

# Intergovernmental Executive Committee

## Draft Meeting Minutes

Monday, Jan. 10, 2022

at 2:00 p.m. PST

**Virtual Meeting and In-Person at the**

**Fallon Convention Center**

100 Campus Way

Fallon, NV 89406

This meeting will be held virtually pursuant to NRS 241.023 and State of Nevada Declaration of Emergency Directive 006.

Join the meeting online: <https://mantech.zoomgov.com/j/1606997037>

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

Webinar ID: 160 699 7037

Pursuant to NRS 241.020, the Agenda for this meeting has been 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](http://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 will be 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](http://www.FRTCmodernization.com/IEC).

***Intergovernmental Executive Committee (IEC) Elected Positions:***

- Chair – Amber Torres, Walker River Paiute Tribe
- Vice-Chair – Pete Olsen, Churchill County Commissioner

***IEC Members in attendance:***

- Navy – Commander (CDR) Scott Beyer, Naval Air Station Fallon (NASF) Public Works Officer (in person)
- Bureau of Land Management (BLM) – Jon Raby, State Director Nevada (via Zoom); Ken Collum, District Manager Carson City (via Zoom)
- Bureau of Indian Affairs (BIA) – Rachael Larson, Superintendent (via Zoom); Garry Cantley, Regional Archaeologist (via Zoom)
- Nevada Department of Wildlife (NDOW) – Alan Jenne, Habitat Chief (via Zoom)
- Nevada Department of Conservation and Natural Resources (DCNR) – Dominique Etchegoyhen, Deputy Director (in person); Scott Carey, State Lands Planner (in person)
- Churchill County – Pete Olsen, Churchill County Commissioner (in person)
- Lyon County – N/A
- Mineral County – Christine Hoferer, Mineral County Commissioner (via Zoom)
- Pershing County – Shayla Hudson, Pershing County Commissioner (in person)
- Nye County – Bruce Jabbour, Nye County Commissioner (via Zoom); Lorinda Wichman, Natural Resources Director (via Zoom)
- Eureka County – J.J. Goicoechea, Eureka County Commissioner (via Zoom); Jake Tibbitts, Natural Resources Manager (via Zoom)
- Fallon Paiute Shoshone Tribe – Cathi Tuni, Chairwoman (in person)
- Walker River Paiute Tribe – N/A
- Yomba Shoshone Tribe – Ronald Snooks, Chairman (in person); Janet Bryan Weed, Office of Environmental Protection Director (in person)
- Pyramid Lake Paiute Tribe – N/A
- Lovelock Paiute Tribe – N/A
- Duckwater Shoshone Tribe – N/A
- Battle Mountain Band Te-Moak Tribe of Western Shoshone – N/A
- Elko Band Council Te-Moak Tribe of Western Shoshone – N/A
- Fort McDermitt Paiute and Shoshone Tribes – N/A
- Reno-Sparks Indian Colony – Arlan D. Melendez, Chairman (via Zoom)
- South Fork Band Council Te-Moak Tribe of Western Shoshone – N/A
- Washoe Tribe of Nevada and California – Serrell Smokey, Chairman (in person)
- Wells Band Council Te-Moak Tribe of Western Shoshone – N/A
- Winnemucca Indian Colony of Nevada – N/A
- Summit Lake Paiute Tribe – N/A
- Te-Moak Tribe of Western Shoshone – N/A
- Yerington Paiute Tribe – N/A

***IEC Liaisons and Support***

- IEC Liaisons – Toni Burton, NASF Tribal Coordinator (in person); Zip Upham, NASF Public Affairs Officer (in person)
- IEC Support – Robin Schofield, NASF (in person); Allison Turner, Moderator, ManTech (in person)

## **Call to Order**

- IEC Vice Chair Pete Olsen called the meeting to order at 2:03 p.m. on Jan. 10, 2022.

## **Welcome and Committee Member Introductions**

- IEC Vice Chair Olsen welcomed everyone and made opening statements.
- Ms. Toni Burton 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**

- IEC members approved the agenda with one change.
  - Ms. Burton stated that the Yomba Shoshone Tribe needed to postpone their presentation to the next meeting.

