

Intergovernmental Executive Committee

Fallon Range Training Complex

Final Meeting Minutes

Tuesday, October 25, 2022

2:00 p.m. PDT

Virtual Meeting and In-Person at the:

Bureau of Land Management Carson City District Office

5665 Morgan Mill Road

Carson City, Nevada 89701

This meeting was also held virtually pursuant to NRS 241.023.

Join the meeting online: <https://mantech.zoomgov.com/j/1616407788>

Call in by phone: 1-669-254-5252

Webinar ID: 1616 40 7788

Pursuant to NRS 241.020, the Agenda for this meeting was posted at the following locations: State of Nevada Website (<https://notice.nv.gov/>), the Fallon Range Training Complex (FRTC) Modernization website (www.frtcmodernization.com/IEC), the Clearinghouse website (<http://clearinghouse.nv.gov/>), and the Churchill County Administration Building (155 Taylor St., Fallon, NV 89406).

Please Note:

- Public Comment was limited to three (3) minutes per person. The Committee reserves the right to reduce the time or limit the total time allowed for public comment.
- Presentations should be approximately 15 minutes in length plus 15 minutes for questions and answers.
- Items on the agenda may be taken out of order, combined, or removed, or discussion delayed, at the discretion of the Committee.
- Documentation and supporting agenda items are available on the FRTC website at www.FRTCmodernization.com/IEC.

Intergovernmental Executive Committee (IEC) Elected Positions

Government/Agency	Name	In Person	Zoom	Not Present
Walker River Paiute Tribe	Chair Amber Torres	•		
Churchill County	Vice-Chair Pete Olsen			•

IEC Members

Government/Agency	Name	In Person	Zoom	Not Present
Navy, Naval Air Station Fallon	Captain Shane Tanner	•		
Navy, Naval Air Station Fallon	Commander Dan Muller	•		
Bureau of Land Management	Jon Raby, Director		•	
Bureau of Land Management	Kim Dow, District Manager	•		
Bureau of Indian Affairs	Thomas Hemstreet, Sr., Superintendent		•	
Bureau of Indian Affairs	Garry Cantley, Regional Archaeologist		•	
Nevada Department of Wildlife	Matt Maples, Wildlife Staff Specialist	•		
Nevada Department of Conservation and Natural Resources	Dominique Etchegoyhen, Deputy Director	•		
Nevada Department of Conservation and Natural Resources	Scott Carey, State Lands Planner	•		
Churchill County	Jim Barbee, County Manager		•	
Lyon County	Vida Keller, Commissioner			•
Mineral County				•
Pershing County	Shayla Hudson, Commissioner	•		
Nye County	Bruce Jabbour, Commissioner		•	
Nye County	Lorinda Wichman, Natural Resources Director		•	
Eureka County	J.J. Goicoechea, Commissioner			
Eureka County	Jake Tibbitts, Natural Resources Manager		•	
Fallon Paiute Shoshone Tribe				•
Walker River Paiute Tribe	Amber Torres, Chairman	•		
Yomba Shoshone Tribe	Marissa Weaselboy, Environmental Director		•	
Pyramid Lake Paiute Tribe				•
Lovelock Paiute Tribe				•
Duckwater Shoshone Tribe	Warren Graham, Tribal Chairman and Tribal Historic Preservation Officer		•	
Battle Mountain Band Te-Moak Tribe of Western Shoshone				•

Government/Agency	Name	In Person	Zoom	Not Present
Elko Band Council Te-Moak Tribe of Western Shoshone	Danena Ike, Chairwoman		•	
Fort McDermitt Paiute and Shoshone Tribes				•
Reno-Sparks Indian Colony				•
South Fork Band Council Te-Moak Tribe of Western Shoshone				•
Washoe Tribe of Nevada and California	Serrell Smokey, Chairman	•		
Washoe Tribe of Nevada and California	Darrel Cruz, Tribal Historic Preservation Officer			
Wells Band Council Te-Moak Tribe of Western Shoshone				•
Winnemucca Indian Colony of Nevada				•
Summit Lake Paiute Tribe	Randi Lone Eagle, Chairwoman		•	
Te-Moak Tribe of Western Shoshone				•
Yerington Paiute Tribe				•

IEC Liaisons and Support

Government/Agency	Name	In Person	Zoom	Not Present
Bureau of Land Management	Melanie Hornsby, Support	•		
NASF	Toni Burton, Tribal Coordinator	•		
NASF	Robin Schofield, Community Planning and Liaison Officer	•		
ManTech	Allison Turner, Moderator	•		

Moment of Silence

- IEC Chair Amber Torres called for a moment of silence to honor and recognize the passing of Chairman Wayne Dyer of the Yomba Shoshone Tribe.

