

COUNTY OF INYO

POLICY & PROTOCOL FOR TRIBAL CONSULTATION

BACKGROUND

INYO COUNTY (County) is required by State law to engage in Tribal/County intergovernmental consultation with sovereign California Native American Indian Tribes that are traditionally and culturally affiliated with lands located in the jurisdiction of the County (Tribes). Tribal consultation is governed by Senate Bill (SB) 18 (Burton, 2004, Chapter 905, Statutes of 2004) and Assembly Bill (AB) 52 (Gatto, 2014, Chapter 532, Statutes of 2014) and specifically codified with respect to the adoption and amendment of General Plans [Government Code section 65300, et. seq.], Specific Plans [Government Code Section 65352.3], Open Space Designations (Government Code Section 65562.5), and to potential impacts on tribal cultural resources as a consequence of a California Environmental Quality Act (CEQA) project [Public Resources Code Section 21080.3.1.]. Additionally, Inyo County Code Chapter 9.52 addresses disturbances of archaeological, paleontological and/or historical features.

I. PURPOSE

In adopting this policy, the Inyo County Board of Supervisors desires to establish a consistent, efficient, and culturally suitable protocol for how the County will conduct Tribal/County intergovernmental consultation under existing State and local laws. The County recognizes that California Native American prehistoric, historic, archaeological, cultural and sacred places are essential elements in tribal cultural traditions, heritage, and identities. California Native American Tribes have expertise with regard to their tribal history and practices that concern the tribal cultural resources with which they are traditionally and culturally affiliated. The County's intent and purpose in adopting this policy is, among other things, to establish a Tribal/County consultation process that recognizes the Tribes' governmental status, respects the interests and roles of the Tribes and project proponents, and ensures the level of confidentiality required for tribal cultural resources. The County does not intend by the adoption of this policy to restrict, dictate behavior or bind a Tribe or its representatives.

The main purposes of this consultation process are to gather information to assist the County in identifying tribal cultural resources, potentially significant impacts to those resources, and appropriate mitigation, and ensuring that the CEQA environmental assessments include relevant tribal information. The County intends that this consultation process be initiated at the earliest possible point in the CEQA environmental review process so that tribal cultural resources can be identified and culturally appropriate mitigation and mitigation monitoring and reporting programs can be considered by the County before project decisions are made. As provided by Public

Resources Code section 21080.3.2(a), consultation may include discussion concerning the type of environmental review necessary.

The County is committed to open, candid, meaningful, respectful, constructive, timely and effective communication, as required by State laws governing Tribal consultation. Such communication also fosters understanding of issues, ensures that tribal expertise is included in environmental assessments for projects that may have a significant impact on tribal cultural resources, and promotes positive relations between elected leaders of the County and Tribes. Therefore, in addition to consultation topics required by SB 18 or AB 52, the County is also committed to providing a framework for discussing other mutually agreed upon topics. The County desires to establish through this policy parameters for project- or Tribe-specific memoranda of understanding (MOU) or other instruments to govern consultation on matters that, although not legally required by SB 18 or AB 52, may be of concern to Local Tribes (as defined below) and/or the County. Such an MOU framework can be used to cover a wide range of topics, including, but not limited to, public safety, socioeconomic matters, traditional ecological knowledge, traditional community intellectual property, and other matters of mutual concern.

II. DEFINITIONS AND ACRONYMS

The following definitions apply to this Policy:

- i. Consultation. The County adheres to the definition of “consultation” found in SB 18 and Government Code section 65352.4 and Public Resources Code Section 21080.3.1: “Consultation means the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties’ cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American Tribes shall be conducted in a way that is mutually respectful of each party’s sovereignty. Consultation shall also recognize the Tribes’ potential needs for confidentiality with respect to places that have traditional tribal cultural significance.”
- ii. Consultation Committee. Two representatives of the Inyo County Board of Supervisors designated by the Board and representatives of each individual Tribe designated by the Tribe’s governing body, or staff of the Tribe and County if designated as provided in section III.iii.e.
- iii. Cultural Resources. Tribal cultural resources are sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American Tribe as defined by Public Resources Code Section 21074; Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property as identified in Public Resources Code sections 5097.9 and 5097.97; sacred places, places of special religious or social significance to Native Americans as well as known graves and cemeteries of Native Americans on private land as identified in Public Resources Code section 5097.94, subdivisions (a) and (b); Native American remains and associated grave

artifacts as identified in Public Resources Code section 5097.991; and Native American historic, cultural, or sacred sites listed or eligible for listing in the California Register of Historic Resources identified in Public Resources Code section 5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site, any inscriptions made by Native Americans at such a site, any archaeological or historic Native American rock art, or any archaeological or historic feature of a Native American historic, cultural or sacred site as identified in Public Resources Code section 5097.993.

