comments from members of the public that are received by the Commission pursuant to the requirements in the Bagley-Keene Open Meeting Act.

- (6) Any additional evidence provided by the Requestor that could not have been previously submitted.
- (7) Any other evidence that was not reasonably available at the time the Commission staff made their recommendation on the submission.
- (d) During the public hearing, the Commission may request additional information from the Commission staff and the Requestor, or their designee, related to the criteria under Section 31034. The Commission, at its discretion, may continue a public hearing to consider any additional evidence or arguments.
- (e) The Commission will consider the evidence presented at the public hearing to reach a decision and must find that a Preponderance of the evidence supports the action on the submission.
- (f) Within 60 days of its determination, the Commission will provide the Requestor with a written determination explaining the basis for its decision.
- (g) If the Commission approves a request for inclusion on the Contact List, the Requestor will be added to the Contact List.
- (h) If the Commission denies a request for inclusion on the Contact List the Requestor may submit a new request any time after a minimum of one year from the date of the written determination. Any subsequent request must contain new evidence not previously submitted in conjunction with any prior request.

Note: Authority cited: Sections 65092, 65352, and 65352.3 of the Government Code.

31038. Public Hearing Procedures – Consultation Map Disputes

- (a) All disputes between Federally Recognized Tribes regarding consultation maps that cannot be resolved will be decided by majority vote of the Commission after a public hearing.
- (b) Prior to a public hearing, Commission staff shall:
 - (1) Evaluate the maps and narratives submitted by each party and develop any recommendations to the Commission.
 - (2) Provide the parties with a copy of the Commission staff's evaluation and recommendation.
 - (3) Provide the parties with at least 30 days to file a response to the Commission staff's evaluation and recommendation.

- (4) Provide the parties with at least 30 days' written notice of the public hearing.
 - (5) Provide the parties with a copy of the public hearing procedures.
 - (6) Provide public notice at least 30 days prior to the scheduled public hearing to allow for review of the maps and narratives and to provide information to the Commission. Any information submitted to the Commission must be done so no later than 10 days before the public hearing and, unless exempt under the Public Records Act, shall be included in the materials made available to the public.
- (c) During the public hearing, the Commission will consider the following:
- (1) The Commission staff's evaluation and recommendation.
 - (2) Any timely filed written responses to the Commission staff's evaluation and recommendation(s).
 - (3) Any timely submitted information submitted by Federally Recognized Tribes and Culturally Affiliated groups that are not recognized as tribes by the federal government.
 - (4) Testimony by the parties.
 - (5) Comments from members of the public that are received by the Commission.
 - (6) Any additional evidence provided by the parties that could not have been previously submitted.
 - (7) Any other evidence that was not reasonably available at the time the Commission staff made their recommendation.
- (d) The Commission may request additional information from the Commission staff and a party, or their designee. The Commission, at its discretion, may continue a public hearing to consider any additional evidence or arguments.
- (e) The Commission will consider the evidence presented at the public hearing to reach a decision and must find that a Preponderance of the evidence supports its decision on the parties' consultation maps.
- (f) Within 60 days of its determination, the Commission will provide the parties with a written determination explaining the basis for its decision.

31039. Mediation and Dispute Resolution

- (a) When there is a dispute regarding the geographic area over which consultation is sought, Commission staff shall schedule individual consultation with each party to the dispute to determine whether the conflict may be resolved. Prior to consultation, Commission staff shall do the following:
 - (1) Inquire as to whether participation by a member or members of the Commission is requested.
 - (2) Review the information provided under section 31035 and if it would assist in clarifying the area in which consultation is requested, request additional documents in support of the submitted map and narrative.
- (b) If after consultation, one or more party to the dispute revises its map of the geographic area over which it seeks consultation, the result of which is that there is no longer more than one party seeking consultation in that area, Commission staff shall inform any other party to the dispute that the matter is resolved.
- (c) If individual consultation fails to resolve the dispute, the parties will engage in non-binding mediation conducted by a member of the Commission or Commission staff that has received training as a mediator. The mediator will assist the parties in reaching agreement on either revising their maps so that there is not more than one party seeking consultation in the same geographic area or in developing a plan to work cooperatively when engaging in consultation in the shared area.
- (d) If mediation fails to result in agreement among Requestors, the Commission shall determine, based on a Preponderance of the evidence, the appropriate geographic area over which the parties will engage in consultation as part of the public hearing conducted under section 31038. If a Commission member served as mediator, then they shall recuse themselves from participating in the final Commission determination.
- (e) If mediation fails to result in agreement among Federally Recognized Tribes, the Commission shall make a determination as to the appropriate area over which the parties will engage in consultation after a public hearing held in accordance with section 31038.
- (f) When there is a dispute as to which present-day group is connected to an earlier group that was a signatory to one of the eighteen unratified treaties, or a group that was at one time recognized as a tribe by the federal government, Commission staff shall schedule individual consultation with each party to the dispute to determine whether the conflict may be resolved. Prior to consultation, Commission staff shall do the following:
 - (1) Inquire as to whether participation by a member or members of the Commission is requested.