Call to Order

- Chair Torres called the meeting to order at 2:06 p.m.

Welcome and Committee Member Introductions

- Chair Torres thanked everyone for being at the meeting and called roll. The list of attendees/absentees is above.

Verification of Agenda Posting

- The agenda for this meeting was posted in accordance with NRS 241.020.

Approval of Agenda

- No additions or corrections to the agenda were noted.
- Captain Shane Tanner, Naval Air Station Fallon (NASF), motioned to approve the agenda; Ms. Kim Dow, Bureau of Land Management (BLM), seconded the motion. IEC members voted to approve the meeting minutes. The motion passed 15 to 0 with no dissent.

Public Comment

- Chair Torres opened the floor for providing public comments on the agenda, noting a three-minute time limit per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an item. The meeting moderator, Ms. Allison Turner, reviewed the instructions for providing public comments, and noted that there would be a second opportunity for the public to make a comment on agenda items.
- No public comments were received during this public comment period. The public comment period was closed.

Old Business

- There was no old business to address at the meeting.

Approval of Meeting Minutes from July 11, 2022

- Minor corrections were made to the meeting minutes from July 11, 2022, including the addition of who motioned and who seconded motions for documentation.
- Ms. Dow of the BLM motioned to approve the meeting minutes; Captain Tanner of NASF seconded the motion. IEC members voted to approve the meeting minutes. The motion passed 12 to 0 with 3 abstaining with no dissent. Three members abstained from voting as they were not present at the July IEC meeting.

Discussion/Possible Action: Navy Update

- Legislative Update
 - Captain Tanner provided a status update on the legislative activities for the Fallon Range Training Complex (FRTC) modernization proposal, noting that the need for modernization only grows more urgent as time passes. He also noted that the Navy remains committed to all obligations outlined in the Record of Decision and appreciates the continued work of the IEC.
 - Captain Tanner introduced the three other speakers providing updates:
 - Mr. Zack Bowers with a natural resources update, including the Integrated Natural Resources Management Plan (INRMP) update, the status of the Wildland Fire Management Plan, and the Sage Grouse Noise Study;
 - Mr. Mike Baskerville with an update on cultural resource surveys progress, the new Programmatic Agreement, and the new Integrated Cultural Resources Management Plan (ICRMP); and
 - Ms. Kish LaPierre on NASF's Tribal Engagement Program.

