

Intergovernmental Executive Committee

April 20th, 2021 4:00p.m. PDT

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Intergovernmental Executive Committee

Agenda

April 20, 2021 at 4:00 PM PDT

Virtual Meeting

This meeting will be held virtually pursuant to NRS241.023 and State of Nevada Declaration of Emergency Directive 006. In-person attendance is not available at this time.

Join the meeting online: <https://mantech.zoomgov.com/j/1619432335>

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

Webinar ID: 161 943 2335

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 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 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.
- Times listed for all items are estimates.
- Items on the agenda may be taken out of order, combined, removed or delay discussion at the discretion of the Committee.
- Documentation and supporting agenda items are available on the FRTC website at www.FRTCmodernization.com/IEC.

4:00 PM	Call to Order
4:05 PM	Approve of meeting minutes – None
4:05 PM	Verification of Agenda Posting
4:10 PM	Approval of Agenda
4:15 PM	Nevada Open Meeting Law Discussion
4:25 PM	Welcome and Committee Member Introductions
4:35 PM	Public Comment – Three minutes maximum per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an item.

4:50 PM	For Possible Action: Elections – Chair and Vice-chair
5:00 PM	Scope of IEC – Why are we here? Who are the members? What do we talk about?
5:30 PM	For Possible Action: Discussion of IEC Charter
5:45 PM	For Possible Action: Discussion of IEC Memorandum of Understanding
6:00 PM	Discussion on Committee Priorities
6:30 PM	Call for Agenda Items for Next IEC Meeting
6:40 PM	Scheduling of Next IEC Meeting
6:45 PM	Public Comment – Three minutes maximum per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an item.
7:00 PM	Adjourn

FY2021 NDAA Section 2844 - Intergovernmental Executive Committee

SEC. 2844. ESTABLISHMENT OF INTERAGENCY COMMITTEES ON JOINT USE OF CERTAIN LAND WITH DRAWN FROM APPROPRIATION UNDER PUBLIC LAND LAWS.

(a) INTERAGENCY EXECUTIVE COMMITTEE ON JOINT USE BY DEPARTMENT OF THE NAVY AND DEPARTMENT OF THE INTERIOR OF NAVAL AIR STATION FALLON RANGES.—Section 3011(a) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 885) is amended by adding at the end the following new paragraph:

“(5) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.

“(A) ESTABLISHMENT.—The Secretary of the Navy and the Secretary of the Interior shall jointly establish, by memorandum of understanding, an intergovernmental executive committee (referred to in this paragraph as the ‘executive committee’), for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the land described in paragraph (2).

“(B) MEMORANDUM OF UNDERSTANDING.—The memorandum of understanding entered into under subparagraph (A) shall include—

“(i) a description of the officials and other individuals to be invited to participate as members in the executive committee under subparagraph (C);

“(ii) a description of the duties of the Chairperson and Vice Chairperson of the executive committee; and

“(iii) subject to subparagraphs (D) and (E), a procedure for—

“(I) creating a forum to carry out the purpose described in subparagraph (A);

“(II) rotating the Chairperson of the executive committee; and

“(III) scheduling regular meetings of the executive committee.

“(C) MEMBERSHIP.—The executive committee shall be comprised of—

“(i) 1 representative of the Nevada Department of Wildlife;

“(ii) 1 representative of the Nevada Department of Conservation and Natural Resources;

“(iii) 1 county commissioner from each of Churchill, Lyon, Nye, Mineral, and Pershing Counties, Nevada;

“(iv) 1 representative of each Indian tribe in the vicinity of the land described in paragraph (2); and

“(v) not more than 3 members that the Secretary of the Navy and the Secretary of the Interior jointly determine would advance the goals and objectives of the executive committee.

“(D) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the executive committee shall elect from among the members

“(i) 1 member to serve as Chairperson of the executive committee; and

“(ii) 1 member to serve as Vice Chairperson of the executive committee.

“(E) MEETINGS.—

“(i) FREQUENCY.—The executive committee shall meet not less frequently than 3 times each calendar year.

“(ii) LOCATION.—The location of the meetings of the executive committee shall rotate to facilitate ease of access for all members of the executive committee.

“(iii) PUBLIC ACCESSIBILITY.—The meetings of the executive committee shall—

“(I) be open to the public; and

“(II) serve as a forum for the public to provide comments regarding the natural and cultural resources of the land described in paragraph (2).

“(F) CONDITIONS AND TERMS.—

“(i) IN GENERAL.—Each member of the executive committee shall serve voluntarily and without compensation.

“(ii) TERM OF APPOINTMENT.—

“(I) IN GENERAL.—Except as provided in subclause (II)(bb), each member of the executive committee shall be appointed for a term of 4 years.

“(II) ORIGINAL MEMBERS.—Of the members initially appointed to the executive committee, the Secretary of the Navy and the Secretary of the Interior shall select—

“(aa) 1/2 to serve for a term of 4 years; and

“(bb) 1/2 to serve for a term of 2 years.

“(iii) REAPPOINTMENT AND REPLACEMENT.—The Secretary of the Navy and the Secretary of the Interior may reappoint or replace, as appropriate, a member of the executive committee if— expired;

“(I) the member has resigned; or

“(II) the position held by the member has changed to the extent that the ability of the member to represent the group or entity that the member represents has been significantly affected.

“(G) LIAISONS.—The Secretary of the Navy and the Secretary of the Interior shall each appoint appropriate operational and land management personnel of the Department of the Navy and the Department of the Interior, respectively, to serve as liaisons to the executive committee.”.

Intergovernmental Executive Committee Charter

COMMITTEE PURPOSE, BACKGROUND, AND OBJECTIVES

Purpose: To establish the Fallon Range Training Complex (FRTC) Intergovernmental Executive Committee (IEC), with the purpose of facilitating coordination and exchanging ideas between ***executive level government leaders*** in matters regarding the management of the natural and cultural resources within the FRTC land area.

Background: Technology has facilitated the production of advanced weapons and more capable weapon delivery systems. Between more capable aircraft, adversaries and sophisticated weapons, the need for modernizing the airspace and range areas is imperative to maximize the potential of the weapons and weapon delivery systems, balanced with providing public safety. Also, the FRTC is the single, sustainable training site/location for Naval Special Warfare (NSW) Unit Level Training (ULT) for Tactical Ground Mobility (TGM) training for both east/west coast Groups in utilizing an instructional facility and associated range areas. We must continue to train as we fight.

The FRTC Modernization required an Environmental Impact Statement. Over the course the EIS, several stakeholders, to include federal, state, and local governments as well as Nevada's Native American Tribes and non-governmental organizations (NGO), have demonstrated specific interests toward any re-designated public lands.

Given the keen interest of stakeholders, the Principal Deputy Assistant Secretary of the Navy for Energy, Installations and Environment (EI&E) incorporated a venue to address natural and cultural issues on a regular basis through his Record of Decision called the Intergovernmental Executive Committee (IEC). This IEC is derived and modeled from another successful DOD and DOI group in Arizona. Additionally, Senator Cortez-Masto included the IEC model into the FY21 National Defense Authorization Act (NDAA).

Objectives:

- Create a forum to serve as an information exchange for ideas pertaining to management of natural and cultural resources.
- Blend the best stewardship practices and the continuing military readiness activities on the FRTC to provide flexible, realistic, and effective training for U.S. and allied defense forces.
- Integrate the variety of expertise from various member agencies into a comprehensive approach to collaboratively evaluate management practices in sustaining the natural and cultural resource projects within the FRTC.
- Enhance and promote public awareness, appreciation, and responsible use of the FRTC, and build public trust on our ability to effectively manage the land, resource and airspace issues.
- Demonstrate the effective use of public funds and agency resources by collaborative management, streamlining procedures, integration of planning tools, and eliminating duplication of operations.
- Absorb positive attributes of interest groups and the public who participate in periodic meetings with the Intergovernmental Executive Committee as a means toward welcoming the public into a forum for two-way dialogue.

SCOPE

The scope of this charter is intended to facilitate dialogue and obtain ideas from stakeholders regarding the management of the ranges within the boundaries of the FRTC. Specifically, this forum will foster and receive ideas on the management of natural and cultural resources within the public land withdrawal area. The large number of stakeholders in northern Nevada necessitates a collaborative effort in accessing subject matter experts within federal, state, and local government entities as well as the Native American Tribes and non-governmental organizations.

ORGANIZATION / ROLES AND RESPONSIBILITIES

IEC Organization:

- Create a multi-disciplinary forum representing federal, state, local and Tribal governments as well as non-governmental organizations.
- Rotate the Chair biennially
- Assign an IEC Coordinator to organize agendas, coordinate meetings, forward invitations, provide presentations, and draft meeting minutes for distribution.
- Conduct meetings within this charter's Objectives and Scope.

Roles:

Several stakeholders and interested parties possess specific skill sets and expertise valuable in assisting the Navy toward effective management practices. Some of those organizations are listed with mission statements below. These groups/agencies are expected to participate, but not limited to those indicated below:

Navy – possesses ultimate authority and responsibility for the management of land and interest in the land within the FRTC for the purpose of conducting military operations in support of National Security objectives under Public Law 116-283, 3 Jan 2020, Title XXVIII, Subtitle E, Sec. 2844.

Bureau of Land Management (BLM) – has oversight responsibilities regarding the management of the FRTC under the Federal Land Policy and Management Act (FLPMA).

U.S. Fish & Wildlife (USFWS) – coordinates with other agencies to conserve, protect and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people.

Nevada Department of Conservation and Natural Resources (DCNR) – has primary jurisdiction to conserve, protect, manage and enhance Nevada's natural and cultural resources, except preempted by federal law.

Nevada Department of Wildlife (NDOW) – has the responsibility to protect, conserve, manage and restore wildlife and its habitat for the aesthetic, scientific educational, recreational and economic benefits to citizens of Nevada and the United States, except preempted by federal law.

County Governments – The Nevada Constitution provides for the existence and creation of counties by the Nevada Legislature. County names, boundaries, and county powers are set by statute. County governments who have been identified in legislation are: Churchill, Lyon, Mineral, Nye and Pershing.

Eureka and Lander were not included in the legislation; however, committee members should expect their interest and subsequent participation.

Native American Tribes within Nevada – preserve and protect the Indian cultural values and heritage; secure and promote the general welfare and education of their individual tribal members and their full employment and exercise of all the privileges of citizenship in the United States; and enlighten the public with respect to tribal affairs and promote a better understanding between each tribe and their fellow citizens of the State of Nevada and of the United States.

Senate and Congressional staffs – support and advocate the Nevada public and U.S. national interests.

Responsibilities:

IEC – General

- Determine a schedule to meet with committee members regularly and track progress on outstanding actions
- Provide updated presentations regarding the management of natural and cultural resources
- Create major milestones and realistic time lines for actions between various milestones
- Develop a meeting format
- Develop and coordinate responses to Request for Information (RFI) and Requests for Action (RFA) from stakeholders
- Identify the Navy and DOI (BLM) Liaisons to interface with the IEC

IEC Liaisons

- Collaborate with Chair and Vice Chair in developing the meeting agenda
- Schedule three IEC meetings annually (approximately 4 months apart)
- Rotate and coordinate the hosting venue, as necessary
- Compile attendee list and forward invitations to those attendees
- Coordinate and respond to RFI and RFA with applicable parties
- Draft meeting minutes and forward those minutes to participants within ten (10) business days from the day of the meeting. Include next meeting day and venue
- Ensure the FRTC Modernization website is up to date and incorporates the approved agendas and minutes

Chair

- Announce the public meetings
- Preside over the meetings in an orderly fashion and comply with this charter
- Collaborate with Navy and BLM Liaisons on agenda items

Vice Chair

- Address and/or track agenda items during the meeting
- Record action items as they are addressed during the meetings and announce those items at the end of the meeting

Navy

- Provide plans and analysis relating to actionable activities addressed in the Final EIS, ROD, and/or legislation
- Address key milestones between meetings
- Collaborate with BLM Liaison on RFI and RFA
- Represent Navy leadership and interests by assigning the Commanding Officer. The Community Plans and Liaison Officer will assume his/her position in their absence.

BLM

- Provide status on collaborative efforts with the Navy related to land management transitional plans
- Address and/or clarify FLPMA guidance and other legal land management restrictions
- Collaborate with the Navy Liaison on RFI and RFA
- Represent BLM management and interests by assigning the Carson City District Office Director. The Stillwater Field Office Manager will assume the position responsibility in the District Office Director's absence.

US Fish & Wildlife

- Offer management options compatible with the Navy training mission
- Assist in efforts to follow through on management options ensuring success
- Represent USFWS management and interests by assigning the Stillwater Wildlife Refuge Office Manager

State government agencies

- Offer management options compatible with the Navy training mission
- Assist in efforts to follow through on management options ensuring success
- Represent the State of Nevada specific to cultural, natural resources and wildlife interests by assigning the Conservation and Natural Resources and Wildlife Directors. Their deputies can temporarily assume their position during any unscheduled absence.

County government

- Offer management options compatible with the Navy training mission
- Assist in efforts to follow through on management options ensuring success
- Designate a County Commissioner to represent the individual County's interests. Another Commissioner can temporarily assume the role in the absence of the designated Commissioner.

Native American Tribes

- Assist in identifying cultural resources for protection within the FRTC boundaries
- Participate in studies with cultural resource implications
- Represent Native American interests with each Tribe Chair. In the absence of the Chair, a Council member may temporarily serve as the Tribe representative.

APPROACH

This multi-disciplinary, multi-organizational group can be expected to be as dynamic and fluid as interest evolves. We must be responsive in order to achieve the objectives.

Periodic meetings

- Periodic meetings may be conducted every four (4) months. An official invitation will be forwarded by IEC Chair.
- Each meeting will have an agenda and presided by the Chair. In general, the agenda will include, but not limited to: roll call, a summary of the previous meeting, various updates on projects/initiatives by Navy and/or BLM, determine day and location of next meeting, and an open discussion on potential or existing issues.
- After each meeting, a summary or minutes will be published and forwarded to the IEC membership.