## **Public Comment**

- The meeting moderator, Ms. Allison Turner, reviewed the guidelines for providing a public comment. Comments were kept to three minutes per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an item.
- The following comment was received during this public comment period:
  - Richard Fisk is concerned that there is not a miner or rancher on the committee, as well as the military taking all the minerals in Southern Nevada. Mr. Fisk is concerned that the military relies on China and Russia for minerals to build weapons.

## **Old Business**

- Participation forms to be returned.
  - Members were requested to submit a new participation form with any leadership or changes in IEC representatives to the IEC Admin.
- Status of Final IEC Charter and Memorandum of Understanding (MOU) routing for signature.
  - Members present in person who had not signed the Charter or the MOU were requested to sign. Signatures of members who were not present in person would be arranged by the IEC Admin.

## **Approval of Meeting Minutes from Nov. 8, 2022**

- The IEC voted to approve the Nov. 8, 2021, meeting minutes with no revisions.

## **Discussion/Possible Action: Navy Update**

- CDR Scott Beyer, Public Works Officer, NAS Fallon, gave a presentation on the status of the proposed FRTC modernization.
  - The modernization was not granted during the 2022 National Defense Authorization Act (NDAA). The Navy will continue to work on the modernization legislation with the Nevada Delegation and the jurisdiction committees for consideration in the 2023 NDAA.
- Mr. Ken Collum, BLM Carson City, provided an update on the Land Management Evaluation (LME).
  - The 90-day public comment period ends today, Jan. 10. The public meeting held Dec. 9, 2022, had 20 attendees, one formal comment, and 13 questions and answers. Next,

BLM will prepare a draft of the public land order, and BLM and the Department of the Interior will review before sending to the Secretary of the Interior for signature, prior to Aug. 23, 2022.

- CDR Beyer next reviewed a map of the FRTC Withdrawal Overview and a map of the FRTC B-17 Cultural Survey Overview. Key points that were presented in relation to these maps include:
  - The Dixie Valley Training Area proposed withdrawal area will remain open to the public.
  - Class III surveys will be completed for 100% of the proposed withdrawal area. An ethnographic study is being conducted for all areas proposed for withdrawal.
    - Class III cultural surveys have been completed for all proposed target areas and proposed B-16 area.
    - A Class III cultural survey is underway for B-20.
    - Both the Class III cultural surveys and the ethnographic study rely heavily on Tribal participation.
  - The target areas make up a small fraction of the Weapons Danger Zone (WDZ). The entire WDZ is not a target for bombing. This is a frequent misperception.
    - The WDZ is determined through modeling that accounts for any possible type of weapons system failure systems and to ensure that any failure would remain within a secured area.
    - The Navy is trying to closely align the fence line with the WDZ to not withdraw any land that is not necessary.
  - CDR Beyer reviewed biologically sensitive areas, including pronghorn and bighorn sheep habitat. He stated that Navy is trying to avoid, to the greatest extent possible, any conflict or damage to natural and cultural resources.
  - The exact, final boundaries of the proposed withdrawal will be informed by ongoing consultation efforts, studies, and continuing negotiations and stakeholder engagement.
  - Questions/Comments:
    - Vice Chair Olsen asked if B-20 had been updated to be off the Wildlife Refuge. CDR Beyer replied that although the map does not currently depict it, the Navy has realigned the boundary to come off the Fallon National Wildlife Refuge.
    - Vice Chair Olsen asked if the target areas have buffer zones around them. CDR Beyer replied that the WDZ is the buffer zone for the targets. The majority of the area in the buffer zone (WDZ) would be untouched by ordnance and may be used for ground training, target maintenance, or other uses.
    - Chairwoman Cathi Tuni asked if the shapefiles of the maps could be shared. CDR Beyer will check with their Counsel to determine if the shapefiles can be released to the public. If they are releasable, they will be shared.
    - Vice Chair Pete Olsen asked for the draft of the roads plans and the Integrated Natural Resource Management Plan (INRMP) to be shared. CDR Beyer replied that the road plan is in its final stages and will be shared with the county and posted on the FRTC IEC website once complete. The moderator stated that the INRMP is now posted on the FRTC IEC website.
- CDR Beyer continued the Navy presentation with an overview of the type of training that occurs on the Fallon Ranges and an overview of the Navy's environmental management and stewardship programs, including the protection of cultural and natural resources, and the commitments the Navy made in its Record of Decision (ROD) for the Environmental Impact Statement (EIS). Navy subject matter experts would go into more detail.