- There were no questions or comments for Captain Tanner.
- Natural Resources Program Update
 - *Integrated Natural Resources Management Plan Update*: The current INRMP, covering existing FRTC lands, is being updated. The INRMP is updated every five years and is signed by the Navy's Sikes Act partners—the U.S. Fish and Wildlife Service (USFWS), the Nevada Department of Wildlife (NDOW), and the BLM. The update will include revising the plan's goals and objectives; integrating component plans, which are the Wildland Fire Management Plan and the Agriculture Management Plan; reorganizing the INRMP structure to improve usability; and incorporating the new endangered status of the Dixie Valley toad and updating the associated management measures.
 - *Integrated Natural Resources Management Plan Revisions*: Depending on the approval and timing of modernization of the FRTC, the update to the INRMP may serve as a starting draft for the revision to the INRMP to incorporate additional land areas. If modernization is approved, the revised INRMP would undergo an Environmental Assessment (EA), which includes public involvement.
 - *Wildland Fire Management Plan*: Mr. Bowers noted that the Wildland Fire Management Plan for existing FRTC lands was completed, and the Plan is currently undergoing review under the National Environmental Policy Act (NEPA). The Draft EA is expected to be out for public review in March or April 2023. Implementation of the Plan would then be able to proceed with collaboration with stakeholders.
 - *Sage Grouse Noise Study*: Mr. Bowers also reviewed the status of the Sage Grouse Noise Study, noting that the impact of military overflights on the sage grouse is primarily a concern in the eastern military operations areas where there is a proposal to lower the airspace floor. He shared that NASF has been working closely with NDOW, U.S. Geological Survey (USGS), and the USFWS in Noise Study planning efforts. The USGS will be the principal investigator for the Study and is developing a formal study design for approval by the Navy, NDOW, and USFWS. Once approved, the Navy plans to fund a pilot field study as the next phase.
 - There were no questions or comments for Mr. Bowers.
- Cultural Resources Survey Update
 - *B-20*: The inventory of 118,000 acres has resumed after a summer break, with approximately 56,000 acres of B-20 surveyed to date. Each field crew has a minimum of one Native American archaeological technician assigned to them. The inventory is expected to take two years to complete, and results may be available by this time next year.
 - *B-17*: Approximately 12,389 acres were surveyed as part of the FRTC Modernization Environmental Impact Statement (EIS) process, documenting or re-documenting 511 cultural properties. Preparations are being made for an inventory of 23,000 acres in Gabbs Valley; a work plan has been sent out for review. Funds have been received for additional inventories of 8,000-10,000 acres; locations have not yet been determined. A work plan for that inventory will be sent out for review and comment.

- *Greenbelt Survey*: Approximately 2,800 acres of primarily agricultural land on NASF were surveyed. Sites, isolated features, isolated occurrences, historical-period archeological structures, and irrigation structures, constructed from early 1900s to 1928. So far, 46 of the properties were recommended eligible, and 29 were determined ineligible. The Navy is preparing preliminary determinations and will send to Tribes to finalize determinations and consult with the State Historic Preservation Officer.
- *Integrated Cultural Resources Management Plan and Programmatic Agreement*: Programmatic Agreement edits are being worked on now and it's hoped to have the document out soon. Development of a new ICRMP is being planned and will begin once the outcome of the modernization legislation is determined.
- Chair Torres corrected a statement in Mr. Baskerville's presentation. Ms. Misty Benner (vice Brenner) of the Walker River Paiute Tribe supported the Greenbelt Survey.
- There were no questions for Mr. Baskerville.
- Tribal Engagement Update
 - A map of the 13 federally recognized Tribes in Nevada with whom the Navy consults, which may be directly or indirectly affected by activities of NASF, was shown. The names of the Tribes were called out, maps of the FRTC and associated airspace shown, and associated noise impacts discussed. It was noted that the Navy has shared a hotline phone number with the Tribes for sharing of complaints (in addition to the IEC forum), and that noise has been an issue in the referenced area of Nevada.
 - The Final Tribal Access Agreement (Memorandum of Agreement [MOA]) was signed last year, and appreciation was expressed for Chairwoman Lone Eagle for signing the agreement.
 - Ongoing ethnographic and archaeological inventories have included members of the 13 Tribes, cultural experts working with Far Western, who can identify resources that aren't always identified by archaeologists, e.g., landscapes or areas that have important plants.
 - B-17 inventories will be starting up soon. The Navy has been working with the Yomba Shoshone Tribe to gain input into the planning, and feedback has been received from the Walker River Paiute Tribe and Fallon Paiute Shoshone Tribe.
 - The Navy has been working with the Tribes related to some Native American Graves Protection and Repatriation Act (NAGPRA) collections at the Nevada State Museum. A draft inventory report is now being reviewed, and verbal dialogue has been initiated with Fallon Paiute Shoshone Tribe, Walker River Paiute Tribe, and Yomba Shoshone Tribe. The Navy will be working with the Tribes to see how they want to move forward in the NAGPRA process.
 - A slide regarding Tribal Employment Opportunities was shown, noting that Far Western is offering positions for Tribal Technicians and Ethnographic Consultants. Ms. LaPierre noted the good participation from the local tribes.
 - The Wildland Fire Management Plan is being reviewed internally and there will be extensive Tribal consultation after that review.