Chair and Vice Chair election

- Chair and Vice Chair will be elected bi-annually
- Chair and Vice Chair will stagger their respective terms. The first election will determine the position to serve for one year

Personnel transitions

- Half the IEC members nominated by member agencies will be initially appointed to two (2) year terms as determined by the Chair and Vice Chair
- The other half will be appointed to four (4) year terms as determined by the Chair and Vice Chair
- Each subsequent appointment to an IEC member will be four (4) years
- Personnel changes are a normal occurrence in most organizations. Any IEC members who are expected to transfer or be re-assigned to different positions, please notify the IEC Liaisons via email or phone. When this notification occurs, please ensure your relief is available for next meeting with contact information readily available.

Perspective IEC Members

Organization	Name	Position	Phone number	Email
Navy	Captain Morrison	NAS Fallon, Commanding Off	(775) 426-2700	evan.l.morrison1@navy.mil
BLM	Jon Raby	NV State Director	(775) 885-6156	jraby@blm.gov
USFWS	Carl Lunderstadt	USFWS		carl_lunderstadt@fws.gov
DCNR	Brad Crowell	Director	(775) 684-2700	bcrowell@dcnr.nv.gov
NDOW	Tony Wasley	Director		twasley@ndow.org
Churchill	Pete Olsen	Commissioner	(775) 423-5136	polsen@churchillcounty.org
Lyon	Vida Keller	Commissioner	(775) 577-3200	vkeller@lyon-county.org
Mineral	Christine Hoferer	Commissioner		ccc@mineralcountynv.org
Nye	Bruce Jabbour	Commissioner		bjjabbour@co.nye.nv.us
Pershing	Shayla Hudson	Commissioner		shudson@pershingcountynv.gov
Battle Mt Band (Te-Moak)	David Carrera	Chair	(775) 635-2004	tribalchairman.carrera@yahoo.com
Duckwater ST	Rodney Mike	Chair	(775) 863-0116	chairman@duckwatertribe.org
Elko Band Colony	Davis Gonzales	Chair	(775) 385-9065	chairman@elkoband.org
Fallon PST	Alvin Moyle	Chair	(775) 423-6075	Chairman@fpst.org
Fort McDermitt PST	Maxine Redstar	Chair	(775) 532-8259	maxine.redstar@fmpst.org
Lovelock PT	Sandra J. Winap	Chair	(775) 273-7861 ext. 19	chair@lovelocktribe.com
Reno-Sparks Colony	Arlan Melendez	Chair	(775) 329-2936	amelendez@rsic.org
Pyramid Lake PT	Janet Davis	Chair	(775) 384-4350	jddavis@plpt.nsn.us
South Fork Band	Duane Garcia	Chair	(775) 744-4273	Sforkcouncil.adm@gmail.com
Summit Lake PT	Randi Lone Eagle	Chair	(775) 827-9670	randi.loneeagle@summitlaketribe.org
Walker River PT	Amber Torres	Chair	(775) 773-2306	chairman@wrpt.org
Washoe Tribe	Serrell Smokey	Chair	(775) 265-8600	Serrell.Smokey@washoetribe.us
Wells Tribe	Andrea Wood	Chair	(775) 752-3045	andyw.wellsbandcouncil@gmail.com
Winnemucca Colony	Judy Rojo	Chair	(775) 329-5200	gagoo2009@gmail.com
Yerington PT	Ginny M Hatch	Chair	(775) 783-0200	ghatch@ypt-nsn.gov
Yomba ST	Ronald Snooks	Chair	(775) 964-2463	tribalchair@yombatribe.org
STAFFDEL	Jennifer Crowe	State Director	(775) 686-5750	Jennifer_Crowe@cortezmasto.senate.gov
	Emily Lande-Rose	Regional Director	(775)-337-0110	Emily_Lande-Rose@rosen.senate.gov
	Stacy Parobeck	Regional Director	(775) 686-5711	stacy.parobek@mail.house.gov

MEMORANDUM OF UNDERSTANDING

establishing the

FALLON RANGE TRAINING COMPLEX
INTERGOVERNMENTAL EXECUTIVE COMMITTEE

I. Purpose

This Memorandum of Understanding (MOU) establishes the Fallon Range Training Complex (FRTC) Intergovernmental Executive Committee (IEC), pursuant to the Record of Decision for the FRTC Modernization and in compliance with the National Defense Authorization Act for Fiscal Year 2021, for the purpose of exchanging views, information and advice regarding natural and cultural resources within the FRTC.

II. Authority

All Parties – Military Lands Withdrawal Act of 1999 (title XXX of Public Law (PL) 106–65; 113 Stat. 892); Section 2841, National Defense Authorization Act for Fiscal Year 2021 (PL 116-283)

All Parties – Section 2844 of National Defense Authorization Act for Fiscal Year 2021 (PL 116-283)

U.S. Navy – Title 10 of the United States Code

U.S. Navy, Department of the Interior, and the State of Nevada - Sikes Act (as amended, 16 U.S.C. section 670 *et seq*)

Bureau of Land Management – Federal Lands Policy and Management Act (43 U.S.C. chapter 35).

III. Scope

This MOU is intended to facilitate dialogue, the exchange of information and ideas between executive level government leaders pertaining to natural and cultural resources within the FRTC land areas authorized by Public Law (PL) 106–65 (public lands withdrawal) and PL 116–283 (withdrawal extension). This exchange of information will assist the Navy as it manages the FRTC Bravo ranges, specifically B-16, B-17, B-19 and B-20. This exchange of information will also assist Bureau of Land Management (BLM) as they manage Dixie Valley under FLPMA in accordance with the uses authorized for these areas by PL 106-65 and PL 116-283. The large number of stakeholders in northern Nevada necessitates a collaborative effort to engage subject matter experts within federal, state, and local government entities, and Native American Tribes creating an intergovernmental committee.

IV. Limitations

Participation in the FRTC IEC through this MOU does not expand or diminish any participating member's authority, responsibility or liability with regard to management of the FRTC beyond that established by law or regulation, Cooperative Agreement, or policy, nor does participation otherwise modify the respective duties, obligations, rights, privileges, or immunities of any party. This forum is not a decision making entity, but serves as an information exchange for ideas pertaining to management of natural and cultural resources. Nothing in this document obligates any participating agency to expend funds in excess of appropriation authorized by applicable law and administratively allocated for the purpose of managing FRTC lands and/or resources.

V. Function, Structure, Membership and Stakeholders

a. Function

1. The IEC is established for the purpose of exchanging views, information and advice relating to the management of the natural and cultural resources of the FRTC lands withdrawn and reserved by Public Law 116-283. This forum will conduct meetings and address issues in an advisory capacity.

2. At each meeting, representatives of the Navy, BLM, State of Nevada and Counties, and Tribes can deliver presentations providing status on FRTC management issues and procedures, as well as an update on ongoing projects that pertain to natural and cultural resources protection within the Bravo ranges, Dixie Valley and the Shoal Site. The IEC may invite other agencies to report on their activities as they relate to the FRTC and its modernization. IEC members and the public may express their views with respect to FRTC management procedures and practices. IEC members and the public may present substantive issues, conflicts or other matters regarding FRTC resource management within the Bravo ranges, Dixie Valley and the Shoal Site to the IEC for consideration and possible action. The IEC Liaisons shall be responsible for ensuring that IEC issues and concerns pertaining to FRTC specific management-related items are presented to the responsible agency for consideration and possible action. The IEC Liaisons shall report to the IEC on FRTC management actions taken in response to IEC issues or views.

3. The IEC will meet no less than three times each calendar year with additional meetings scheduled as necessary. At each meeting, the IEC will agree on a date for the next meeting and location from an IEC member to host the meeting. The location of the meetings of the executive committee will rotate to facilitate ease of access for all members of the IEC. Meeting location, time and agenda will be publicly announced in advance. The minutes for each meeting shall include a schedule for preparing the next meeting agenda.

b. Structure

1. As a collaborative group, all members will be heard in representing their respective agencies in facilitating FRTC management activities. Each member of the executive committee shall serve voluntarily and without compensation.

2. Chairmanship and Vice-Chairmanship of the IEC will be elected biennial among members of the IEC. Chair and Vice Chair will stagger their respective terms. The first election will determine the position to serve for one year. Half the IEC members nominated by member agencies will be initially appointed to two (2) year terms by the IEC Chair and Vice Chair, the other half will be appointed to four (4) year terms by the IEC Chair and Vice Chair. Each subsequent appointment to an IEC member will be four (4) years. The IEC Chair and Vice Chair may reappoint or replace, as appropriate, an IEC member for each member agency nominated by the agency if the representative's term has expired or the representative has resigned.

3. In the event that a designated agency representative of the IEC cannot attend a meeting, the member agency may appoint an alternate to attend and participate in his/her place. The replacement must have similar, if not the same, executive level understanding of their agency. The alternate will have the same rights, privileges and responsibilities as the appointed member.

4. The IEC, as a whole, will be supported by Navy and BLM Liaisons, as necessary. The Liaisons will be responsible for facilitating administrative and logistical support. Support for individual agency representatives will be the responsibility of each individual agency.

c. Membership

1. Navy. The Commanding Officer of Naval Air Station Fallon will serve as the Department of the Navy (Navy) representative to the IEC. The Navy has authority and responsibility for the use of land within the FRTC for the purpose of conducting military operations in support of National Security objectives. The Navy also has authority and responsibility for land management of the ordnance ranges (B-16, B-17, B-19 and B-20). The Community Plans and Liaison Officer will assume the role in the Commanding Officer's absence.

2. DOI (BLM/USFWS). The Nevada State Director/Carson City District Office Manager of Bureau of Land Management (BLM) and Stillwater Wildlife Refuge Manager, U.S. Fish and Wildlife Service will serve as the Department of Interior representatives to the IEC. BLM has significant management oversight of federal land in Nevada. BLM also has authority and responsibility for land management of the Dixie Valley and Shoal Site. In the absence of either BLM/USFWS representatives, a temporary assignment with decision making authorization may be substituted.

3. Nevada Division of Wildlife. The Director of the Nevada Division of Wildlife will serve as a representative to the IEC. The Nevada Division of Wildlife has an interest in providing the residents of Nevada hunting and fishing opportunities across the State.

4. Nevada Department of Conservation and Natural Resources. The Director of the Nevada Division of Conservation and Natural Resources will serve as a representative to the IEC. The Nevada Division of Conservation and Natural Resources has an interest in ensuring the highest achievable environment for the residents of Nevada.

5. Churchill County. The Churchill County Commission will appoint one (1) member from their respective Commissions to serve as a representative to the IEC. Churchill County has an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

6. Lyon County. The Lyon County Commission will appoint one (1) member from their respective Board to serve as a representative to the IEC. Lyon County has an interest in ensuring the highest achievable condition for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

7. Mineral County. The Mineral County Commission will appoint one (1) member from their respective Commissions to serve as a representative to the IEC. Mineral County has an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

8. Nye County. The Nye County Commission will appoint one (1) member from their respective Board to serve as a representative to the IEC. Nye County have an interest in ensuring the highest achievable condition for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

9. Pershing County. The Pershing County Commission will appoint one (1) member from their respective Board to serve as a representative to the IEC. Pershing County has an interest in ensuring the highest achievable condition for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

10. Battle Mountain Band of Te-Moak Tribe Western Shoshone, Duckwater Shoshone Tribe, Elko Band Colony-Te-Moak Tribe of Western Shoshone, Fallon Paiute Shoshone Tribe, Fort McDermitt Paiute Shoshone Tribe, Intertribal Council of Nevada, Lovelock Paiute Tribe, Reno-Sparks Colony, Pyramid Lake Paiute Tribe, South Fork Band-Te-Moak Tribe of Western Shoshone, Walker River Paiute Tribe, Washoe Tribe of Nevada and California, Wells Band Colony Te-Moak Tribe of Western Shoshone, Winnemucca Indian Colony, Yerington Paiute Tribe, Yomba Shoshone Tribe, Summit Lake Paiute Tribe, Te-Moak Tribe of Western Shoshone. Each Tribal Chair will serve as a representative to the IEC. Each Tribal leader has an interest in preserving conditions for a high quality environment and developing economic opportunities for its members, and preservation and protection of cultural values and heritage of their Tribe. In the absence of the Tribal Chair, another Council member may temporarily serve.

11. If an appointed member wishes to no longer participate as a member of the IEC, the agency must submit a written notice to the IEC Chair. If a government agency wishes to join the IEC and is not specifically listed in the FY21 NDAA, the agency may submit a written notice to the IEC Chair and a vote will be casted among the members for approval or disapproval of membership.

VI. Roles and Responsibilities of the Executive members

- a. Elect the Chair and Vice Chair.
- b. Create and develop a charter with the IEC membership to establish mechanisms and guidelines in the conduct of the group.
- c. Direct IEC Liaisons to develop and distribute the meeting agenda.
- d. Schedule no fewer than three IEC meetings within the calendar year.
- e. Direct IEC Liaisons to coordinate with the hosting venue for IEC meetings, as necessary.
- f. Direct IEC Liaisons to coordinate and respond to requests for information and/or action queries, as appropriate.
- g. Direct IEC liaisons to compile attendee list and forward invitations to those attendees.
- h. Direct IEC liaisons to forward letter invitations to Tribal representatives via certified mail.
- i. Direct IEC liaisons to forward written requests for agenda items from IEC members to the Chair and Vice Chair.
- j. Direct IEC liaisons to draft meeting minutes and forward those minutes to participants within ten (10) business days from the day of the meeting. These minutes will include the next meeting day and venue. These meeting minutes will be retained on file locally.

