

Addendum 1 to Exhibit C

Memorandum of Agreement Between ODFW and the Coquille Indian Tribe

June 17, 2022

(Edits in Red)

Item	Page	Edit
Attachment 3: Memorandum of Agreement_ Coquille Indian Tribe	7	<p>Insert new section 3(h) which creates a provision obligating the Coquille Indian Tribe to meet annually with another tribe to discuss issues of mutual concern, including harvest areas and limits as well as cooperative management of natural resources, if ODFW enters in to comparable cooperative management agreement with that tribe and that agreement has an overlapping geographic scope with this one. Inserted text on page 7, section 3:</p> <p>“h. Coordination with Other Tribes. In the event that ODFW enters into a comparable Cooperative Management Agreement with another tribe regarding the taking of fish and wildlife within all or part of the geographic scope of this Agreement, and such agreement includes obligations substantially identical to this subsection 3(h), the Coquille Tribe will meet annually with that tribe to discuss issues of mutual concern, including harvest areas and limits and cooperative management of natural resources.”</p>
Attachment 3: Memorandum of Agreement_ Coquille Indian Tribe	12	<p>Amend section 6(f) with the addition of three words that clarify the the exclusions. Inserted words on page 12, section 6(f):</p> <p>f. Exclusion. Nothing in this Agreement shall be construed to establish, expand, adjudicate, diminish, waive, limit or otherwise affect ancestral, aboriginal, treaty, statutory, equitable or other rights of the Tribe. Nothing in this Agreement shall prohibit the Coquille Indian Tribe from litigating or determining its legal rights under any treaty, Executive Order, federal statute or any other source of legal authority in any appropriate independent legal action, in an appropriate forum, at any time. If such litigation or determination takes place, the final results of any such litigation or determination shall be incorporated into this Agreement.</p>
Attachment 3: Memorandum of Agreement_ Coquille Indian Tribe	14	<p>Amend section 14. Amendments/Termination to create more clear pathway for unilateral termination of the agreement with the addition of a second clause.</p> <p>14. Amendments/Termination.</p> <p>a. This Agreement can be amended or terminated in writing by mutual consent of the Parties.</p> <p>b. Either party may unilaterally terminate this Agreement for any reason by using the procedures of this paragraph. A Party proposing unilateral termination must first serve written notice to the other Party’s contact. The</p>

		<p>Parties shall thereafter initiate meetings within 60-days in an effort to identify and resolve the issues(s). The Parties shall make good faith and diligent efforts to resolve the issue(s). Depending on the complexity and significance of the issue(s), the Parties acknowledge that resolution could take substantial time and multiple meetings. In the event the issue(s) is/are not resolved after such mutual good faith and diligent efforts, either Party may terminate this Agreement by both: (i) providing 90 days advance written notice to the other Party of its intent to repeal the implementing rule or resolutions; and (ii) repealing the implementing rule or resolution.</p>
<p>Attachment 4: Draft Oregon Administrative Rules</p>	<p>1</p>	<p>Add a fourth rule to clarify the impact of this agreement on ODFW's relationship with other tribes. Insert rule (4): <u>(4) Nothing in the above referenced Memorandum of Agreement shall be construed as:</u> <u>(a) affirming, recognizing or limiting the rights or claims of any other tribe within the geographic scope of that Agreement;</u> <u>(b) limiting the Department from entering into separate agreements with other tribes addressing the authority to take species within the geographic scope of that Agreement; or</u> <u>(c) establishing, expanding, adjudicating, waiving, limiting or otherwise affecting the ancestral, aboriginal, treaty, statutory, equitable, or other rights of the Tribe.</u></p>