- iv. Environmental Impact Report. An environmental document as defined in Public Resources Code Section 21061.
- v. General Plan. A comprehensive, long-term general plan for the County as described in Government Code Section 65300 et seq.
- vi. Local Tribe. Tribes having lands within Inyo County under their sovereign jurisdiction: specifically, the Bishop Paiute Tribe, the Big Pine Paiute Tribe of the Owens Valley, the Fort Independence Indian Community of Paiute, the Lone Pine Paiute Shoshone Reservation and the Timbisha Shoshone Tribe.
- vii. Mitigated Negative Declaration. A negative declaration as defined in Public Resources Code Section 21064.5.
- viii. Non-Local Tribe: Any Tribe that does not have lands within Inyo County under its sovereign jurisdiction but is traditionally and culturally affiliated with lands within Inyo County.
- ix. Negative Declaration. An environmental document as defined in Public Resources Code Section 21064.
- x. Open Space. Land designated for open space use as defined in Government Code Section 65560(b).
- xi. Project. A project as defined in Public Resources Code section 21065 and CEQA Guidelines section 15378(a). Unless otherwise required by law, agreed upon in a MOU between the County and a Tribe, or otherwise agreed to by the County and a Tribe, consultation shall not occur or be required on: (a) projects that are not subject to CEQA pursuant to CEQA Guidelines Section 15061(b) (unless consultation is required by Government Code Sections 65352.3, 65453 and/or 65562.5) and (b) projects for which a notice of preparation of an EIR or a notice of intent to adopt a negative declaration or mitigated negative declaration was filed on or before June 30, 2015.
- xii. Specific Plan. A Plan prepared to Government Code Section 65450 et seq.

- xiii. Tribe(s): Any California Native American Indian Tribe or Tribes that are traditionally and culturally affiliated with lands located in the jurisdiction of the County, including both Local Tribes and Non-Local Tribes.

The following acronyms are utilized in this Policy.

- i. AB. Assembly Bill
- ii. CEQA. California Environmental Quality Act
- iii. EIR. Environmental Impact Report
- iv. MOU. Memorandum of Understanding
- v. SB. Senate Bill

III. CONSULTATION PROCESS

- i. **Possible Actions Subject to Consultation.** The County will engage in Tribal/County intergovernmental consultation, as required by law, whenever it plans to amend the County's General Plan, amend or adopt Specific Plans, or designate areas as open space, and will engage in Tribal/County intergovernmental consultation prior to the release of any Negative Declarations, Mitigated Negative Declarations, or Environmental Impact Reports (EIRs) that address projects for which the County is the Lead Agency under CEQA.
- ii. **Notices.** In accordance with State law, the County will initiate consultation by notifying all Tribes that have requested to be notified of projects within the County located within their areas of traditionally and cultural affiliation of the opportunity to consult on these potential actions consistent with the timeframes required by State law by sending written Notice to the tribal representative [job title and address] provided by each Tribe to the County Planning Director. If a Local Tribe has not notified the County of the tribal representative or representatives to whom consultation notices should be sent, the County will send the Notice to the attention of the Tribal Secretary at the street address where the Tribal administrative offices are located and will send the Notice to the individual listed on the contact list for the Local Tribe maintained by the Native American Heritage Commission. The Notice will describe the project, its location, the County's contact information, and the amount of time that the Tribe has to request consultation. (Such time for a Tribe to request consultation shall not be less than the time limits prescribed by Public Resources Code section 21080.3.1(b) and Government Code section 65352.3(a)(2).)