- **Navy Training at FRTC:**
  - B-16 is used mostly for Navy SEAL training and ground small-arms firing. It is rarely used for air-to-ground ordnance delivery.
  - B-17 is one of the more widely used ranges. It is capable of large-force exercises with multiple squadrons and civil aircraft, as well as convoy training.
  - B-20 is used for similar training as B-17 with a few different capabilities.
  - The Dixie Valley Training Area (DVTA) is used for non-hazardous, non-live-fire training. The Navy performs combat search and rescue operations, helicopter night-vision-device training, and helicopter mountain-flying training.
- **Cultural Resources and Tribal Engagement:**
  - The Navy has a comprehensive cultural resources management program and complies with all applicable laws and regulations. The current Integrated Cultural Resources Management Plan (ICRMP) and a Programmatic Agreement guides the efforts.
  - The Navy has a Tribal engagement program to integrate Tribes into the program. The Navy's Tribal liaison and Tribal coordinator reach out to Tribal partners to develop relationships and have meaningful discussions.
  - The Navy is striving to have a more meaningful data set through the Class III surveys, resource inventories, and ethnographic studies.
  - The Navy is also developing range access procedures and have close to a final Memorandum of Agreement (MOA), which will again be sent to Tribes for review and comment. Responses to comments already received will be provided as well.
- **Natural Resources:**
  - The Navy is committed to the stewardship of natural resources and periodically revises its INRMP. If modernization is approved, the INRMP would be revised in its entirety to include the withdrawn lands.
  - The Navy partners with the U.S. Fish and Wildlife Service, the Nevada Department of Wildlife, and other agencies for species management. There are three species identified for continued management:
    - Dixie Valley toad
    - Dixie Valley tui chub
    - Bighorn sheep
- **Record of Decision Commitments:**
  - The Navy made several commitments in the ROD to respond to stakeholder and Tribal concerns:
    - Revision of the Programmatic Agreement.
    - Developing a range access MOA.
    - Establish Tribal engagement program to improve relationships and address Tribal concerns about the proposed modernization.
    - Study noise impacts on sage grouse.
    - Develop a bighorn sheep hunt MOA.
    - Revise the INRMP for existing lands.
    - Develop a Wildland Fire Management Plan.
    - Hire conservation law enforcement officers.
- CDR Beyer summarized by stating that the Navy is committed to continuous improvement of natural and cultural resources programs and identifying and resolving past issues.

- Questions/Comments:
    - No questions or comments were received from IEC members.
- Ms. Ann Schofield, Natural Resource Manager, NAS Fallon, provided an update on natural resources and the Navy's Wildland Fire Management Plan.
  - **Wildland Fire Management Plan (WFMP):**
    - The Navy is nearing completion of the review and analysis of comments received on the draft WFMP. Preliminary finalization is scheduled for March 2022, and next steps will be an environmental impact analysis.
    - The WFMP includes a comprehensive "cradle to grave" approach and would be implemented and evaluated with an adaptive management approach. The WFMP involves all stakeholders in wildland fire management.
    - The WFMP includes sections on fire history, vegetation and fuel conditions, fire severity, and resources at risk. It also includes fire prevention, suppression, and fire management. After a fire, the WFMP includes processes for documentation, monitoring, and potential restoration.
    - Ms. Schofield reviewed fire management priority areas of the FRTC and how the Navy would prevent the spread of fire on its ranges.
  - Comments/Questions:
    - Mr. Dominique Etchegoyhen asked if the Nevada Division of Forestry (NDF) was involved in the review of the WFMP. Ms. Schofield replied that the WFMP was sent to NDF during multiple stages in the review process, but they did not provide input during the most recent review. Mr. Etchegoyhen also asked if the Navy could provide acreages of the Navy-caused fires depicted on the map. Ms. Schofield replied that the acreage information can be shared via email. CDR Beyer also stated that the B-17 fire was about 23,000 acres and the other two fires were not as large.
- Mr. Mike Baskerville, NAS Fallon Archaeologist, presented an update on the Navy's cultural resources surveys.
  - **FRTC Modernization Inventories:**
    - B-20: Currently in the process of inventorying 117,000 acres of B-20 associated with the proposed expansion area. Approximately 19,713 acres have been completed to date and 231 cultural properties have been documented. Six are linear properties and 225 site boundaries were recorded. Crews also found 251 isolated finds. Fieldwork has been postponed due to precipitation. Inventory is expected to take two years.
    - B-16: 100% of the proposed expansion area was inventoried as part of the EIS process, covering approximately 22,538 acres. During the inventory, 375 cultural properties were documented in that area. The Navy is in the process of consulting on the B-16 boundary fence cultural resource report and will share the results when available. All prehistoric sites that are eligible for the National Register are being avoided.
    - B-17: Approximately 12,389 acres were inventoried as part of the EIS process. During the inventory, 511 cultural properties were documented or re-documented in that area. The Navy intends to do a complete inventory of the proposed withdrawal area, and new inventories are being planned. The first inventory will be 37,000 acres around target areas within Gabbs Valley this fiscal year.
  - **Greenbelt Inventory:** Other inventories are being conducted in an area referred to as

