

FINAL STATEMENT OF REASONS

UPDATE TO INITIAL STATEMENT OF REASONS

The Commission adopted these regulations at its January 16, 2026, meeting in Sacramento, California. There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.

LOCAL MANDATE DETERMINATION

The proposed regulation does not impose a mandate on local agencies or school districts.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING 45-DAY COMMENT PERIOD

During the public hearing held on May 9, 2025, we received the following comment:

The regulations should include a definition for California Native American Tribe.

Response: No action taken. The definitions in the proposed regulations incorporate those in the California Native American Graves Protection and Repatriation Act (Division 7, Part 2, Chapter 5 of the Health and Safety Code) and includes a definition for California Indian Tribe.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE 15-DAY COMMENT PERIOD

The modified text was made available to the public for comment from December 31, 2025, to January 15, 2026, but no public comments were received during this comment period.

ALTERNATIVES THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESS

No alternatives proposed to the Commission that would lessen any adverse economic impact on small businesses were rejected by the Commission.

ALTERNATIVES DETERMINATION

The Commission determined that no alternative it considered or that was otherwise identified and brought to its attention would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The regulations adopted by the Commission are the only regulatory provisions identified by the Commission that accomplish the goal of establishing procedures for conducting mediation and resolving disputes that arise between tribes and institutions that are subject solely to CalNAGPRA.