In addition to the requirements of State law, Local Tribes shall be notified of projects within the County, and the opportunity to consult on these potential actions, without having to request notification if the Local Tribe has provided current contact information. Local Tribes are asked to provide the County current contact information consisting of names, mailing addresses, telephone numbers, and electronic mail addresses for the tribal representative or representatives to whom consultation notices should be sent.

In communicating with the County regarding consultation, all Tribes should send all correspondence to:

Planning Director
County of Inyo
P.O. Drawer L
Independence, California 93526

The Planning Director is responsible for transmitting all communications received from a Tribe regarding consultation to the Board of Supervisors, the County Administrator, and County Counsel, in compliance with the confidentiality requirements of State and federal laws.

The law establishes minimum periods for providing Notices, which vary depending on the nature of the project; however, the County has determined that additional time may provide more meaningful consultation opportunities between a Tribe and the County representatives. The County designates, in its discretion based on the facts, the following time periods for providing Notices, which meet or exceed state minimum requirements.

For General Plans and General Plan Amendments, adoption or amendments of Specific Plans, Open Space Designations, Mitigated Negative Declarations, Negative Declarations and EIRs, the County will provide each Local Tribe and all other Tribes that have requested to be notified of projects located within its traditionally and culturally affiliated area with Notice of the opportunity to consult on matters affecting the Tribe as follows:

- a. Not later than fourteen (14) days after a determination that an application is complete that seeks the adoption or amendment of a general plan or specific plan or the designation of land as open space that contains a place, feature or object described in Public Resources Code sections 5097.9 and 5097.993; ,
- b. Consistent with Public Resources Code section 21080.3.1, subdivision (d), within fourteen (14) days of the County determining that an application for a project is complete or a decision by the County to undertake a project; and

Upon receiving Notice from the County, any Tribe that desires to proceed with consultation needs to provide written Notice to the County within the timeframe set by law and identified in the Notice.

- iii. **Consultation.** Once a Tribe notifies the County of its desire to proceed with consultation on a specific potential action for which the County has provided Notice, the County and the Tribe will consult on or otherwise discuss the matter in face-to-face meetings at a mutually agreeable time and location to the extent possible. As required by Public Resources Section 21080.3.1(e), consultation pursuant to Public Resources Code section 21080.3.1 consultation pursuant to Government Code sections 65352.3 and 65562.5, and consultation on projects for which consultation is not required by statute, will commence within 30 days of receipt of written notice from a Tribe requesting consultation. The County will use the following protocol for Tribal/County consultation unless otherwise specified in an agreement with a particular Tribe.
 - a. **Proposed Number of Meetings.** The County understands that there is no legal limit on the number of consultation meetings and that the number of meetings and duration of the consultation process ultimately depend on whether and when one of the grounds for conclusion discussed below in Section III(l) exists. However, the County hopes that, in good faith and with reasonable effort, Consultation with a Tribe on a specific potential action for which the County has provided Notice, and for which the Tribe has timely requested consultation, can generally be concluded before or during a third consultation meeting and that such meeting(s) can generally be conducted within 45 days from the date of the first consultation meeting.
 - b. **Timing of Meetings.** To minimize difficulties in scheduling meetings and to expedite the consultation process, when the County annually designates its Consultation Committee representatives (see below) for each Local Tribe, Further, the County will identify the days of the week and the times of day the County's Consultation Committee representatives will be available to meet. This availability schedule does not preclude establishing other meeting times and days that are mutually convenient for all Consultation Committee members from the Local Tribe and the County. The County's representatives will endeavor to make themselves available to meet at reasonable times requested by the representatives of the Local Tribe.
 - c. **Location.** Consultation will take place at a location mutually agreed upon by the parties. The County agrees meet at tribal offices of Local Tribes if requested; however the County prefers to meet with Non-Local Tribes at a location within the County.

- d. **Participants.** The County's Preference is that consultation meetings occur between elected officials. To accomplish this, for each Local Tribe, every year, the Board of Supervisors will designate two (2) of its members to serve as the Consultation Committee representatives assigned to consult with the Local Tribe. When a non-Local Tribe requests consultation, the Board of Supervisors will designate two (2) of its members to the serve as Consultation Committee representatives. The County's preference is that each consulting Tribe appoint at least two members of its Tribal Council to serve as its representatives to the consultation meetings. However, each Tribe that has requested to consult on a project may designate its own tribal representatives. Pursuant to Public Resources Code section 21080.3.1(b), if a Tribe has requested to consult on a project, but does not designate a lead contact person or designates multiple lead contact people, the County shall contact the individual listed on the contact list maintained by the Native American Heritage Commission to schedule a consultation meeting with the Tribe's designated representative or representatives.