the Greenbelt, which is the area surrounding NAS Fallon on land purchased by the Navy. Approximately 1,079 acres were inventoried, and crews were accompanied by a Native American monitor. Two previously recorded sites and 23 newly identified archaeological sites were identified.

- **Integrated Cultural Resources Management Plan (ICRMP) and Programmatic Agreement (PA):** The Navy will resume drafting the PA in mid-January 2022. Once the draft is ready it will be sent to Tribes for review and comment. After Tribal consultations are complete, the PA will be sent to the State Historic Preservation Office and the Advisory Council on Historic Preservation for review and comment. As part of the PA process, the Navy is also updating the ICRMP.
- Comments/Questions:
  - Mr. Etchegoyhen commented that mail intended for the Navy cultural resources department was returned. Mr. Baskerville replied that they are aware of challenges in the Navy's mail office and requested building numbers be included to help prevent returned mail.
  - CDR Beyer commented that the Navy has committed to ensuring that the surveys are 100% complete before ranges become operational.
- Ms. Kish LaPierre, NASF Tribal Liaison Officer, presented an update on the Navy's Tribal Engagement Program, which was established in Fall 2020.
  - **Draft Tribal Access Agreement (MOA):** The MOA is currently being edited and will be made available to Tribes in the next few weeks for review. The MOA will be approved at the Secretary of the Navy level.
  - **Ethnographic and Archaeological Inventories (B-20 Area):** Inventories will resume on Jan. 19. There has been good participation from the Tribes, with six Tribes represented in the studies.
  - **Greenbelt Archaeological Inventories:** Inventories will resume in the next few days and the Tribal Historic Preservation Officer for the Walker River Paiute Tribe will be included.
  - **Future Archaeological Inventories B-17 Area:** Inventories will take place in the next few months, and the Navy requests participation from the Tribes to be a part of the inventories as Tribal monitors. The Navy will send out a formal announcement.
  - **Draft Wildland Fire Management Plan (WFMP) and Tribal Consultation:** Comments were received on the draft WFMP from the Fallon Paiute Shoshone Tribe, and the comments and concerns are being addressed. The Navy would like to receive final comments by Jan. 18.
  - **B-16 Fence Installation:** A draft and consultation letter is in development regarding fence installation. The Navy requests Tribal input regard site avoidance and reducing potential impacts on sites.
  - **Off-Range Ordnance Draft Report:** The Navy met with the Walker River Paiute Tribe last month and 10 hard copies were requested for their continued review of the document. The Navy is in the process of producing the printed copies and will send next week. The Navy has and will respond to any unexploded ordnance found outside existing Navy ranges.
  - **Secretary Del Toro Letter to Fallon Paiute Shoshone Tribe:** A response to questions from the Fallon Paiute Shoshone Tribe was forwarded to Chairwoman Tuni.
  - Comments/Questions:
    - No questions or comments were received from IEC members.