VII. Review

This MOU will be reviewed at least every five years by members of the IEC to determine if the document requires modification. Recommendations for modifying this MOU may be submitted

at any time at the request of an IEC member. The membership will review and evaluate the requested change, then provide feedback to the IEC and requesting agency. Any disputes relating to this MOU will, subject to any applicable law, Executive order, directive or instruction, be resolved by consultation between the IEC members.

VIII. Approval

This MOU will become effective immediately on the date the last signature is affixed. Any signatory whose participation is not mandated by federal law may withdraw from the IEC at any time through written notice to the IEC Coordinator.

IX. Signatures

United States Navy
Commanding Officer, Naval Air Station Fallon

Date

Bureau of Land Management
Director, State of Nevada

Date

U.S. Fish & Wildlife
Stillwater Wildlife Refuge Manager

Date

State of Nevada
Director, Department of Conservation & Natural Resources

Date

State of Nevada
Director, Department of Wildlife

Date

Churchill County
Churchill County Commission Chair

Date

Lyon County
Lyon County Commission Chair

Date

Mineral County
Mineral County Commission Chair

Date

Nye County
Nye County Commission Chair

Date

Pershing County
Pershing County Commission Chair

Date

Te-Moak Tribe Western Shoshone
Battle Mountain Band Chair

Date

Duckwater Shoshone Tribe
Duckwater Shoshone Tribal Chair

Date

Te-Moak Tribe Western Shoshone
Elko Band Colony Chair

Date

Fallon Paiute Shoshone Tribe
Fallon Paiute Shoshone Tribal Chair

Date

Fort McDermitt Paiute Shoshone Tribe
Fort McDermitt Paiute Shoshone Tribal Chair

Date

Intertribal Council of Nevada
Intertribal Council of Nevada Chair

Date

Lovelock Paiute Tribe
Lovelock Paiute Tribal Chair

Date

Pyramid Lake Paiute Tribe
Pyramid Lake Paiute Tribal Chair

Date

Reno-Sparks Colony
Reno-Sparks Colony Chair

Date

Summit Lake Paiute Tribe
Summit Lake Paiute Tribal Chair

Date

Te-Moak Tribe Western Shoshone
South Fork Band Colony Chair

Date

Walker River Paiute Tribe
Walker River Paiute Tribal Chair

Date

Washoe Tribe of Nevada and California
Washoe Tribe of Nevada and California Chair

Date

Te-Moak Tribe Western Shoshone
Wells Band Colony Chair

Date

Winnemucca Indian Colony
Winnemucca Indian Colony Chair

Date

Yerington Paiute Tribe
Yerington Paiute Tribal Chair

Date

Yomba Shoshone Tribe
Yerington Paiute Tribal Chair

Date

Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (10th Edition)*

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§21 Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20 Take break	I move to recess for	No	Yes	No	Yes	Majority
§19 Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18 Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17 Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16 Close debate	I move the previous question	No	Yes	No	No	2/3
§15 Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14 Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13 Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12 Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11 Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10 Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

Side 1

Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (10th Edition)*

Incidental Motions - no order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT	2 ND ?	DEBATE?	AMEND?	VOTE?
§23 Enforce rules	Point of order	Yes	No	No	No	None
§24 Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
§25 Suspend rules	I move to suspend the rules which ...	No	Yes	No	No	2/3
§26 Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
§27 Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29 Demand rising vote	I call for a division	Yes	No	No	No	None
§33 Parliamentary law question	Parliamentary inquiry	Yes	No	No	No	None
§33 Request for information	Point of information	Yes	No	No	No	None

Motions That Bring a Question Again Before the Assembly - no order of precedence. Introduce only when nothing else pending.

§34 Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35 Cancel previous action	I move to rescind ...	No	Yes	Yes	Yes	2/3 maj. w/ notice
§37 Reconsider motion	I move to reconsider the vote ...	No	Yes	Varies	No	Majority

Side 2



State of Nevada

DEPARTMENT OF WILDLIFE

6980 Sierra Center Parkway, Suite 120

Reno, Nevada 89511

(775) 688-1500 • Fax (775) 688-1595

4/20/2021

TONY WASLEY
Director

BONNIE LONG
Deputy Director

JACK ROBB
Deputy Director

April 14, 2021

Intergovernmental Executive Committee Members
Care of Captain Evan Morrison, Commanding Officer
Robert Rule, Community Liaison
Fallon Naval Air Station

Re: Intergovernmental Executive Committee Items

Intergovernmental Executive Committee,

The Nevada Department appreciates the opportunity to review and provide comment on the draft committee items and future agenda items. Please see our specific comments listed below.

Agenda Items:

NDOW would appreciate hearing an update on the Navy's request for an extension of its current Withdrawal Order. Additionally, we believe it would be beneficial for the committee to hear updates on the status of wildfire management and managed access plans.

Nominations:

NDOW would like to nominate Bradley Crowell or the Department of Conservation and Natural Resources representative as the committee chair and supports the concept of a tribal co-chair.

Draft Charter:

- We recommend clearly defining whether the Intergovernmental Executive Committee (IEC) and Charter are focused on the existing Navy withdrawal, the proposed FRTC Expansion, or both. On page 1 of the Charter, the text states that stakeholders "have demonstrated specific interests towards any re-designated public lands." This alludes to the renewal of the existing Navy withdrawal, but many key issues brought forward during the recent NEPA process were focused on the FRTC Modernization. As such, we recommend the IEC include a focus on the existing Navy withdrawal and the proposed FRTC Modernization, including airspace.
- The Charter's objectives are not clearly tangible or measurable. We recommend, through the IEC, identifying and stating short and long-term desired outcomes that provide clear direction and purpose for the IEC. While we appreciate the formation of a forum to share information and ideas, we also recommend the Charter clarify how the IEC can work to resolve outstanding issues pertaining to the FRTC Modernization. We appreciate much of the language currently in the list of objectives, but would offer these may be better served as strategies that help achieve objectives.
- We recommend the IEC discuss the proposed responsibilities specific to decision-making. The initial meeting made clear the IEC is not a decision-making body, but decisions will need to be made to ensure progress on potential issues. We recommend the Charter provide direction and clarity on who will be making decisions and how they will be addressed.
- The Charter appears to primarily focus on achieving Navy activities. We recommend additional language to incorporate the objectives and goals of participating entities where they intersect with or are impacted by Navy activities.

- We recommend NDOW's responsibilities include:
 - Provide information and expertise on wildlife and habitat values, threats, and management strategies associated with existing or potential withdrawn lands, airspace, and training activities.
 - Identify impacts and management solutions to avoid, minimize, and mitigate impacts on wildlife and habitat resources associated with existing or potential withdrawn lands, airspace, and training activities.
 - Collaborate with the IEC and assist in efforts to follow through on management options to ensure success.
 - Represent the State of Nevada specific to wildlife interests by assigning the Nevada Department of Wildlife Director to the IEC. A leadership representative can temporarily assume the role in the Director's absence.

MOU:

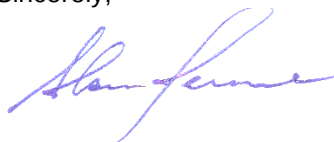
- We recommend the Purpose of the MOU be amended to include resolution of key issues or concerns with the FRTC Modernization. While we appreciate and support the opportunity to exchange information, the primary impetus to forming the IEC appears to be the presence of unresolved issues. Thus, exchanging information with the intent of achieving collaborative resolution should be identified.
- The Scope of the MOU should be clear and consistent with the Charter regarding existing and proposed withdrawals.
- The MOU incorrectly identifies NDOW as the Nevada Division of Wildlife. Please revise to Nevada Department of Wildlife. Additionally, NDOW has an interest to protect, conserve, manage and restore wildlife and its habitat for the benefit of citizens of Nevada and the United States. While providing hunting and fishing opportunities is important, it does not fully represent our entire mission.

NDOW Priorities:

1. Identify and implement avoidance, minimization, and mitigation strategies for impacts on biological resources from FRTC withdrawals, airspace, and related training activities.
2. Develop, finalize, and commit resources to a long-term managed access plan for wildlife-dependent recreation and wildlife management on FRTC withdrawn lands, including avoidance of identified recreational and biologically sensitive areas.
3. Develop, finalize, and commit resources to a wildfire management plan that addresses fire prevention, suppression, and rehabilitation at an appropriate scale to offset impacts and provide benefit to wildlife and habitat resources.

Thank you again for the opportunity to provide input into the creation of this Intergovernmental Committee and if you wish to further discuss this issue, please contact me via email (ajenne@ndow.org) or at 775-688-1560.

Sincerely,



Alan Jenne
Habitat Division Administrator
Nevada Department of Wildlife

Department of Conservation and Natural Resources

From: Dominique Etchegoyhen <detchegoyhen@dcnr.nv.gov>

Sent: Friday, April 16, 2021 8:51 AM

To: Rule, Robert M CIV USN (USA) <robert.rule@navy.mil>; Brad Crowell <bcrowell@dcnr.nv.gov>; Scott Carey <scarey@lands.nv.gov>

Subject: [Non-DoD Source] RE: DCNR Input for IEC

Rob,

In addition to the MOU, please also see NDCNR's comments on the Charter.

Thank you.

Dominique M. Etchegoyhen

Deputy Director

Department of Conservation and Natural Resources

901 South Stewart Street, Suite 1003

Carson City, NV 89701

Office: (775) 684-2724

detchegoyhen@dcnr.nv.gov



From: Brad Crowell <bcrowell@dcnr.nv.gov>

Sent: Thursday, April 15, 2021 6:19 PM

To: Rule, Robert M CIV USN (USA) <robert.rule@navy.mil>; Dominique Etchegoyhen <detchegoyhen@dcnr.nv.gov>; Scott Carey <scarey@lands.nv.gov>

Subject: [Non-DoD Source] Re: DCNR Input for IEC

Importance: High

Rob - thanks for sharing the agenda. I apologize for the delay in sending our additional feedback to you. Please see our comments below and edits attached. Credit to Dominique and Scott for putting this together. I'm to blame on the delay in following-up.

Also, regarding the agenda, is the Navy planning to be the facilitator of the IEC? I assume yes. If so, that may provide for BLM, rather than the Navy, serving as either chair or co-chair of the IEC

On behalf the Nevada Department of Conservation and Natural Resources (NDCNR) please see the following list of the NDCNR's top IEC priorities, feedback on possible IEC co-chairs, and comments on the draft Charter & MOU.

Top Priorities

1. Maintaining proactive engagement with and continued building of support among impacted Tribal, State, Local, and Community stakeholders.
2. Recognizing and mitigating the impacts of climate change within the scope of the existing base footprint and proposed expansion area.
3. Wildfire - enhance current efforts and build adequate future capacity to effectively mitigate, suppress, and restore landscapes on and adjacent to NAF.
4. Outdoor Recreation - Mitigate impacts to current recreation areas and identify/enhance new areas suitable for outdoor recreation to offset impacts.
5. Economic Development - in all forms.

Co-Chairs

At the IEC organizational meeting, a desire was expressed that the IEC would have co-chairs representing State & Local Government, the Federal Government, and Tribal Nations. Although the legislation authorizing the creation of the IEC specified that the IEC have only a Chair and Vice Chair, NDCNR sees value in one or more co-chairs as a gesture of good faith and mutual collaboration amongst all IEC members. Furthermore, given the central role of the Navy in this process, NDCNR believes the Navy should be represented as one of the Co-Chairs, or assume a role of facilitating the IEC in a manner reflective of the Navy's central role. The inclusion of a representative of the Navy as a Chair, or other leadership role, on the Committee will demonstrate the Navy's commitment to the IEC and allow for better resolution of issues and items discussed by the Committee. NDCNR also feels one co-chair should be held by a state or local representative. NDCNR appreciates the Navy's invitation to the 15 Tribal Nations and the Inter-Tribal Council of Nevada in the MOU to formally join the IEC and looks forward to involvement and engagement from these Tribal Nations. Assuming one or more Tribal Nation joins the IEC, we would support a tribal leader serving an IEC co-chair.

General Comments on IEC Charter & MOU

1. Access: NDCNR believes the IEC can be a good resource for the both the Navy and the members of the IEC to work out access issues within the re-designated public lands and in the future for issues within the proposed expanded boundaries. A lot of the key issues brought forth during the EIS process and by nearly every NV Consolidated Stakeholder dealt with access within the FRTC. Currently, access issues related to natural resources, agriculture, public safety, wildlife, recreation, and cultural resources lack adequate public representation and ways to formally resolve these issues. It would be beneficial to specify within the charter and MOU that the IEC will be responsible for dealing with access issues facilitating more coordination and resolution of access conflicts.
2. Request for Action: The general responsibility section in the Charter refers to requests for action, but lacks specificity as to the intent of requests for action and the individual responsibilities of each IEC member with respect to requests for action. The Charter should be revised to specify the intent and purpose of a request for action, establish responsibilities for the Navy and for IEC members on such a request, and set up a timeline for when such actions would be completed.

3. Nevada Open Meeting Law: The Charter and MOU should be revised to state that the IEC will be subject to the open meeting law and will operate according the Nevada Open Meeting Law. From reviewing the members referenced in the Charter, there are at least 5 county commissioners and two state agencies, which alone may trigger the State's open meeting law. It is our understanding the Navy already plans to comply with the open meeting law. To prevent any confusion or conflict, the Charter and MOU should specify that the IEC will comply with the state's open meeting law.
4. Please see attached: Attached are the Department's comments with the additional changes tracked in word for the Charter. Please note, NDCRN has determined that components of the MOU are contingent upon the Charter. Therefore, NDCNR advises waiting to finalize the MOU until after the Charter has been agreed upon.

Thank you for your consideration.

Bradley R. Crowell

Director

Nevada Department of Conservation and Natural Resources

Intergovernmental Executive Committee Charter

COMMITTEE PURPOSE, BACKGROUND, AND OBJECTIVES

Purpose: To establish the Fallon Range Training Complex (FRTC) Intergovernmental Executive Committee (IEC), with the purpose of facilitating government to government and intergovernmental coordination and the exchange of views, information, and advice in matters regarding a mutually-agreed upon expansion of the FRTC and the management of the natural and cultural resources within the existing and potentially expanded FRTC land area.