If a Tribe does not designate a member or members of its Tribal Council or other elected representatives to serve as its representatives in consultation meetings with the County, or if the Tribe's designated elected representatives are unable to attend a meeting, a consultation meetings can occur between non-elected representatives (which can be County staff) designated by the County and non-elected representatives designated by the Tribe. Unless otherwise agreed by the consulting parties, the County will consider a consultation meeting attended solely by designated non-elected representatives a consultation meeting.

When Consultation Committee representatives from the County and a Tribe meet, the representatives may be supported by staff from both the County and the Tribe, and staff may meet and work together as desirable or necessary outside of the Consultation Committee to facilitate Consultation Committee meetings. The County will follow this process to identify the County's Consultation Committee representatives who will be available to consult with a non-Local Tribe that has notified the County that it desires to consult on a project.

- e. **Staff Participation.** Tribal and County staff, identified by their respective Consultation Committee members, may attend Consultation Committee meetings. However, the staff present at the meetings is expected to be mindful of the Decision Maker to Decision Maker nature of the meetings, and limit their participation to listening, answering questions, and supporting their respective elected officials, including convening follow-up meetings between Tribal and County staff between Consultation Committee meetings.

- f. **Project Proponent Participation.** Pursuant to Public Resources Code Section 21080.3.2(d), project proponents may participate in the consultation only if the Consultation Committee agrees to such participation. If project proponents participate, they shall respect all applicable laws, this policy and protocol, and the confidentiality of the information exchanged.

- g. **Agenda & Note Taking.** The goal is to have a mutually acceptable agenda for each consultation meeting. Therefore, prior to each consultation meeting, County staff will be responsible for preparing a draft consultation meeting agenda and for providing it to the Tribe for review, comment and suggested revision. As provided by Public Resources Code section 21080.3.2, if a Tribe requests consultation regarding alternatives to the project, recommended mitigation measures, significant effects, the type of environmental review necessary, the significance of tribal cultural resources, or the significance of the project's impacts on the tribal cultural resources or project alternatives, the consultation meeting agenda shall include those topics as part of the consultation. Consultation on other topics may be agreed upon by the Consultation Committee.

When the Tribe provides Notice to the County of its desire to consult on a potential action for which the County has provided Notice, the Tribe is asked to identify the specific issues, if known, relative to the action that it wishes to discuss consistent with this policy. If the issues on which the Tribe wishes to consult are consistent with the provisions of state law and this policy, the County will include the issues on the meeting agenda. If there is disagreement over what issues are subject to consultation and should be included on the meeting agenda, the disagreement will be noted.

Notes of each consultation meeting shall be taken as agreed upon by the Consultation Committee. If the Consultation Committee cannot agree upon a note taker, each party to the consultation meeting may take notes of the meeting.

Prior to the conclusion of a consultation meeting, the representatives should attempt to agree upon the "Action Items" to be addressed by each party, or its staff designees, prior to or at the next meeting. If there is an agreed upon note taker, a draft copy of the notes taken by the designated note taker or by each party will be transmitted to the parties within five (5) business days of the meeting. If agreement cannot be reached regarding the content of the notes or the Action Items, the disagreement shall be noted

As stated in Subsection III.iii.i below, information provided by the Tribe during and in support of consultation, including the contents of meeting agendas

and/or meeting notes, shall remain confidential to the full extent of the law. However, as provided in Public Resources Code section 21082.3(c)(4), the County may describe consultation meetings in general terms in the environmental document so as to inform the public of the basis of a decision by the County.