### **Call for Agenda Items for Next IEC Meeting**

- Vice Chair Olsen suggested an overview of the INRMP and road realignment study.
- Mr. Etchegoyhen suggested an overview of remaining issues discussed in the past regarding the State's consolidated response and outstanding issues not addressed in the ROD.
  - CDR Beyer requested that issues for discussion be more specific to allow for a more focused discussion. Mr. Etchegoyhen agreed and suggested that IEC members propose specific issues to be discussed.
- Chairwoman Tuni thanked the Navy for the presentations and updates provided.

### **Scheduling of Next IEC Meeting**

- The next IEC meeting will be held the first two weeks of April 2022. A Doodle poll will be sent out for the members to vote for their preferred date and time.

### **Public Comment**

- Vice Chair Olsen opened the meeting for public comment. Comments were kept to three minutes per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an item.
- The following comments were received during this public comment period:
  - Thoma Tom, a member of the Fallon Paiute Shoshone Tribe, asked Mr. Collum how they can submit a comment on the LME. Instructions for how to comment were sent via Zoom, and Ms. Turner read the instructions aloud. Thoma Tom also commented that the Tribes' emails on the IEC website are incorrect.
  - An anonymous attendee commented via Zoom that, given that the land areas for bombing are small, why not use existing range B-17 for bombing and convoy training instead of taking a large amount of wilderness-quality land for training.
  - Ms. Clifford Banuelos, Inter-Tribal Council of Nevada, commented via Zoom that he would like to be able to see the non-IEC member attendees. Ms. Turner replied that the Zoom platform only allows for panelists who are members of the IEC to view attendee's names.
  - Mr. Richard Mathies commented via Zoom that a major problem with the recent fire response for Tamarack Dixie has been an inability to respond rapidly while fires are small because of too many stakeholders for approval. He asked if the Navy has plans to move rapidly to avoid future disasters.
  - Ms. Janet Bryan Weed commented that the Yomba Shoshone Tribe has Tribal monitors that would like to participate in the inventories as the maps show that these are Western Shoshone lands. She also mentioned that after recent elections they need to get other Shoshone Bands participating in the IEC Committee.
  - Mr. Patrick Donnelly, Great Basin Director for the Center for Biological Diversity, commented that it is unclear whether the IEC is fulfilling its purpose. The enabling legislation for the committee said it was to pertain to the land already withdrawn by the Navy, not for the expansion. Mr. Donnelly also commented that the Navy's proposed land withdrawal is unpopular with the people of Nevada and would have significant impacts on wildlife and public access. Mr. Donnelly also commented that the planned fuel break on the ecologically sensitive Fairview Peak is a bad proposal and could result in the spread of weeds, fragmented habitat, and changes to native ecosystem function. Mr. Donnelly would like the Navy to abandon their land grab and use the land they already have.
  - Mr. Gary Cottle commented via Zoom that the fires in Dixie Valley and B-17 have been

managed by BLM for many years and asked if the Navy's WFMP is just for the expanded ranges.

- Ms. Carlene Pacheco, member of the Fallon Paiute Shoshone Tribe, commented that they disagree with the verbiage of the Programmatic Agreement and that the Tribes are attendees for the discussion, not participants. She also stated that the Nevada Tribes oppose the expansion and don't feel that their comments from the Jan. 29, 2020, public meeting have been addressed.
- Mr. Jim Lee asked about the financial aspect of the land withdrawal and requested detailed accounting and how much money has been requested from Congress, how much has been spent, and how much will go to public landowners. Mr. Lee would like to know if it is the Navy's intention to pursue the expansion, despite the opposition, until Congress approves the expansion. Mr. Lee would also like to reiterate that due to being denied access to restricted airspace, he had a close call with a thunderstorm as he was trying to fly back home.
- Chairwoman Tuni requested that the committee continue to address the impacts on cultural and natural resources and requested more information and data about the impact of Navy operations.
- Richard Fisk asked about Navy activity outside the boundaries of B-16.

#### **Adjourn**

- IEC Vice Chair Olsen adjourned the meeting at 4:44 p.m.