Background: Technology has facilitated the production of advanced weapons and more capable weapon delivery systems. Between more capable aircraft, adversaries and sophisticated weapons, the need for modernizing the airspace and range areas is imperative to maximize the potential of the weapons and weapon delivery systems, balanced with providing public safety. These advanced weapons and more capable weapon delivery systems have created the need for an expanded footprint for the FRTC. This expanded footprint creates the need for increased government to government and intergovernmental coordination on natural, and cultural, and recreational resources. Also, The FRTC is the single, sustainable training site/location for Naval Special Warfare (NSW) Unit Level Training (ULT) for Tactical Ground Mobility (TGM) training for both east/west coast Groups in utilizing an instructional facility and associated range areas. We must continue to train as we fight.

The FRTC Modernization required an Environmental Impact Statement. Over the course the EIS, several stakeholders, to include inge federal, state, and local governments, as well as Nevada's Native American Tribes, and non-governmental organizations (NGO), and the public at large, have demonstrated specific interests toward regarding the existing FRTC land area, any re-designation of the existing FRTC land area, and any proposed expansion of the FRTC land area to include additional public lands.

Given the keen interest of stakeholders, the Principal Deputy Assistant Secretary of the Navy for Energy, Installations and Environment (EI&E) incorporated a venue to address natural, and cultural, and recreational issues on a regular basis through his Record of Decision called the Intergovernmental Executive Committee (IEC). This IEC is derived and modeled from another successful DOD and DOI group in Arizona. Additionally, Senator Cortez-Masto included the IEC model into the FY21 National Defense Authorization Act (NDAA).

Objectives:

- Create a forum to serve as an information exchange for ideas, and to facilitate coordination pertaining to the management of natural and cultural resources.
- Blend the best stewardship practices and the continuing military readiness activities on the FRTC to provide flexible, realistic, and effective training for U.S. and allied defense forces.
- Integrate the variety of expertise from various-all members agencies into a comprehensive approach to collaboratively evaluate management practices in sustaining the natural and cultural resources projects within the FRTC.

Commented [SC1]: What are "re-designated lands"? Do these include the lands that were reauthorized and/or the expanded lands?

- Enhance and promote public awareness, appreciation, and responsible use of the FRTC, and build public trust on our ability to effectively manage the land, resource and airspace issues.
- Expand the FRTC in a mutually agreed upon manner that is responsive to the needs of all stakeholders.
- Demonstrate the effective use of public funds and agency resources by collaborative management, streamlining procedures, integration of planning tools, and eliminating duplication of operations.
- Absorb positive attributes of public interest groups who participate in periodic meetings with the Intergovernmental Executive Committee as a means toward welcoming the public into a forum for two-way dialogue with interest groups and the public at large.
- To the extent possible, the meetings of the Intergovernmental Executive Committee shall be open to the public and meeting materials will be made available to the public according to Nevada's open meeting law.
- Work to identify, promote protection, minimize potential impacts, and appropriately manage the natural and cultural resources within the existing and potentially expanded boundaries of the FRTC.
- Facilitate information exchange and coordinate the needs of the stakeholders to safely access portions of the FRTC for natural and cultural resource needs.

SCOPE

The scope of this charter is intended to facilitate dialogue and obtain ideas from stakeholders regarding the management of the ranges within the existing and potentially expanded boundaries of the FRTC. Specifically, this forum will foster and receive ideas on the management of natural and cultural resources within the public land withdrawal area. The large number of stakeholders in northern Nevada necessitates a collaborative effort in accessing subject matter experts within federal, state, and local government entities, as well as the Native American Tribes, and non-governmental organizations.

ORGANIZATION / ROLES AND RESPONSIBILITIES

IEC Organization:

- Create a multi-disciplinary forum representing federal, state, local and Tribal governments, as well as non-governmental organizations.
- Rotate the Chair biennially
- Assign an IEC Coordinator to organize agendas, coordinate meetings, forward invitations, provide presentations, and draft meeting minutes for distribution.
- Conduct meetings within this charter's Objectives and Scope.
- The IEC will meet no less than three times each calendar year.

Roles:

The Several stakeholders and interested parties possess specific skill-sets and expertise valuable in assisting the Navy toward effective management practices. Some of those organizations the entities are listed below with their respective mission statements below. These groups/agencies are expected to participate, but participation is not limited to those indicated below:

Navy – possesses ultimate authority and responsibility for the management of land and interest in the land within the FRTC for the purpose of conducting military operations in support of National Security objectives under Public Law 116-283, 3 Jan 2020, Title XXVIII, Subtitle E, Sec. 2844.

Bureau of Land Management (BLM) – has oversight responsibilities regarding the management of the FRTC under the Federal Land Policy and Management Act (FLPMA).

Nevada Department of Conservation and Natural Resources (NDCNR) – has primary jurisdiction to ~~conserve~~, protect, manage, and enhance Nevada's natural, ~~and~~ cultural, ~~and~~ recreational resources, ~~except preempted by federal law~~. comprising the following 8 divisions and 3 stand-alone programs: Nevada Division of Environmental Protection, Nevada Division of Forestry, Nevada Division of Natural Heritage, Nevada Division of Outdoor Recreation, Nevada Division of State Lands, Nevada Division of State Parks, Nevada Division of Water Resources, Nevada Office of Historic Preservation, Nevada Conservation Districts Program, Nevada Off-Highway Vehicles Program, and Nevada Sagebrush Ecosystem Program.

Nevada Department of Wildlife (NDOW) – has the responsibility to protect, conserve, manage and restore wildlife and its habitat for the aesthetic, scientific educational, recreational and economic benefits to citizens of Nevada and the United States, except preempted by federal law.

County Governments – The Nevada Constitution provides for the existence and creation of counties by the Nevada Legislature. County names, boundaries, and county powers are set by statute. County governments who have been identified in legislation are: Churchill, Lyon, Mineral, Nye and Pershing. Eureka and Lander were not included in the legislation; however, committee members should expect their interest and subsequent participation.

Native American Tribes within Nevada – preserve and protect the Indian cultural values and heritage; secure and promote the general welfare and education of their individual tribal members and their full employment and exercise of all the privileges of citizenship in the United States; and enlighten the public with respect to tribal affairs and promote a better understanding between each tribe and their fellow citizens of the State of Nevada and of the United States.

Senate and Congressional staffs – support and advocate the Nevada public and U.S. national interests.

Responsibilities:

IEC – General

- Determine a schedule to meet with committee members regularly and track progress on outstanding actions
- Provide updated presentations regarding the management of natural and cultural resources
- Create major milestones and realistic time-lines for actions between various milestones
- Develop a meeting format

- Develop and coordinate responses to Request~~s~~ for Information (RFI) and Request~~s~~ for Action (RFA) from stakeholders
- Identify the Navy and DOI (BLM) Liaisons to interface with the IEC

Commented [SC2]: What is a "request for action"? What are the responsibilities of each member of the IEC to carry out this action?

IEC Liaisons

- Collaborate with Chair and Vice Chair in developing the meeting agenda and preparing meeting materials
- Schedule three IEC meetings annually (approximately 4 months apart)
- Rotate and coordinate with the hosting venue, as necessary-appropriate
- Compile attendee list and forward invitations to those attendees
- Coordinate and respond to RFI and RFA with applicable parties
- For Tribal representatives, include letter invitations to the public meetings via certified mail
- Draft meeting minutes and forward those minutes to participants within ten (10) business days from the day-date of the meeting. Include next meeting day and venue
- Ensure the FRTC Modernization website is up to date and incorporates the approved agendas and minutes

Chair

- Announce the public meetings
- Preside over the meetings in an orderly fashion and comply with this charter
- Collaborate with Navy and BLM Liaisons on agenda items

Vice Chair

- Address and/or track agenda items during the meeting
- Record action items as they are addressed during the meetings and announce those items at the end of the meeting

Navy

- Provide plans and analysis relating to actionable activities addressed in the Final EIS, ROD, and/or legislation
- Address key milestones between meetings
- Collaborate with BLM Liaison on RFI and RFA
- Represent Navy leadership and interests by assigning the Commanding Officer. The Community Plans and Liaison Officer will assume his/her position in their absence.

BLM

- Provide status on collaborative efforts with the Navy related to land management transitional plans
- Address and/or clarify FLPMA guidance and other legal land management restrictions
- Collaborate with the Navy Liaison on RFI and RFA

- Represent BLM management and interests by assigning the Carson City District Office Director. The Stillwater Field Office Manager will assume the position responsibility in the District Office Director's absence.

US Fish & Wildlife

- Offer management options compatible with the Navy training mission
- Assist in efforts to follow through on management options ensuring success
- Represent USFWS management and interests by assigning the Stillwater Wildlife Refuge Office Manager

State government agencies

- Offer management options ~~compatible with the Navy training mission~~
- Assist in efforts to follow through on management options ensuring success
- Represent the State of Nevada specific to ~~natural~~, cultural, ~~natural and recreational~~ resources, ~~land~~, and wildlife interests by assigning the Conservation and Natural Resources and Wildlife Directors. Their deputies ~~may represent and~~ can temporarily assume their position during any unscheduled absence.

County government

- Offer management options compatible with the Navy training mission
- Assist in efforts to follow through on management options ensuring success
- Designate a County Commissioner to represent the individual County's interests. Another Commissioner can temporarily assume the role in the absence of the designated Commissioner.

Native American Tribes

- Assist in identifying cultural resources for protection within the FRTC boundaries
- Participate in studies with cultural resource implications
- Represent Native American interests with each Tribe Chair. In the absence of the Chair, a Council member may temporarily serve as the Tribe representative.

APPROACH

This multi-disciplinary, multi-organizational group can be expected to be ~~as~~ dynamic and fluid as interest evolves. We must be responsive in order to achieve the objectives.

Periodic meetings

- Periodic meetings may be conducted every four (4) months. An official invitation will be forwarded by IEC Chair.
- Each meeting will have an agenda and presided by the Chair. In general, the agenda will include, but not limited to: roll call, a summary of the previous meeting, various updates on projects/initiatives by Navy and/or BLM, determine day and location of next meeting, and an open discussion on potential or existing issues.
- After each meeting, a summary or minutes will be published and forwarded to the IEC membership.
- To the extent possible, the meetings of the Intergovernmental Executive Committee shall be open to the public and meeting materials be made available to the public according to Nevada's open meeting law.

Chair and Vice Chair election

- Chair and Vice Chair will be elected annually

Personnel transitions

- Half the IEC members nominated by member agencies will be initially appointed to two (2) year terms as determined by the Chair and Vice Chair
- The other half will be appointed to four (4) year terms as determined by the Chair and Vice Chair
- Each subsequent appointment to an IEC member will be four (4) years
- IEC Members will be eligible for reappointment by their respective organizations.
- Personnel changes are a normal occurrence in most organizations. Any IEC members who are expected to transfer or be re-assigned to different positions, please notify the IEC Liaisons via email or phone. When this notification occurs, please ensure your relief is available for the next meeting with contact information readily available.

Perspective IEC Members

Organization	Name	Position	Phone number	Email
Navy	Captain Morrison	NAS Fallon, Commanding Off	(775) 426-2700	evan.l.morrison1@navy.mil
BLM	Jon Raby	NV State Director	(775) 885-6156	jraby@blm.gov
USFWS	Carl Lu			
DCNR	Brad Crowell	Director	(775) 684-2700	bcrowell@dcnr.nv.gov
NDOW	Tony Wasley	Director	(775) 688-	twasley@ndow.org
Churchill	Pete Olsen	Commissioner	(775) 423-5136	polsen@churchillcounty.org
Lyon	TBD	Commissioner		jpage@lyon-county.org

Mineral	Christine Hoferer	Commissioner		ccc@mineralcountynv.org
Nye	Bruce Jabbour	Commissioner		bjjabbour@co.nye.nv.us
Pershing	Shayla Hudson	Commissioner		shudson@pershingcountynv.gov
Battle Mt Band (Te-Moak)	David Carrera	Chair	(775) 635-2004	tribalchairman.carrera@yahoo.com
Duckwater ST	Rodney Mike	Chair	(775) 863-0116	chairman@duckwatertribe.org
Elko Band Colony	Davis Gonzales	Chair	(775) 385-9065	chairman@elkoband.org
Fallon PST	Alvin Moyle	Chair	(775) 423-6075	Chairman@fpst.org
Fort McDermitt PST	Maxine Redstar	Chair	(775) 532-8259	maxine.redstar@fmpst.org
Lovelock PT	Sandra J. Winap	Chair	(775) 273-7861 ext. 19	chair@lovelocktribe.com
Reno-Sparks Colony	Arlan Melendez	Chair	(775) 329-2936	amelendez@rsic.org
Pyramid Lake PT	Janet Davis	Chair	(775) 384-4350	jddavis@plpt.nsn.us
South Fork Band	Duane Garcia	Chair	(775) 744-4273	Sforkcouncil.adm@gmail.com
Summit Lake PT	Randi Lone Eagle	Chair	(775) 827-9670	randi.loneeagle@summitlaketribe.org
Walker River PT	Amber Torres	Chair	(775) 773-2306	chairman@wrpt.org
Washoe Tribe	Serrell Smokey	Chair	(775) 265-8600	Serrell.Smokey@washoetribe.us
Wells Tribe	Andrea Wood	Chair	(775) 752-3045	andyw.wellsbandcouncil@gmail.com
Winnemucca Colony	Judy Rojo	Chair	(775) 329-5200	gagoo2009@gmail.com
Yerington PT	Ginny M Hatch	Chair	(775) 783-0200	ghatch@ypt-nsn.gov
Yomba ST	Ronald Snooks	Chair	(775) 964-2463	tribalchair@yombatribe.org
STAFFDEL	Jennifer Crowe	State Director	(775) 686-5750	Jennifer_Crowe@cortezmasto.senate.gov
	Emily Lande-Rose	Regional Director	(775)-337-0110	Emily_Lande-Rose@rosen.senate.gov
	Stacy Parobeck	Regional Director	(775) 686-5711	stacy.parobek@mail.house.gov

MEMORANDUM OF UNDERSTANDING

establishing the

FALLON RANGE TRAINING COMPLEX
INTERGOVERNMENTAL EXECUTIVE COMMITTEE

I. Purpose

This Memorandum of Understanding (MOU) establishes the Fallon Range Training Complex (FRTC) Intergovernmental Executive Committee (IEC), pursuant to the Record of Decision for the FRTC Modernization and in compliance with the National Defense Authorization Act for Fiscal Year 2021, for the purpose of exchanging views, information and advice regarding natural, ~~and~~ cultural, and recreational resources within the FRTC and any proposed expansion of the FRTC.