- Tribal consultation is ongoing for the B-16 fence project and Tribal suggestions, including mitigation, have been very helpful. State Historic Preservation Office concurred, and avoidance and monitoring efforts are going forward.
- The Off-Range Ordnance project is ongoing; the Navy has cleaned up the area but the project is ongoing due to the fluidity of the desert, e.g., items being buried and then reappearing after a windstorm. A work plan for below-surface testing for contaminated soils is in progress.
- State Route 361 proposed realignment will involve a lot of consultation and the Navy will work closely with the Tribes and agencies involved. The Yomba Shoshone Tribe is very concerned about the road realignment.
- Captain Tanner will commemorate Native American Heritage Month and also honor Native Americans who served in the U.S. military. Events will be shared on the NASF Facebook page and with local Tribes. Fall/winter dates for Tribal visits to ranges have been sent to Tribes.
- Questions/Comments
 - Chairwoman Danena Ike, Elko Band Council Te-Moak Tribe of Western Shoshone, asked whether artifacts could be given back to the Tribes. Chairwoman Ike added that she would like her name added to the list for Tribal visit invites to the ranges (B-17 and B-19) and requested information on the first meeting with the Te-Moak Tribe.
 - Ms. LaPierre responded that there is a “no collection” policy at NASF; artifacts are not collected during surveys and Tribal input is sought prior to touching or moving an artifact. In reference to the collection of NAGPRA items at the Nevada State Museum, the intent is to repatriate the artifacts, but it is ultimately up to the Tribes. She will make sure the dates to visit the ranges are provided to Chairwoman Ike.
 - Mr. Baskerville noted that the only time the Navy would collect artifacts is if there is any site mitigation done.
 - Chairman Warren Graham, Duckwater Shoshone Tribe, also asked for clarification on the collection of artifacts. Mr. Baskerville reiterated that the Navy does all they can to avoid having an impact on a site, but if there is an adverse effect on an eligible site, due to laws, artifacts on that site would have to be collected.
 - Chairman Graham added that some artifacts the Navy may not consider NAGPRA items may actually be NAGPRA items, which is a concern. For example, baskets could be funerary items not buried with an individual.
 - Chairman Graham requested Tribal cultural specialists working on cultural resource surveys be represented by their Tribe’s name rather than as an employee of the firm managing the surveys in the final survey reports. Mr. Baskerville agreed this could be notated as such in survey reports.

- Chairman Graham raised the issue of fair compensation for Tribal cultural specialists working for the archaeology firm managing the cultural resource surveys. He stated that Tribes were not consulted regarding wages for the Native American archaeological technicians working on the surveys. He believes these individuals are experts and should be compensated at a rate equivalent to an archaeologist, not a technician.
 - Mr. Baskerville stated that Far Western, the archaeology firm, is responsible for the determination of wages and the issue should be raised with them rather than the Navy.
 - Chairman Graham said that with inflation and, since the surveys are ongoing and planned to last several years, compensation rates should be revisited with Far Western, the Navy, and the Tribes.

Call for Agenda Items for Next IEC Meeting

- No agenda items were suggested for the next meeting.

Scheduling of Next IEC Meeting

- The next IEC meeting will be held in the late January/early February timeframe (January 23–27 or January 30–February 3). A Doodle poll will be sent out for the members to vote for their preferred date and time.

Public Comment

- Chair Torres again opened the floor for public comment, noting the three-minute time limit per person. Ms. Turner reviewed the instructions for providing public comments.
- Ms. Carlene Pacheco of the Fallon Paiute Shoshone Tribe stated that Tribal consultation is not simply attending a Tribal Council meeting and/or presenting slide presentations, but sitting down with Tribal Council, Tribal leaders, and Tribal members and having a discussion. She added that consultation is a process, and that she and the Tribal community wanted to let that be known once again.

Adjourn

- Chair Torres adjourned the meeting at 3:08 p.m. Ms. Dow of the BLM motioned to adjourn the meeting; Captain Tanner of NASF seconded the motion. IEC members voted to approve the adjournment. The motion passed 16 to 0 with no dissent.