- h. **Cultural Resources.** As required by Public Resources Code section 21084.3(a), as a public agency, the County shall, when feasible, avoid damaging effects to any tribal cultural resource. Further, if the County determines that a project may cause a substantial adverse change to a tribal cultural resource and measures have not been agreed upon during the consultation process, the measures identified in Public Resources Code section 21084.3(b), will be considered by the County to avoid or minimize the significant adverse impacts and will be adopted and implemented if the measure or measures are found to be feasible. If it is found that there are no feasible measures that would avoid damaging a tribal cultural resource, the County shall work cooperatively with the affected Tribe to preserve in place, otherwise preserve, protect, enhance, mitigate, and manage archaeological sites, traditional cultural properties, tribal cultural resources, and traditional cultural resources, identified within the jurisdiction of the County pursuant to Public Resources Code Section 21082.3(a), (b), and (e), and 21084.3. Also, to the extent feasible and allowed by law, the County shall work with the Tribe to facilitate enabling the Tribe to access and steward its traditional tribal cultural resources.
- i. **Confidentiality.** The County recognizes and supports the Tribes' need to maintain confidentiality to protect archaeological sites, traditional cultural properties, traditional ecological knowledge, traditional community intellectual property, tribal cultural resources as defined in Section II, part III above, and traditional cultural resources to the extent allowed by law. Information provided by the Tribe during and in support of consultation shall remain confidential to the full extent of the law, consistent with, among other laws, Public Resources Code section 21080.3.2(b), and Government code sections 6254 (r), 6254.10, and 65352.4.
- j. **Exchange of Information.** When information provided by the County needs to be kept confidential, the County shall indicate the need for confidentiality when conveying the information. Pursuant to Public Resources Code Section 21082.3 and other applicable statutes, all information exchanged by a Tribe will not be released by the County to the public unless authorized by the Tribe in writing, subject to the County's right to describe generally the information in an environmental document so as to inform the general public of the basis of the County's decision or to otherwise provide the information in a confidential

appendix. For purposes of consultation pursuant to AB 52, in particular Public Resources Code sections 21080.3.1 and 21080.3.2, this provision regarding confidentiality does not apply to information already publicly known or in the lawful possession of a project applicant or its agents or otherwise lawfully obtained from a third party before the provision of the information by the Tribe.

1. To the extent practicable, the County's and Tribe's Consultation Committee representatives will be responsible for facilitating the information exchange. The representatives will be responsible to disseminate the information amongst staff and others authorized by law to receive the information. Copies of the data exchanged are to be made and distributed only to those staff and others who are directly involved with the topics being discussed and authorized by law to receive it, unless otherwise agreed to in writing by the County and the Tribe. Files are to be maintained of said data for the required document retention period based on applicable law. Any shared data is intended to be used exclusively for the specific project being considered.
2. Information may be exchanged in-person, via mail, or email, or any other means acceptable to the Consultation Committee members. Information provided by the County shall include a summary that clarifies what is being provided and to identify any confidentiality issues related to the material. As provided in this section, all information exchanged by a Tribe shall not be released by the County to the public unless authorized by the Tribe in writing.
3. The County and the Tribe will keep confidential and protect from public disclosure any and all documents exchanged or developed as a part of an MOU prior to a determination by the applicable party of the releasability of the documents, unless otherwise agreed upon in the MOU. Neither party will disclose documents exchanged or developed as a part of an MOU without providing notice to the other party, unless otherwise agreed upon in the MOU. The County will protect, to the extent allowed by applicable state and federal laws, the confidentiality of the other party's documents, and the Tribes may be asked to do so voluntarily as well. The County will impose the requirement of this Section upon its consultants, and the release of documents to those consultants shall not be deemed public disclosure. As provided in Section III.iii.j, all information exchanged by a Tribe will not be released by the County to the public unless authorized by the Tribe in writing.

- k. **Resources.** As required by law, the County will provide existing materials and information to the Local Tribes as early in the process as possible to enable a meaningful consultation, including materials for discussions on avoidance, preservation in place, alternatives, mitigation, and long-term management of resources. For example, such documents may include maps, records search results, survey reports, information on alternatives, design proposals, mitigation proposals and other documents relevant to the project details.

The County's Planning Director or his designee will be available to provide a Tribe with any additional technical information the Tribe requests to the degree that such information is available.