II. Authority

All Parties – Military Lands Withdrawal Act of 1999 (title XXX of Public Law (PL) 106–65; 113 Stat. 892); Section 2841, National Defense Authorization Act for Fiscal Year 2021 (PL 116-283)

All Parties – Section 2844 of National Defense Authorization Act for Fiscal Year 2021 (PL 116-283)

U.S. Navy – Title 10 of the United States Code

U.S. Navy, Department of the Interior, and the State of Nevada - Sikes Act (as amended, 16 U.S.C. section 670 *et seq*)

Bureau of Land Management – Federal Lands Policy and Management Act (43 U.S.C. chapter 35).

III. Scope

This MOU is intended to facilitate dialogue, the exchange of information, ~~coordination~~ and ideas, and coordination pertaining to natural, ~~and~~ cultural, and recreational resources within the FRTC land areas authorized by Public Law (PL) 106–65 (public lands withdrawal) and PL 116–283 (withdrawal extension), and any proposed FRTC expansion area. The IEC will work to identify, promote protection, minimize potential impacts, and appropriately manage the natural and cultural resources within the boundaries of the FRTC. The IEC will facilitate information exchange and coordinate the needs of the stakeholders to safely access portions of the FRTC for natural and cultural resource needs. This exchange of information will assist the Navy as it manages the FRTC Bravo ranges, specifically B-16, B-17, B-19 and B-20, and will assist the Navy in securing a mutually-agreed upon expansion of the FRTC. This exchange of information will also assist Bureau of Land Management (BLM) as ~~they~~ it manages Dixie Valley under FLPMA in accordance with the uses authorized for these areas by PL 106-65 and PL 116-283. The large number of stakeholders in northern Nevada necessitates a collaborative effort to engage subject matter experts within federal, state, and local government entities, and Native American Tribes.

IV. Limitations

Participation in the FRTC IEC through this MOU does not expand or diminish any participating member's authority, responsibility or liability with regard to management of the FRTC beyond that

established by law or regulation, Cooperative Agreement, or policy, nor does participation otherwise modify the respective duties, obligations, rights, privileges, or immunities of any party. This forum ~~is not a decision making entity, but~~ serves as an information exchange for ideas pertaining to management of natural, ~~and~~ cultural, ~~and~~ recreational resources. Nothing in this document obligates any participating agency to expend funds in excess of appropriation authorized by applicable law and administratively allocated for the purpose of managing FRTC lands and/or resources.

Draft: 26 February 2021

V. Function, Structure, Membership and Stakeholders

a. Function

1. The IEC is established for the purpose of exchanging views, information and advice relating to the management of the natural, ~~and~~ cultural, ~~and~~ recreational resources of the FRTC lands withdrawn and reserved by Public Law 116-283, ~~and any proposed FRTC expansion area~~. This forum will conduct meetings and address issues in an advisory capacity.

2. At each meeting, representatives of the Navy, BLM, State of Nevada, ~~and~~ Counties, and Tribes can deliver presentations providing status on FRTC management issues and procedures, as well as an update on ongoing projects that pertain to natural and cultural resources protection within the Bravo ranges, Dixie Valley and the Shoal Site. The IEC may invite other agencies to report on their activities as they relate to the FRTC and its ~~proposed~~ modernization ~~and~~ expansion. IEC members and the public may express their views with respect to FRTC management procedures and practices. IEC members and the public may present substantive issues, conflicts or other matters regarding FRTC resource management within the Bravo ranges, Dixie Valley and the Shoal Site to the IEC for consideration and possible action. The IEC Liaisons shall be responsible for ensuring that IEC issues and concerns pertaining to FRTC specific management-related items are presented to the responsible agency for consideration and possible action. The IEC Liaisons shall report to the IEC on FRTC management actions taken in response to IEC issues or views.

3. The IEC will meet no less than three times each calendar year with additional
- meetings scheduled as necessary. At each meeting, the IEC will agree on a date for the next meeting and location from an IEC member to host the meeting. The location of the meetings of the executive committee will rotate to facilitate ease of access for all members of the IEC. Meeting location, time and agenda will be publicly announced in advance. The minutes for each meeting shall include a schedule for preparing the next meeting agenda. To the extent possible, the meetings of the IEC shall be open to the public and meeting materials be made available to the public according to Nevada's open meeting law.

b. Structure

1. As a collaborative group, all members will be heard in representing their respective agencies in facilitating FRTC management activities. Each member of the executive committee shall serve voluntarily and without compensation. The terms of each IEC member shall be governed by the IEC Charter and members will be eligible for reappointment by their respective organizations.

2. Chairmanship and Vice-Chairmanship of the IEC will be elected annually among members of the IEC. Half the IEC members nominated by member agencies will be initially appointed to two (2) year terms by the IEC Chair and Vice Chair, the other half will be appointed to four (4) year terms by the IEC Chair and Vice Chair. Each subsequent appointment to an IEC member will be four (4) years. The IEC Chair and Vice Chair may reappoint or replace, as appropriate, an IEC member for each member agency nominated by the agency if the representative's term has expired or the representative has resigned.

3. In the event that a designated agency representative of the IEC cannot attend a meeting, the member agency may appoint an alternate to attend and participate in his/her place. The alternate will have the same rights, privileges and responsibilities as the appointed member.

4. The IEC, as a whole, will be supported by Navy and BLM Liaisons, as necessary. The Liaisons will be responsible for facilitating administrative and logistical support including preparing meeting agendas, coordinating meetings, forwarding invitations, providing presentations, and drafting meeting minutes. Support for individual agency representatives will be the responsibility of each individual agency.

c. Membership

1. Navy. The Commanding Officer of Naval Air Station Fallon will serve as the Department of the Navy (Navy) representative to the IEC. The Navy has authority and responsibility for the use of land within the FRTC for the purpose of conducting military operations in support of National Security objectives. The Navy also has authority and responsibility for land management of the ordnance ranges (B-16, B-17, B-19 and B-20). The Community Plans and Liaison Officer will assume the role in the Commanding Officer's absence.

2. DOI (BLM/USFWS). The Carson City District Office Manager of Bureau of Land Management (BLM) and XXXXX, U.S. Fish and Wildlife Service will serve as the Department of Interior representatives to the IEC. BLM has significant management oversight of federal land in Nevada. BLM also has authority and responsibility for land management of the Dixie Valley and Shoal Site. In the absence of either BLM/USFWS representatives, a temporary assignment with decision making authorization may be substituted.

3. State of Nevada. The Office of the State of Nevada will serve as a representative to the IEC. The State of Nevada has an interest in providing for the residents of Nevada by ensuring a vibrant economy, protecting natural, ~~and~~ cultural, ~~and recreational~~ resources and advocating for access to public lands for economic, environmental, and cultural heritage benefits. State Office representatives can temporarily direct their deputies to participate in their absence only.

4. Nevada ~~Division-Department~~ of Wildlife. The Director of the Nevada ~~Division-Department~~ of Wildlife will serve as a representative to the IEC. The Nevada Division of Wildlife has an interest in providing the residents of Nevada hunting and fishing opportunities across the State.

5. Nevada Department of Conservation and Natural Resources. The Director of the Nevada ~~Division-Department~~ of Conservation and Natural Resources will serve as a representative to the IEC. The Nevada ~~Division-Department~~ of Conservation and Natural Resources ~~has an interest in ensuring the highest achievable environment for the residents of Nevada. has primary jurisdiction to conserve, protect, manage, and enhance Nevada's natural, and cultural, and recreational resources, except preempted by federal law.~~

6. Churchill County. The Churchill County Commission will appoint one (1) member from their respective Commissions to serve as a representative to the IEC. Churchill County has an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

7. Lyon County. The Lyon County Commission will appoint one (1) member from their respective Commissions to serve as a representative to the IEC. Lyon County has an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

8. Mineral County. The Mineral County Commission will appoint one (1) member from their respective Commissions to serve as a representative to the IEC. Mineral County has an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

9. Nye County. The Nye County Commission will appoint one (1) member from their respective Commissions to serve as a representative to the IEC. Nye County have an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

10. Pershing County. The Pershing County Commission will appoint one (1) member from their respective Commissions to serve as a representative to the IEC. Pershing County has an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, another Commissioner may temporarily serve.

11. Battle Mountain Band of Te-Moak Tribe Western Shoshone, Duckwater Shoshone Tribe, Elko Band Colony-Te-Moak Tribe of Western Shoshone, Fallon Paiute Shoshone Tribe, Fort McDermitt Paiute Shoshone Tribe, Intertribal Council of Nevada, Lovelock Paiute Tribe, Reno-Sparks Colony, Pyramid Lake Paiute Tribe, South Fork Band-Te-Moak Tribe of Western Shoshone, Walker River Paiute Tribe, Washoe Tribe of Nevada and California, Wells Band Colony Te-Moak Tribe of Western Shoshone, Winnemucca Indian Colony, Yerington Paiute Tribe, Yomba Shoshone Tribe, Summit Lake Paiute Tribe, Te-Moak Tribe of Western Shoshone. Each Tribal Chair will serve as a representative to the IEC. Each Tribal leader has an interest in preserving conditions for a high quality environment and developing economic opportunities for its members, and preservation and protection of cultural values and heritage of their Tribe. In the absence of the Tribal Chair, another Council member may temporarily serve.

VI. Roles and Responsibilities of the Executive members

- a. Elect the Chair and Vice Chair.
- b. Create and develop a charter with the IEC membership to establish mechanisms and guidelines in the conduct of the group.
- c. Direct IEC Liaisons to develop and distribute the meeting agenda.
- d. Schedule no fewer than three IEC meetings within the calendar year.
- e. Direct IEC Liaisons to coordinate with the hosting venue for IEC meetings, as necessary.
- f. Direct IEC Liaisons to coordinate and respond to requests for information and/or action queries, as appropriate.
- g. Direct IEC liaisons to compile attendee list and forward invitations to those attendees.
- h. Direct IEC liaisons to forward letter invitations to Tribal representatives via certified mail.
- i. Direct IEC liaisons to forward written requests for agenda items from IEC members to the Chair and Vice Chair.
- j. Direct IEC liaisons to draft meeting minutes and forward those minutes to participants within ten (10) business days from the day of the meeting. These minutes will include the next meeting day and venue. These meeting minutes will be retained on file locally.

VII. Review

This MOU will be reviewed at least every ~~three~~two years by members of the IEC to determine if the document requires modification. Recommendations for modifying this MOU may be submitted at any time at the request of an IEC member. The membership will review and evaluate the requested change, then provide feedback to the IEC and requesting agency. Any disputes relating to this MOU will, subject

to any applicable law, Executive order, directive or instruction, be resolved by consultation between the IEC members.

VIII. Approval

This MOU will become effective immediately on the date the last signature is affixed. Any signatory whose participation is not mandated by federal law may withdraw from the IEC at any time through written notice to the IEC Coordinator.

IX. Signatures

United States Navy
Commander, Navy Region Southwest

Date

Bureau of Land Management
Director, State of Nevada

Date

State of Nevada
Office of the Governor

Date

Churchill County
Churchill County Commission Chair

Date

Eureka County
Eureka County Commission Chair

Date

Lander County
Lander County Commission Chair

Lyon County
Lyon County Commission Chair

Date

Mineral County
Mineral County Commission Chair

Date

Nye County
Nye County Commission Chair

Date

Pershing County
Pershing County Commission Chair

Date

Te-Moak Tribe Western Shoshone
Battle Mountain Band Chair

Date

Duckwater Shoshone Tribe
Duckwater Shoshone Tribal Chair

Date

Te-Moak Tribe Western Shoshone
Elko Band Colony Chair

Date

Fallon Paiute Shoshone Tribe
Fallon Paiute Shoshone Tribal Chair

Fort McDermitt Paiute Shoshone Tribe
Fort McDermitt Paiute Shoshone Tribal Chair

Date

Intertribal Council of Nevada
Intertribal Council of Nevada Chair

Date

Lovelock Paiute Tribe
Lovelock Paiute Tribal Chair

Date

Pyramid Lake Paiute Tribe
Pyramid Lake Paiute Tribal Chair

Date

Reno-Sparks Colony
Reno-Sparks Colony Chair

Date

Summit Lake Paiute Tribe
Summit Lake Paiute Tribal Chair

Date

Te-Moak Tribe Western Shoshone
South Fork Band Colony Chair

Date

Walker River Paiute Tribe
Walker River Paiute Tribal Chair

Washoe Tribe of Nevada and California
Washoe Tribe of Nevada and California Chair

Date

Te-Moak Tribe Western Shoshone
Wells Band Colony Chair

Date

Winnemucca Indian Colony
Winnemucca Indian Colony Chair

Date

Yerington Paiute Tribe
Yerington Paiute Tribal Chair

Date

Yomba Shoshone Tribe

Date

Yerington Paiute Tribal Chair

DRAFT



Office of the
CHURCHILL COUNTY COMMISSIONERS

4/20/2021

*Justin Heath
Greg Koenig
Pete Olsen*

April 13, 2021

Intergovernmental Executive Committee Members
Care of: Captain Evan Morrison, Commanding Officer;
Robert Rule, Community Liaison; and
Toni Burton, Tribal Coordinator
Naval Air Station Fallon

Via Email: evan.l.morrison1@navy.mil
Via Email: Robert.rule@navy.mil
Via Email: toni.burton@navy.mil

RE: Request for Input to First Intergovernmental Executive Committee Meeting Scheduled April 20
Including Input on Agenda Items, Leadership Nominations, Election Terms, Churchill County
Priorities, Draft Committee Charter and Draft Memorandum of Understanding

Intergovernmental Executive Committee Members,

After reviewing some of the draft information and requests provided by NAS Fallon Staff, please find below Churchill County's initial inputs ahead of our meeting on April 20. The county looks forward to the meeting and hearing the other members' perspectives on these matters.

