

Code: Section: [Search Results](#)[Up^](#)[<< Previous](#)[Next >>](#)[cross-reference chaptered bills](#)[PDF](#)[Add To My Favorites](#)Search Phrase: **PUBLIC RESOURCES CODE - PRC****DIVISION 13. ENVIRONMENTAL QUALITY [21000 - 21189.70.10]** (*Division 13 added by Stats. 1970, Ch. 1433.*)**CHAPTER 2.6. General [21080 - 21098]** (*Chapter 2.6 added by Stats. 1972, Ch. 1154.*)

21080.3.2. (a) As a part of the consultation pursuant to Section 21080.3.1, the parties may propose mitigation measures, including, but not limited to, those recommended in Section 21084.3, capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource. If the California Native American tribe requests consultation regarding alternatives to the project, recommended mitigation measures, or significant effects, the consultation shall include those topics. The consultation may include discussion concerning the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation or mitigation that the California Native American tribe may recommend to the lead agency.

(b) The consultation shall be considered concluded when either of the following occurs:

(1) The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource.

(2) A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

(c) (1) This section does not limit the ability of a California Native American tribe or the public to submit information to the lead agency regarding the significance of the tribal cultural resources, the significance of the project's impact on tribal cultural resources, or any appropriate measures to mitigate the impact.

(2) This section does not limit the ability of the lead agency or project proponent to incorporate changes and additions to the project as a result of the consultation, even if not legally required.

(d) If the project proponent or its consultants participate in the consultation, those parties shall respect the principles set forth in this section.

(*Added by Stats. 2014, Ch. 532, Sec. 6. (AB 52) Effective January 1, 2015.*)