- l. **Conclusion of Consultation.** Pursuant to Public Resources Code section 21080.3.2 (b) and/or the Governor's Office of Planning and Research's Tribal Consultation Guidelines, Supplement to General Plan Guidelines, p.18 (November 14, 2005), consultation shall be considered concluded when either of the following occurs:

1. The County and the Tribe agree to measures to mitigate or avoid a significant effect on a tribal cultural resource. Any mitigation measures the Consultation Committee agrees to shall be recommended for inclusion in the project environmental document. Such mitigation measures shall also be recommended for inclusion in a Draft General Plan Amendment, Draft Open Space Designation, Draft Specific Plan or Draft Specific Plan Amendment if no EIR, Negative Declaration or Mitigated Negative Declaration is required for such projects, and in any mitigation monitoring and reporting program adopted for any project. Any such mitigation measures that are adopted shall be fully enforceable.
2. Either the County or the Tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

If the County concludes that mutual agreement cannot be reached, the County shall provide the Local Tribe with written notice of that conclusion and reasons supporting it.

If at the conclusion of consultation there are no agreed upon mitigation measures or if mitigation measures agreed upon by the Consultation Committee are not included in the environmental document or if consultation does not occur, and substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the County will consider feasible

mitigation and alternatives pursuant to Public Resources Code Sections 21082.3(b) and 21084.3(b).

IV. CONSULTING ON ADDITIONAL TOPICS

It is the County's desire and intent to provide a framework to go beyond the minimum requirements of the law and engage in earnest dialogue on issues that have impacts on our communities. In doing so, the Board of Supervisors hopes that leaders of both the Local Tribe and the County can address issues of genuine concern to their constituents, agencies, and respective governing bodies – not just those prescribed by law.

To accomplish this, as provided in Section I, the parties may consult on topics on which the law does not require consultation. In addition, the County will work with any Local Tribe that expresses interest to develop and execute an MOU with each Local Tribe that provides for intergovernmental consultation on tribal concerns regarding a wide range of topics extending beyond those topics subject to consultation as required by state law. Such additional topics may include, but are not limited to, economic, environmental, cultural, social and technological factors.

Any MOU developed between the County and a Local Tribe shall:

1. Be consistent with applicable law and unless otherwise agreed by the County and Local Tribe, be consistent with this Policy and Protocol, although minor modifications to specific timing, noticing, and other procedural requirements may be considered as long as such modifications do not shorten the timing requirements or diminish the other procedural requirements of this Policy and Protocol; and,
2. Identify the specific topics the County and Tribe mutually agree to discuss that are not already subject to state laws governing consultation, as described above. In addition to identifying the additional Topics the County and the Tribe wish to consult upon, the MOU will also describe the timing of any Notices to be provided by or to the County and the Tribe on specific Topics, and the timing of the commencement of consultation following Notice; and,
3. Subject to confidentiality requirements, identify the geographic areas traditionally and culturally affiliated with the Local Tribe in which the additional Topics that the County and Tribe wish to consult about (in addition to those matters subject to state laws governing consultation) are applicable.

Interim Projects: In the event an MOU identifies a different process than the consultation process described in previous sections, it is the intent of the County to utilize the consultation process identified in previous sections to guide consultation for projects in situations where

consultation has already commenced at the time of execution of any MOU. The County and the Tribe may mutually agree otherwise in the MOU consistent with applicable law.

V. Regular Meetings between the County and Local Tribes

The County will endeavor to schedule yearly, quarterly, or other periodic meetings with all Local Tribes, tribally designated official tribal entities, subgroups of the Tribes, or individual Local Tribes to discuss general topics and implementation of this Policy and Protocol and the potential development of a MOU as described above. Confidential information should not be shared at these meetings unless the County can maintain confidentiality and withhold the information from the general public pursuant to relevant laws. These meetings do not constitute tribal consultation and the County will identify them as non-consultation meetings.

1. The County Board of Supervisors may conduct such meetings at regular or special Board meetings, or designate two Supervisors to conduct such meetings.
2. The Chairperson of the County Board of Supervisors (or the two designated Supervisors) will coordinate with each individual Tribal Chairperson to determine the appropriate frequency of the meetings, timing, location, and agenda.
3. Staff may attend these meetings to assist with meeting logistics and information sharing, if requested by its governing body in consultation with the other participants.
4. If desired, County representatives shall be responsible for preparing meeting minutes, which would be provided for review to each participating Tribe prior to the next meeting.

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