Agenda Items: The county has received information that the Navy is seeking to extend its current Withdrawal Order from DOI / BLM for another 4 years beyond the August 2022 expiration date. The county is requesting a status update from DOI / BLM and the Navy on this matter as an Agenda Item for the April 20 meeting.

Nominations: The county believes that one leadership spot should be held by either a State or Local representative. The county supports a tribal member serving as either Chair or Co-Chair.

- The county would like to nominate Bradley Crowell or Dominique Etchegoyhen (Nevada Department of Conservation and Natural Resources) as Chair given their background knowledge of the issues and leadership in previous discussions with the Navy.
- The county would like to nominate Amber Torres (Walker River Paiute Tribe) as Co-Chair.

Election Terms: The county is indifferent on whether terms for leadership last for one or two years.

Churchill County Priorities: The county has three very broad priorities when it comes to the FRTC:

1. Ensuring that the Navy is aware of, and accountable for, impacts of its training on the county and its citizens and ensuring proper and timely resolution is implemented to address such impacts in close collaboration with affected stakeholders.
2. Avoiding, minimizing, and/or mitigating impacts the FRTC has on private lands as well as ensuring open access to, and multiple use management of, public lands surrounding the FRTC.

3. Balancing Navy training needs and operations with the needs of the county, its citizens and its visitors including future economic development and diversification potential.

Charter: There are several inconsistencies within the Draft Charter that should be corrected. Specifically:

- The “Purpose” cites exchanging ideas “...in matters regarding the management of the natural resources and cultural resources within the FRTC land area”. However, there is no definition as to actual “land area” that the committee will focus on (current land withdrawal, proposed expansion area, and/or area currently under DOI / BLM withdrawal order) nor is there any mention of airspace.
 - This should be clarified, and a map showing the geographic scope and applicable Public Laws should be included in the Charter.
 - If the Committee has any authority related to areas outside of the existing Congressionally-approved Navy withdrawal, then the Committee’s purpose needs to expand to include issues related to the customs, cultures and economies represented by the Committee members.
 - The county recommends that the Committee provide input to pertinent issues associated with lands located within both the existing Navy withdrawal AND DOI / BLM Withdrawal Order given its direct nexus to the proposed FRTC Modernization. The Committee should also have input on matters associated with existing and proposed airspace modifications.
- The county recommends revision of the “objectives” section to include a bullet specific to raising concerns and seeking collaborative resolution of any concerns raised by the Committee Members.
- The county does not believe the “County Government Roll” is well defined. Churchill County recommends that the following language be used:
 - *County governments provide a host of critical governmental services to its citizens and Navy alike. Counties also have special expertise and knowledge of local customs, cultures, and economies. As such, Counties are critical partners for the Navy and stakeholders in the FRTC.*
- Churchill County recommends the “Responsibilities” for county governments be re-written as such:
 - *Provide prospective and local expertise to the benefit of the Navy and other Committee members.*
 - *Identify concerns or impacts of Navy training operations on local customs, culture, economies, and natural resources.*
 - *Work collaboratively with the Navy to develop management options to alleviate such concerns and impacts and assist with implementation where applicable.*
 - *Designate a County Commissioner to represent the individual counties interests. Another Commissioner can temporarily assume the role in the absence of the designated Commissioner.*

Memorandum of Understanding: The MOU appears to be structured more toward the existing Navy withdrawal and not additional proposed withdrawals nor the DOI’s current withdrawal order. Based on

the Committee's decision and direction on the Draft Charter, this will need to be revised. Since the MOU cites the Charter, it is likely premature to finalize and sign the MOU until the Charter is finalized.

I look forward to seeing you all on April 20 for further discussion.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Olsen', with a long horizontal flourish extending to the right.

H. Pete Olsen
Chairman

cc: Nevada Congressional Delegation

Mineral County Commissioner

From: Sean Rowe <srowe@mineralcountynv.org>
Sent: Thursday, April 15, 2021 10:00 AM
To: Rule, Robert M CIV USN (USA) <robert.rule@navy.mil>
Subject: [Non-DoD Source] Mtgs yesterday and Mineral County Priorities

Rob—

Thanks for meeting with my commissioners yesterday; I am looking forward to a constructive communication process as the Navy moves forward with its expansion. You asked Commissioner Hall what she thought the largest areas of concern for the county would be with the expansion of the B17 Range into Mineral County. I think our priorities concerns are: impact to existing recreational areas (both hunting and off-road touring), possible impact to the economic development of that region as that area is withdrawn to mining exploration and grazing, and the impact to cultural sites in that area. Mineral County supports the Navy's mission and recognize the imperative to expand the Fallon NAS. We look forward to continuing the dialogue in support of this endeavor and our citizen's interests.

All the best-
 Sean

Sean A. Rowe
 Mineral County District Attorney
 P.O. Box 1210
 Hawthorne, NV 89415
 (p) 775.945.3636
 (f) 775.945.0740
srowe@mineralcountynv.org

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Pershing County Commissioner

From: Bryce Shields <bshields@pershingcountynv.gov>

Sent: Friday, April 16, 2021 12:04 PM

To: Rule, Robert M CIV USN (USA) <robert.rule@navy.mil>

Cc: Carol Shank <cshank@pershingcountynv.gov>; Shayla Hudson <shudson@pershingcountynv.gov>; Larry Rackley <lrackley@pershingcountynv.gov>

Subject: [Non-DoD Source] RE: IEC Meeting Agenda

Rob,

I have no suggested changes to make to the MOU or Charter.

The County's top three priorities are as follows: (1) It is essential that fair compensation be provided to ranchers, miners, and others for the loss of or diminution to valid leases, permits, patents, adjudicated preferences, or other land use interests within B20's proposed expansion area. (2) Pole Line Road must remain a convenient transportation option to the public. (3) It is vital that the expansion of B20 occur in a manner that does not interfere with potential large-scale mining operations or increase the cost of producing ore.

Thanks Rob. Have a nice weekend.

Bryce

Pershing County has switched to a new e-mail system. Please update your contact for this user to bshields@pershingcountynv.gov. The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

Nye County Commissioner

From: Bruce J. Jabbour <bjjabbour@co.nye.nv.us>
Sent: Friday, April 16, 2021 8:50 AM
To: Schofield, Robin M CTR (USA)
Subject: [Non-DoD Source] IEC Recommendations

Categories: IEC

Good morning!

Although I won't be able to attend our first official and public IEC meeting due to my Nye County Commissioner Meetings, I would like to recommend:

Jon Raby for Chair

and

Amber Torres for Vice Chair

The following are my prioritized issues for Nye County.

Hospital/Health Care Facility
Economic Development
Public Lands Preservation
Off Road Activities/Tourism

Respectfully,

Nye County Comm'r
Bruce Jabbour

Sent from my iPhone



Walker River Paiute Tribe

1022 Hospital Road • P.O. Box 220 • Schurz, Nevada 89427

Intergovernmental Executive Committee (IEC)

Telephone: (775) 773-2306

Fax: (775) 773-2585

Memorandum of Understanding (MOU), Charter Review & Tribal Priorities

Fallon Range Training Complex (FRTC)

Comments of the Walker River Paiute Tribe

Following are our comments on the **IEC MOU** after our initial review:

- I. Purpose – the purpose notes that this MOU is for the purpose of exchanging views, information and advice regarding *natural and cultural resources within the FRTC*.

This purpose seems to be restrictive; if committee members bring up other issues regarding the FRTC then they should be discussed and considered.

- II. Authority – a section (appendix) should be added noting what the authorities of all of these are.
- III. Scope – this section notes that this MOU is intended to facilitate dialogue, etc. between executive level government leaders; this committee should include proxys if the agency or government so chooses to have one participate on this committee.
- IV. Limitations – again this section notes that this is not a decision-making entity but serves as an information exchange for ideas pertaining to management or natural and cultural resources. The last sentence states that “Nothing in this document obligates any participating agency to expend funds in excess of appropriation authorized by applicable law and administratively allocated for the purpose of managing FRTC lands and/or resources.” Please clarify, will there be funds authorized to the agencies?
- V. Function, Structure, Membership and Stakeholders –
 - a. Function; 1. This section states “FRTC lands and withdrawn and reserved by Public Law 116-283”; does that PL refer to the Bravos and current Navy land?
2. This section refers to the IEC Liaisons; who are they?
 - b. Structure; 2. This section is confusing. 3. This states..”the member agency may appoint an alternate to attend and participate in his/her place. The replacement must have similar, executive level understanding of their agency.” This should state: “The replacement will be identified in name by the agency.”

- b. Membership: It should be up to the entity on who will serve on the committee; under 2. DOI (BLM/USFWS) is allows for a temporary assignment with decision making authorization may be substituted; under 10. (Tribes) it states that in the absence of the Tribal Chair, another Council member may temporarily serve. Again, it should be up to the entity or Tribe on who should serve on this committee. Our tribe has identified a person to be the Point of Contact on Navy issues, who has the historical knowledge. This is most likely the same with other tribes. Most Chairmen are already overtaxed with responsibilities and would defer to staff to participate. This should be allowed.

VI. Roles and Responsibilities of the Executive members – no comments at this time.

VII. Review – This MOU should be reviewed at every meeting during 2021; should be a standing agenda item during the first year.

IEC Charter

Following are our comments on the draft IEC Charter after our initial review:

The Charter purpose, background and objectives seem to be more inclusive of issues that will need to be discussed by the IEC, specifically those identified after each entity. The discussions will need to include more than natural and cultural resources.

Our Tribe wants to be updated on all aspects of the FRTC, land withdrawals, training missions, land encroachment, impacts to gathering areas, infrastructure changes, etc.

WRPT Priorities

It was requested that each IEC member prepare three priorities for their respective government or agency for future agenda items and consideration and subsequent action. Being that this IEC is only an advisory committee, we are not sure if there can be action. With that being noted, we are requesting that the following be added to future agendas and/or discussed (not in any priority order):

1. Update of requested additional lands for training and other purposes.
2. Update of archaeological/ethnographic assessments and studies; including funding, contracts, tribal employment, etc.
3. Update on how the Navy will impact natural and cultural resources and our everyday livelihood.

Respectfully,



Amber Torres, Tribal Chairman
WALKER RIVER PAIUTE TRIBE



FALLON PAIUTE-SHOSHONE TRIBE

Friday, April 2, 2021

Intergovernmental Executive Committee

Sent via email to Kish LaPierre kish.d.lapierre@navy.mil

Sent via email to Toni Burton toni.burton@navy.mil

Dear Intergovernmental Executive Committee

Re: Comments on the Intergovernmental Executive Committee for NAS Fallon

Dear fellow Committee members,

Please consider these comments submitted on behalf of the Fallon Paiute Shoshone Tribe regarding the leadership and structure of the Intergovernmental Executive Committee ("Committee").

The Committee is formed based on the direction of Congress in § 2844 of the National Defense Authorization Act for Fiscal Year 2021. The Tribe strongly believes that because the Committee is formed pursuant to an act of Congress, the Committee must adhere closely to legislative direction.

The Act states in relevant part:

The Secretary of the Navy and the Secretary of the Interior shall jointly establish, by memorandum of understanding, an intergovernmental executive committee (referred to in this paragraph as the 'executive committee'), for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the land described in paragraph (2).

The referenced paragraph, § 3011(a)(2) of the National Defense Authorization Act for Fiscal Year 2000, states that "[t]he public lands and interests in lands withdrawn and reserved by this subsection comprise approximately 204,953 acres of land in Churchill County, Nevada." The referenced lands are the existing base for Naval Air Station Fallon.

The Act requires preparation of a memorandum of understanding governing the Committee's conduct, and dictates that membership shall include, inter alia, "1 representative of each Indian tribe in the vicinity of the land described in paragraph (2)." The referenced lands are again the existing base.

At the initial meeting, I inquired as to whether the purpose of the Committee was to resolve issues relating to the existing base, or whether it the purpose was to discuss potential expansion. Commander Morrison stated that the Committee could serve both functions. Later discussion

included the suggestion that the Committee should focus its annual meetings to occur in advance of the Navy's planned submittal of legislation for expansion, presumably as part of the National Defense Authorization Act for Fiscal Year 2022.

Congress explicitly limited the focus of the Committee to "the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the land described in paragraph (2)," the existing base. The Tribe believes that the Committee should stay true to the direction of Congress and focus exclusively on issues relating to the existing base. There are many substantial issues to discuss, including balancing operations and public use in Dixie Valley, maintaining hunting management including guzzlers, reducing the impacts of overflights to surrounding communities, consideration of past management practices and impacts on cultural resources. This is the first time this group of stakeholders has been convened. It would be most appropriate to engage with past and current issues that have been long unresolved which must be understood before the Committee can meaningfully meet its purposes before addressing the Navy's desire for expansion.

The Tribe also notes that the Act requires participation of each Tribe "in the vicinity of the existing base." Nevada has many federally-recognized Tribes. However, at the initial meeting leaders of only six Tribes were present. I inquired as to how those six Tribes were selected, and Commander Morrison represented that these were the Tribes that had connection the proposed expansion, as well as Tribes that submitted comments during the environmental review period relating to the proposed expansion of the base.