- (2) Review the information provided under section 31034 and if it would assist in clarifying the Requestor's connection to a treaty signatory or formerly recognized tribe, request additional documents.
- (g) If after consultation, one or more party to the dispute withdraws its request for inclusion on the Contact List, the result of which is that there is no longer more than one present-day group asserting that it is connected to an earlier group that was a signatory to one of the eighteen unratified treaties, or a group that was at one time recognized as a tribe by the federal government, Commission staff shall inform any other party to the dispute that the matter is resolved.
- (h) If individual consultation fails to resolve the dispute, the parties will engage in non-binding mediation conducted by a member of the Commission or Commission staff that has received training as a mediator. The mediator will assist the parties in reaching agreement on developing a plan to work cooperatively when engaging in consultation.
- (i) If mediation fails to result in agreement among Requestors, the Commission shall make a determination as to the appropriate geographic area over which the parties will engage in consultation as part of the public hearing conducted under section 31038.

31040. Involuntary Removals

- (a) The Commission may initiate an investigation into whether a Listed Entity should be removed from the Contact List because it no longer meets the criteria for inclusion on the Contact List or that it submitted materially false or misleading information and/or documentation in connection with its request for inclusion on the Contact List.
- (b) Upon receipt by Commission staff of written information indicating a Listed Entity may no longer be eligible for inclusion on the Contact List, it shall review the information to determine whether the allegations are sufficient to bring to the Commission at a public meeting.
- (c) If Commission staff determines that the written allegations may support removal of a Listed Entity from the Contact List, it shall present the Commission with the information in a public meeting who may direct Commission staff to conduct an investigation.
- (d) If after an investigation, it is determined that there are grounds for removal of the Listed Entity from the Contact List, the Commission staff shall prepare an evaluation and recommendation(s) regarding removal of the Listed Entity.
 - (1) The recommendation(s) shall include the basis for the recommendation(s) and the evidence relied upon in making the evaluation and recommendation(s).
 - (2) Commission staff shall mail and, if available, email a copy of the evaluation and recommendation(s) to the Listed Entity at the address provided to the Commission.

- (3) The Listed Entity shall have 60 days from the date of mailing to respond in writing explaining the Listed Entity's support or opposition to the evaluation and recommendations.
- (4) Upon receipt of the Listed Entity's response, a public hearing shall be scheduled.
- (e) All decisions as to whether to remove a Listed Entity will be decided by majority vote of the Commission after a public hearing.
- (f) Prior to a public hearing, Commission staff shall:
 - (1) Provide the Listed Entity with at least 30 days' written notice.
 - (2) Provide the Listed Entity with a copy of the public hearing procedures.
 - (3) Provide public notice and an opportunity for members of the public to provide comment on the submission, consistent with the requirements set forth in the Bagley-Keene Open Meeting Act.
- (g) During the public hearing, the Commission will consider the following:
 - (1) The Commission staff's evaluation and recommendation(s).
 - (2) Any timely filed written responses to the Commission staff's evaluation and recommendation(s).
 - (3) Any timely submitted information submitted by Federally Recognized Tribes and Culturally Affiliated groups that are not recognized as tribes by the federal government.
 - (4) Testimony by the Listed Entity.
 - (5) Comments from members of the public that are received by the Commission pursuant to the requirements in the Bagley-Keene Open Meeting Act.
 - (6) Any additional evidence provided by the Listed Entity that could not have been previously submitted.
 - (7) Any other evidence that was not reasonably available at the time the Commission staff made their recommendation.
- (h) During the public hearing, the Commission may request additional information from Commission staff and the Listed Entity, or their designee. The Commission, at its discretion, may continue a public hearing to consider any additional evidence or arguments.

- (i) The Commission will consider the evidence presented at the public hearing to reach a decision and must find that a Preponderance of the evidence supports removal of the Listed Entity from the Contact List.
- (j) Within 60 days of its determination, the Commission will provide the Listed Entity with a written determination explaining the basis for its decision.
- (k) Upon the issuance of a written determination that the Listed Entity is removed from the Contact List, they shall be removed immediately and the Contact List updated in accordance with section 31032.
- (l) A Listed Entity removed from the Contact List may not request to be included on the Contact List until at least two years from the date of the written determination removing the Listed Entity.

Note: Authority cited: Sections 65092, 65352, and 65352.3 of the Government Code.

31041. Voluntary Removals

At any time, a Listed Entity may request in writing to be removed from the Contact List. The Contact List will be updated in accordance with section 31032. A Listed Entity voluntarily removed may request to be included on the Contact List at any time in accordance with sections 31033 - 31035.

Note: Authority cited: Sections 65092, 65352, and 65352.3 of the Government Code.