

STATE OF CALIFORNIA
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
Department of Alcoholic Beverage Control

DATE ISSUED:
January 15, 2015

ABC POLICY MEMO

EXPIRES:
Until Rescinded or Amended

TO: **ALL ABC EMPLOYEES**

SUBJECT: **TRIBAL CONSULTATION POLICY**

REFERENCES:
Executive Order B-10-11
(Sept. 2011)

BACKGROUND

The Department of Alcoholic Beverage Control (ABC) has a long history of working collaboratively with Tribal governments to ensure appropriate licensure and compliance with State laws governing alcoholic beverages.

In September 2011, Governor Edmund G. Brown Jr. issued Executive Order B-10-11 which, among other things, reflects the administration's policy to encourage communication and consultation with California Indian Tribes.

The Business, Consumer Services and Housing (BCSH) agency adopted their Tribal Consultation Policy, effective November 18, 2014.

ABC adopts this Tribal Consultation Policy effective January 15, 2015.

Both policies implement Executive Order B-10-11 and memorialize BCSH's and ABC's commitment to strengthening and promoting government-to-government relationships between California Indian Tribes and the State of California.

TRIBAL CONSULTATION POLICY

To provide agency consistency, ABC shall incorporate, except as provided herein, the final BCSH consultation policy issued November 18, 2014, and any revisions thereafter.

The BCSH Tribal Consultation Policy may be accessed at the following location:

<http://www.bcsb.ca.gov/policy/tribalconsultation.pdf>

Both the BCSH and ABC policies may be revised as needed.

Effective Date:

ABC's Tribal Consultation Policy shall take effect immediately and shall be posted on ABC's website. This Policy shall be subject to periodic review to ensure its provisions remain current and consistent with state law and policy.

Tribal Liaison:

This policy shall be implemented by the ABC Tribal Liaison, who, whenever possible, shall be an employee with experience dealing with Tribal governments and Tribal affairs, and who has access to the ABC's executive leadership.

The ABC Tribal Liaison will be listed on the ABC web site with contact information.

The ABC Tribal Liaison will periodically meet with BCSH and the Governor's Tribal Advisor and report on the status of consultation processes and the implementation of this policy.

Consultation:

ABC shall use the consultation methods described in the BCSH Tribal Consultation Policy. Whenever possible, issues of general application to Tribes who hold Licenses shall be raised early, with ample time for discussion and collaboration. Tribes holding Licenses with matters particular to their License may contact either the applicable ABC District Administrator or ABC's Tribal Liaison, both of whom shall be listed on the ABC web site.

DEFINITIONS

For purposes of this policy, the definitions in the BCSH policy shall apply.

In addition, the following definitions shall apply:

License: Any license issued by the ABC pursuant to the Business and Professions Code.