Again, the Committee must adhere to the Act, which refers to all Tribes in the vicinity of the base. In the parallel process for negotiation of an access agreement with affected Tribes, the Navy has identified 13 Tribes with ancestral or current lands near the base. Those Tribes are: Duckwater Shoshone Tribe, Fallon Paiute Shoshone Tribe, Fort McDermitt Paiute and Shoshone Tribe, Lovelock Paiute Tribe, Reno-Sparks Indian Colony, Pyramid Lake Paiute Tribe, Walker River Paiute Tribe, Washoe Tribe of Nevada and California, Winnemucca Indian Colony, Yerington Paiute Tribe, Yomba Shoshone Tribe, Summit Lake Paiute Tribe, and Te-Moak Tribe of Western Shoshone.

The draft access agreement, prepared by the Navy, correctly states with reference to the 13 Tribes that "[t]hese FRTC Ranges are ancestral lands to the Tribes outlined in this document. Specifically, these Tribes have prehistorically and historically inhabited FRTC rangelands. These ancestral ties to the lands, and the traditional practices associated with visiting these areas, remain strong today."

To comply with Congress' direction and for the Committee's work to be valid, the Navy and Department of Interior must invite leaders of all 13 Tribes identified above to participate in the Committee. The 13 Tribes must participate in the election of Committee leadership and formation of the referenced MOU. We strongly suggest that the nominations and elections of leaders, and other substantive actions, occur after all Tribal representatives are formally invited and afforded a fair opportunity to be present, as Congress intended.

Finally, without conceding the validity of any action taken absent full Tribal representation, the Tribe supports the proposition that at least one of the Chairperson or Vice Chairperson should be

a representative of a Tribe, given the unique loss of ancestral lands and cultural resources endured by the Tribe as a result of the formation and operations of NAS Fallon.

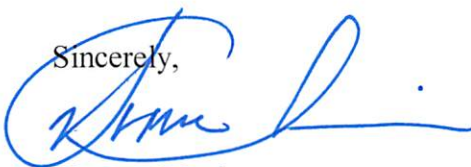
The Fallon Tribe nominates for Chairperson Mervin Wright of the Pyramid Lake Paiute Tribe. Mr. Wright is uniquely qualified to serve in this leadership role. He has extensive leadership experience as former Chairman of the Pyramid Lake Tribe, applicable work experience in cultural and natural resources management (including education and practical experience in mapping and water), deep cultural knowledge, and a balanced and fair approach to collaboratively solving problems. We believe that Mr. Wright would be a capable leader that treats all stakeholders with respect. I have not personally confirmed that Mr. Wright his availability to serve, but I have spoken with Chairwoman of the Pyramid Lake Paiute Tribe, Janet Davis, supports this nomination. Based on the current nomination deadline we are submitting Mr. Wright's name for consideration with final acceptance from Mr. Wright.

The Tribe supports choosing a representative from the Department of the Interior as the Vice Chairperson. The Navy has nominated State Director of the Bureau of Land Management Jon Raby for a leadership position, and the Tribe suggests that Director Raby be Vice Chairperson. The BLM has a key role given the agency's management of Dixie Valley, an important area where ground training and recreational and cultural resources activities occur.

Lastly, the draft meeting minutes erroneously list a Tribal attorney, Brian Chestnut, as being present at the meeting, please remove him from the list of attendees of that meeting.

Thank you for consideration of our comments.

Sincerely,



Yvonne Mori
Acting Chairwoman, Fallon Paiute-Shoshone Tribe

CC: Honorable Nevada Tribal Leaders
Honorable US Senator Catherine Cortez-Masto
Honorable US Senator Jacky Rosen
NAS Fallon Commander Morrison



FALLON PAIUTE-SHOSHONE TRIBE

April 13, 2021

Intergovernmental Executive Committee

Care of:

Kish LaPierre
Tribal Liaison Officer
Naval Air Station Fallon
kish.d.lapierre@navy.mil

Toni Burton
Tribal Relations Coordinator
NAS Fallon
toni.burton@navy.mil

Sent via email only

Re: Fallon Paiute Shoshone Tribal Comments to the Navy's Draft Charter and MOU
for the Newly-Established Intergovernmental Executive Committee

Thank you for the opportunity to provide comments to the following draft Fallon Range Training Complex (FRTC) Intergovernmental Executive Committee (IEC) documents prepared by the Navy: (1) IEC Charter; and (2) IEC Memorandum of Understanding. We provide substantive comments to each below. In sum, we appreciate that the Navy prepared a first draft for comment and are concerned that key elements of the origin and proper scope of the IEC are not recognized. At the end of this letter, we also list our three IEC priorities.

Draft IEC Charter.

Purpose.

The IEC was established by Congress in the FY 2021 NDAA, which stated its purpose differently than the purpose stated in the draft Committee Charter. The draft Charter omits important words, such as the idea that the Committee is established to exchange information. The purpose, as stated in the NDAA, is short. We recommend that the Purpose as stated in the draft Charter be replaced with the statutory language:

The FRTC IEC is established "for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the land" withdrawn by the FY 2021 NDAA.

Background

The draft background section apparently reflects the views of FRTC of the Committee. It does not include the perspective of the tribes or other interested parties. The background section should be modified to reflect the Committee's defined purpose and include perspectives beyond those of the Navy.

Additionally, the draft background section refers to the need to "modernize" FRTC, a term which has been used to mean expanding the base footprint. However, despite the Navy's request, Congress declined to expand the FRTC. Similarly, the background section refers to a record of decision that supported the Navy's "modernization" request.

The Tribe notes that it was only after Congress established this Committee that the Committee was instituted, and that Congressional statutory direction determines the scope and nature of the Committee's duties. We ask that any reference to expansion or modernization or the record of decision should be eliminated.

For the background section, we propose the following language:

In the FY 2021 NDAA, Congress withdrew 204,953 acres of federal lands located in Churchill County, Nevada for FRTC training purposes. The withdrawal expires in 2046. When Congress renewed the FRTC withdrawal, it established the IEC for the management of the natural and cultural resources of the FRTC.

It is well-established that the withdrawn lands are tribal aboriginal lands, meaning they were utilized by present-day tribes for many thousands of years before contact with non-Indians. Until the 20th century, the lands on which the FRTC operates were virtually exclusively used by Native Americans. They used those lands for their homes, subsistence, ceremonies, and to lay their dead to rest. Those lands are now controlled by the United States government for all American citizens, and are temporarily designated by Congress' for FRTC purposes.

NAS Fallon has operated on its current base for many years, which has allowed the Navy to train on those lands to maintain military readiness. Over the decades that the Navy has occupied these lands, the natural and cultural resources on these and nearby lands have suffered. This includes the bombing and destruction of Fallon Paiute Shoshone Tribal sacred sites, parts of the Walker River Paiute Reservation, and cultural resources, subsistence, and hunting areas important to the thirteen tribes invited to join the IEC.

The FRTC is surrounded by lands in other jurisdictions, including other federal agencies and counties, and limits recreation and other access for non-Tribal

members living in the region as well. The FRTC and associated training impacts local quality of life and economic development.

For these reasons, it is vital that the FRTC works with its other federal agencies, the state, counties and tribal interests to protect, conserve, and preserve the natural

and cultural resources within the FRTC, while ensuring the military is well trained and ready for combat.

This language in part reflects a letter to the Editor of The Fallon Post recently published by Commander Morrison.

Objectives.

We propose that the second objective, which currently starts with “Blend,” should begin “Balance.” While we understand that the Navy’s priority is military training, a constructive sharing of ideas and values between the stakeholders should reflect that there is room for balance and compromise by the Navy.

Scope

We suggest that the scope include a statement clarifying the limits of the IEC. This could be similar to text in the MOU, which states “[t]his forum is not a decision making entity, but serves as an information exchange for ideas pertaining to management of natural and cultural resources.”

Roles.

DOI has included BLM and US Fish and Wildlife, but the DOI agency with the most thorough familiarity and understanding of tribal issues is the Bureau of Indian Affairs (BIA). We proposed that BIA be included as a member of the Committee.

As set forth in a separate letter, we also encourage the Navy to ensure that the thirteen tribes listed in the organic documents have every opportunity to be represented at the IEC. Tribal governments are particularly busy and stretched thin during the pandemic, and it is vital that the Navy and the Department of Interior facilitate full and meaningful participation.

With respect to the characterization of Native American tribes, the Tribe suggests a broader discussion that reflects the sovereignty of the tribes and their varied interests, which extend beyond cultural resources to the general well-being and safety of tribal members. We suggest replacing the text with the following:

The tribes are federally recognized, sovereign Indian tribes possessing inherent authority for self-government. Each Tribe has its own constitution and laws through which it elects its representatives. The United States, including the Navy and BLM, owes a fiduciary duty to the Tribes, and the Tribes possess statutory rights under the National Historic Preservation Act and other laws applicable to FRTC operations. The tribes participate to represent the interests of their members, which include tribal members’ general health and well-being, as well as limiting impacts of base operations, mitigating past harms, and preserving, protecting, and restoring cultural resources and values.

Responsibilities.

For the Navy and BLM, the Tribe suggests adding a bullet point which states: “Provide

information in response to reasonable requests regarding past, current, or future FRTC operations.”

The reason for this addition is that the Tribe believes that the IEC should be more than 1-sided presentations, but an opportunity for stakeholders to better understand FRTC operations, which may help to identify and resolve stakeholder concerns and to better understand the Navy’s and BLM’s perspectives as the federal agencies responsible for management of the bombing ranges, Dixie Valley, and surrounding lands.

The Tribe suggests adding BIA, and including text to define the agency’s responsibilities, which include serving the trust duty to the tribes and assisting in representing the interests of tribes which are unable to participate.

The Tribe notes that as surrounding landowners and sovereigns, the tribes have interests beyond cultural resources. Accordingly, we suggest rephrasing the tribes’ responsibilities as including to “Identify Tribal interests, including relevant Tribal goals and objectives, impacts of FRTC operations to the general health and well-being of Tribal members, and identifying cultural resources for protection from FRTC operations.”

The Tribe notes that several of the tribes’ reservations are not within FRTC boundaries but are impacted by operations. The Charter should not be strictly limited to the confines of the FRTC borders, but rather to the areas impacted by the FRTC and operations on the existing base.

As sovereign nations, tribes may designate its representative. If a Tribal Chair is not available, the person designated by the Tribal Chair or Council may serve in the Tribal Chair’s place. This should be reflected in the Charter and MOU.

Draft IEC Memorandum of Understanding.

The Tribe offers the following comments on the Draft MOU, while incorporating the general comments to the Charter to extent applicable.

V.a.2.

The MOU outlines a process characterized as a series of presentations. The Tribe believes that presentations are useful, but that a key function of the IEC will be an opportunity to request and obtain information from the Navy and to a lesser extent BLM. This will facilitate dialogue and a fuller understanding of base operations and their impacts. For example, the Tribe has questions about fires started by Navy training, how the Navy and others have responded to those fires, and what remediation may be needed. It may also be that the Navy and BLM are able to provide information about beneficial aspects of FRTC operations, that reduce or address concerns.

We suggest adding text that states that “In response to reasonable inquiries, the Navy and BLM will timely provide information regarding FRTC operations.”

V.b.2.

As sovereigns, the Tribes should be able to designate their own representatives, including individuals other than the Tribal Chair.

V.c.10.

The Tribe appreciates inclusion of the thirteen affected tribes and encourages the Navy to make every effort to continuously facilitate participation by these tribes.

While the Tribe recognizes that the IEC is not a decision-making body, the Tribe suggests that the MOU establish a quorum of stakeholders that must be present for there to be an official IEC meeting. As part of this quorum, more than half of the thirteen tribes must be represented at the meeting (seven tribes).

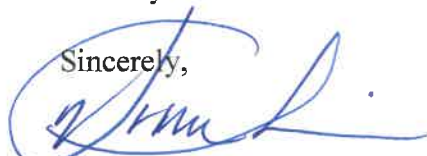
Priorities.

Commander Morrison requested that each stakeholder identify its top three priorities. The FRTC IEC is established “for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the land” withdrawn by the FY 2021 NDAA. With that in mind the Fallon Tribe proposes the following three priorities:

1. Each Committee member should be given an opportunity to explain their party’s past, present and anticipated future uses of the FRTC lands and the immediately surrounding areas, and efforts to manage its natural and cultural resources. This should include past and current Navy operations on and around the FRTC and the impacts of those operations on Tribal governments and members as well as local governments and their constituents. This should also include an explanation of what information is requested from the Navy and/or BLM in order to better understand impacts to the party’s uses.
2. With an understanding based on the above exchange of information and the Navy and BLM’s good faith response to requests for information, the parties should share their views on how the natural and cultural resources on those lands should be managed in the future to reduce or mitigate impacts by FRTC operation.
3. The IEC parties should collaborate to ensure that the natural and cultural resources are protected from adverse impacts of FRTC operations and preserved through FRTC management practices. This should include sharing information regarding potential efforts to improve cultural practices, resource gathering, hunting, and recreation.

Thank you for consideration of the Fallon Paiute Shoshone Tribe’s comments.

Sincerely,



Yvonne Mori
Acting Chairwoman
Fallon Paiute Shoshone Tribe

Office of the Tribal Chairman

Memo

To: Toni Burton

From: Alvin Moyle, Chairman *AM*

Date: March 12, 2021

Cc: Fallon Business Council,

Subject: Response to organizational Meeting invite-ICO/IEC

Hello Ms. Burton, Tribal Relations Coordinator,

Concerns: Suggest the following subjects for discussion

- A.) On Behalf of the Fallon Paiute Shoshone Tribe of Fallon, Nevada I want to thank you for the opportunity to serve on the proposed Intergovernmental Executive Committee. As most of you know, these lands that we will be talking about, have been since time immemorial, lands of the Great Basin Paiute and Shoshone People. With that said, we have a great concern for the lands well-being, as well as our spiritual bond to all that is there.
- B.) On Behalf of the Fallon Paiute Shoshone tribe of Fallon Nevada I would like to request that the memorandum of Understanding (MOU) further defines the Fallon Tribe as an (ABORIGINAL) STAKEHOLDER as we, recognize who we are.
- C.) The development of a concise **Management Plan** regarding the natural and cultural resources.
- D.) Need a copy of the Department of the Interior and the State of Nevada SIKES Act documents
- E.) Establishment of a Native American group to Monitor the proposed plan
- F.) I suggest an addition to the ICE draft MOU V.c.(2.) DOI (BLM/USFWS). The original wording is:
- G.) 2. DOI (BLM/USFWS). The Carson City District Office Manager of Bureau of Land Management (BLM) and XXXXX, U.S. Fish and Wildlife Service will serve as the Department of
- H.) Interior representatives to the IEC. BLM has significant management oversight of federal land in Nevada. BLM also has authority and responsibility for land management of the Dixie Valley and

Shoal Site. In the absence of either BLM/USFWS representatives, a temporary assignment with decision making authorization may be substituted.

- I.) Suggested wording addition (in red):
- J.) 2. DOI (BLM/USFWS). The Carson City District Office Manager of Bureau of Land Management (BLM) and XXXXX, U.S. Fish and Wildlife Service will serve as the Department of
- K.) Interior representatives to the IEC. BLM has significant management oversight of federal land in Nevada. BLM also has authority and responsibility for land management of the Dixie Valley and Shoal Site. In the absence of either BLM/USFWS representatives, a temporary assignment with decision making authorization may be substituted. *As representatives of the Department of the Interior these federal officials are also delegated to represent the Bureau of Indian Affairs (BIA) and the mission of the BIA regarding Indian affairs.*
- L.)
- M.) The reason for this suggestion is because in the past the BLM has keenly taken opinions and conclusions contrary to the best interests of the Tribe. Organizationally the BIA along with BLM are departments within Interior. With the appointment of the new Secretary of the Interior, BLM would have to be more tempered in its opposition to Tribes. By making BLM also represent the BIA whatever NEPA decisions are asked will have to satisfy both BLM and BIA, not just BLM.

Thank you,

Alvin Moyle, FBC Chairman

Intergovernmental Executive Committee

April 20, 2021

4:00 p.m. PDT

Join the meeting online: <https://mantech.zoomgov.com/j/1619432335>

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

Webinar ID: 161 943 2335

April 20 IEC Agenda

- Call to Order
- Approve Meeting Minutes (none)
- Verification of Agenda Posting
- Approve Agenda
- Nevada Open Meeting Law Discussion
- Welcome and Committee Member Introductions
- Public Comment
- Scope of IEC – Why are we here? Who are the members? What do we talk about?
- For Possible Action: Discussion of IEC Charter
- For Possible Action: Discussion of IEC Memorandum of Understanding
- Discussion of Committee Priorities
- Call for Agenda Items for Next IEC Meeting
- Scheduling of Next IEC Meeting
- Public Comment
- Adjourn

Nevada Open Meeting Law Discussion

- Following NRS 241 – Meetings of State and Local Agencies
- In enacting NRS 241, “the legislature finds and declares that all public bodies exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.”
- Transparency and familiarity
- Encourage clarity and dialogue on issues
- For more information, please visit <http://ag.nv.gov>

Welcome and Member Introductions

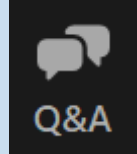
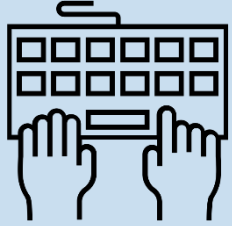
- Navy
- BLM
- USFWS
- NDOW
- DCNR
- County Commissioners
 - Churchill
 - Lyon
 - Mineral
 - Pershing
 - Nye
- Tribal Representatives
 - Fallon Paiute Shoshone Tribe
 - Walker River Paiute Tribe
 - Yomba Shoshone Tribe
- Tribal Representatives continue
 - Pyramid Lake Paiute Tribe
 - Lovelock Paiute Tribe
 - Duckwater Shoshone Tribe
 - Battle Mountain Band Te-Moak Tribe of Western Shoshone
 - Elko Band Council Te-Moak Tribe of Western Shoshone
 - 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
 - Wells Band Council Te-Moak Tribe of Western Shoshone
 - Winnemucca Indian Colony of Nevada
 - Summit Lake Paiute Tribe
 - Te-Moak Tribe of Western Shoshone
 - Yerington Paiute Tribe

Commenting Instructions

Timer
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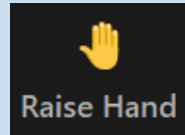
USING ZOOM DESKTOP OR MOBILE APPLICATION

Type Your Comment



- 1) Click on the Q&A icon.
- 2) Type your name, organization (if applicable), and comment.
- 3) Your comment will be read by the moderator

Speak Your Comment



- 1) Click on the RAISE HAND icon.
- 2) When it is your turn, the moderator will announce your name and prompt you to unmute your microphone.
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USING THE TELEPHONE



- 1) Press ***9** to indicate you have a comment.
- 2) When it is your turn, the moderator will announce the last 4 digits of your phone number and ask you to unmute your audio by pressing ***6**.
- 3) If your phone has a mute feature, make sure your phone is not muted.
- 4) Press ***6** to unmute or mute yourself.
- 5) Speak your name, organization (if applicable), and comment.

- 3-minute maximum per person
- Be courteous and respectful!
- The Committee reserves the right to reduce the time or limit the total time allowed for public comment.

Elections – Chair

- Brad Crowell (or Dominique Etchegoyhen), DCNR
- Evan Morrison, U.S. Navy
- Jon Raby, BLM
- Amber Torres, Walker River Paiute Tribe
- Mervin Wright, Pyramid Lake Paiute Tribe

Elections – Vice Chair

- Jon Raby, BLM
- Amber Torres, Walker River Paiute Tribe

Discussion of Scope of IEC

- Who?
 - Members are named in the Legislation.
 - Provide opportunity for leadership to exchange views and information.
- What?
 - This is an advisory board for the purpose of exchanging views, information and advice.
- When?
 - The NDAA was passed by Congress on January 3, 2021.
- Where?
 - The location of the meetings will rotate locations once in-person meetings can resume; a virtual element will always be an aspect of these meetings.
- Why?
 - Congress recognized the importance of the expansion to national defense and directed the Navy to continue dialogue with all stakeholders.

Discussion of IEC Charter

- Most commented on: Define location of IEC discussion – current ranges, future ranges, airspace, and/or other interconnected ideas.
- We recommend clearly defining whether the Intergovernmental Executive Committee (IEC) and Charter are focused on the existing Navy withdrawal, the proposed FRTC Expansion, or both. On page 1 of the Charter, the text states that stakeholders “have demonstrated specific interests towards any re-designated public lands.” This alludes to the renewal of the existing Navy withdrawal, but many key issues brought forward during the recent NEPA process were focused on the FRTC Modernization. As such, we recommend the IEC include a focus on the existing Navy withdrawal and the proposed FRTC Modernization, including airspace. (Page 21)
- The Committee is formed base on direction of Congress in 2844 of National Defense Authorization Act for Fiscal Year 2021. The Tribe strongly believes that because the Committee is formed pursuant to an act of Congress, the Committee must adhere closely to legislative direction. (Page 51)

cont. Discussion of IEC Charter

- The "Purpose" cites exchanging ideas "...in matters regarding the management of the natural resources and cultural resources within the FRTC land area". However, there is no definition as to actual "land area" that the committee will focus on (current land withdrawal, proposed expansion area, and/or area currently under DOI/ BLM withdrawal order) nor is there any mention of airspace.
 - The county recommends that the Committee provide input to pertinent issues associated with lands located within both the existing Navy withdrawal AND DOI / BLM Withdrawal Order given its direct nexus to the proposed FRTC Modernization. The Committee should also have input on matters associated with existing and proposed airspace modifications. (Page 44)

Discussion of IEC Memorandum of Understanding

- Most commented on (1): Some inconsistencies exist between the charter and the MOU.
- The Scope of the MOU should be clear and consistent with the Charter regarding existing and proposed withdrawals. (Page 22)
- The MOU appears to be structured more toward the existing Navy withdrawal and not additional proposed withdrawals nor the DOI's current withdrawal order. Based on the Committee's decision and direction on the Draft Charter, this will need to be revised. Since the MOU cites the Charter, it is likely premature to finalize and sign the MOU until the Charter is finalized. (Page 44)

cont. Discussion of IEC Memorandum of Understanding

- Most commented on (2): Who can serve as a committee member.
- Stated in NDAA Membership – The executive committee shall be comprised of—
 - 1 representative of the Nevada Department of Wildlife; 1 representative of the Nevada Department of Conservation and Natural Resources; 1 county commissioner from each of Churchill, Lyon, Nye, Mineral, and Pershing Counties, Nevada; 1 representative of each Indian tribe in the vicinity of the land described in paragraph (2); and not more than 3 members that the Secretary of the Navy and the Secretary of the Interior jointly determine would advance the goals and objectives of the executive committee.
- It should be up to the entity on who will serve on the committee;...Most Chairman are already overtaxed with responsibilities and would defer to staff to participate. (Page 50)
- As sovereigns, the Tribes should be able to designate their own representatives, including individuals other than the Tribal Chair. (Page 57)

Committee Priorities Discussion

- Purpose of the Committee
 - Recommendations
 - Request for Information
 - Provide Subject Matter Expertise on a particular subject/topic
- Example: Access
 - The committee could make recommendations about managed access, request information about the managed access program, or provide expertise on managed access.

cont. Committee Priorities Discussion

- Process of prioritizing priorities.
- Most significant topics – to have the ability to continually revolve through topics
- Or to break them down by subject such as land use, wildfire, etc
- Or even by governmental participation such as federal/state/local/ and tribal topics

Discussion of Agency Priorities

- Update on how the Navy will impact natural and cultural resources and our everyday livelihood.
- The IEC parties should collaborate to ensure that the natural and cultural resources are protected from adverse impacts of FRTC operations and preserved through FRTC management practices. This should include sharing information regarding potential efforts to improve cultural practices, resource gathering, hunting and recreation.
- Ensuring the Navy is aware of, and accountable for, impacts of its training on the county and its citizens and ensuring proper and timely resolution is implemented to address impacts in close collaboration with affected stakeholders.
- Maintaining proactive engagement with and continued building of support among impacted Tribal, State, Local, and Community stakeholders.

cont. Discussion of Agency Priorities

- Each committee member should be given an opportunity to explain their party's past, present, and anticipated future uses of FRTC lands and immediately surrounding areas, and efforts to manage its natural and cultural resources.
 - Include past and current Navy operations on and around FRTC and impacts of operations on Tribal governments and members as well as local governments and their constituents.
 - Include explanation of information requested from Navy and/or BLM to better understand impacts on the party's uses.
- With an understanding based on above exchange of information and the Navy and BLM's good faith response to requests for information, parties should share their views on how natural and cultural resources on those lands should be managed in the future to reduce or mitigate impacts by FRTC operation.
- Hospital/Health Care Facility
- Provide adequate, realistic training space in support of national defense.
- Managed Access
- Ensure all management plans are continually developed as required.

cont. Discussion of Agency Priorities

- Update on FRTC modernization
 - Update of requested additional lands for training and other purposes.
 - Update on Navy request for an extension of its current Withdrawal Order.
 - Information has been received that the Navy is seeking to extend its current Withdrawal Order from DOI/BLM for another 4 years beyond the August 2022 expiration date; please give a status update.
- Cultural
 - Impact on cultural sites in that area.
 - Update of archaeological/ethnographic assessments and studies; including funding, contracts, tribal employment, etc.

cont. Discussion of Agency Priorities

- Economic
 - Economic Development - in all forms.
 - Possible impact on the economic development of that region as that area is withdrawn to mining exploration and grazing.
 - Balancing Navy training needs and operations with needs of the county, its citizens, and its visitors, including future economic development and diversification potential.
- Wildfire
 - Wildfire - enhance current efforts and build adequate future capacity to effectively mitigate, suppress, and restore landscapes on and adjacent to NAF.
 - Develop, finalize, and commit resources to a wildfire management plan that addresses fire prevention, suppression, and rehabilitation at an appropriate scale to offset impacts and provide benefit to wildlife and habitat resources.

cont. Discussion of Agency Priorities

- Biological/Environmental
 - Identify and implement avoidance, minimization, and mitigation strategies for impacts on biological resources from FRTC withdrawals, airspace, and related training activities.
 - Develop, finalize, and commit resources to a long-term managed access plan for wildlife-dependent recreation and wildlife management on FRTC withdrawn lands, including avoidance of identified recreational and biologically sensitive areas.
 - Recognizing and mitigating impacts of climate change within the scope of the existing base footprint and proposed expansion area.
- Public lands preservation.

cont. Discussion of Agency Priorities

- Recreational/Land use
 - Impact on existing recreational areas (both hunting and off-road touring).
 - Outdoor recreation - Mitigate impacts on current recreation areas and identify/enhance new areas suitable for outdoor recreation to offset impacts.
 - Avoiding, minimizing, and/or mitigating impacts the FRTC has on private lands as well as ensuring open access to, and multiple use management of, public lands surrounding the FRTC.
 - Off-road activities/tourism.

Next IEC Meeting

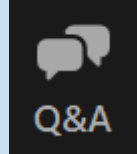
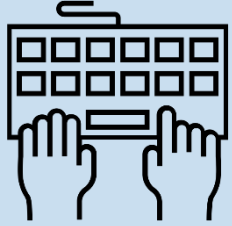
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- Schedule next meeting
 - Keep at 4 p.m. PDT?

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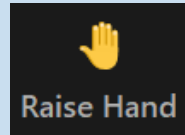
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Adjourn

Thank you