

Intergovernmental Executive Committee

August 31, 2021 2:00p.m. PDT

Package Contents

Page	Title of Document
1-2	IEC Agenda for August 31, 2021
3-7	Meeting Minutes for April 20, 2021
8-13	Meeting Minutes for June 28, 2021
14-15	Eureka County letter to become member of IEC
16	Signed letter to Bureau of Indian Affairs - invitation to become IEC member
17	Nevada Department of Conservation and Natural Resources comments – email
18-19	Fallon Paiute Shoshone Tribe comments – email
20-28	Fallon Paiute Shoshone Tribe IEC Charter comments
29-39	Fallon Paiute Shoshone Tribe IEC Memorandum of Understanding comments
40-46	Intergovernmental Executive Committee Charter V5 Draft
47-59	Intergovernmental Executive Committee Memorandum of Understanding V5 Draft
60-84	IEC August 31, 2021 Meeting Slide Deck

Intergovernmental Executive Committee

Agenda

Tuesday August 31, 2021

at 2:00 p.m. PDT

Virtual Meeting and In-Person at the Churchill County Commissioner's Chambers

155 N Taylor St. #145
Fallon, NV 89406

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

Join the meeting online: <https://mantech.zoomgov.com/j/1619417799>

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

Webinar ID: 161 941 7799

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, or removed, or discussion delayed, at the discretion of the Committee.
- Documentation and supporting agenda items are available on the FRTC website at www.FRTCmodernization.com/IEC.

1. Call to Order
2. Welcome and Committee Member Introductions
3. Verification of Agenda Posting
4. Approval of Agenda
5. 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.
6. For Action: Eureka County to become a member of the IEC.
7. Old Business
 - a. Letter to Bureau of Indian Affairs - invitation to become IEC member has been sent.
 - b. Participation Forms to be returned.
8. Approval of meeting minutes from April 20, 2021
9. Approval of meeting minutes from June 28, 2021
10. For Possible Action: Agenda Topics and Possible Standing Agenda Topics
11. For Possible Action: Discussion/Adoption of IEC Charter
12. For Possible Action: Discussion/Adoption of IEC Memorandum of Understanding
13. Navy Update and Discussion
14. Call for Agenda Items for Next IEC Meeting
15. Scheduling of Next IEC Meeting
16. 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.
17. Adjourn

Intergovernmental Executive Committee

Meeting Minutes

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.

Elected positions:

- Chair – Amber Torres (Walker River Paiute Tribe)
- Vice-Chair – Pete Olsen (Churchill County)

Member in attendance:

- Navy – Captain Evan Morrison (Commanding Officer), Rob Rule (Community Plans and Liaisons Officer), Toni Burton (Tribal Coordinator)
- BLM –Jon Raby (Nevada State Bureau of Land Management Director)
- NDOW – Matt Maples (Habitat Biologist)
- DCNR – Brad Crowell (Director) and Dominique Etchegoyhen (Deputy Director)
- Churchill County – Pete Olsen (Churchill County Commissioner)

- Lyon County – Vida Keller (Lyon County Commissioner)
- Mineral County – Christine Hoferer (Mineral County Commissioner)
- Pershing County – Carol Shank (Pershing County Commissioner)
- Nye County – N/A
- Fallon Paiute-Shoshone Tribe – Yvonne Mori (Vice Chair – Acting Tribal Chair)
- Walker River Paiute Tribe – Amber Torres (Chairman)
- Yomba Shoshone Tribe – N/A
- Pyramid Lake Paiute Tribe – N/A
- Lovelock Paiute Tribe – N/A
- Duckwater Shoshone Tribe – N/A
- Battle Mountain Band Te-Moak Tribe of Western Shoshone – N/A
- Elko Band Council Te-Moak Tribe of Western Shoshone – N/A
- Fort McDermitt Paiute and Shoshone Tribes – N/A
- Reno-Sparks Indian Colony – Arlan Melendez (Chairman)
- South Fork Band Council Te-Moak Tribe of Western Shoshone – N/A
- Washoe Tribe of Nevada and California – N/A
- Wells Band Council Te-Moak Tribe of Western Shoshone – N/A
- Winnemucca Indian Colony of Nevada – N/A
- Summit Lake Paiute Tribe – N/A
- Te-Moak Tribe of Western Shoshone – N/A
- Yerington Paiute Tribe – N/A

Call to Order

- Rob Rule, NASF Community Plans and Liaison Officer called meeting to order at 4:02 PM

Approve of meeting minutes – None

- There are no previous meeting minutes.

Verification of Agenda Posting

- The Agenda for this meeting was posted in accordance to NRS 241.020.

Approval of Agenda

- Pete Olsen (Churchill County Commissioner) proposed **For Possible Action: Discussion of IEC Charter** be moved before **For Possible Action: Elections – Chair and Vice-chair**. Motioned by Pete Olsen, Vida Keller (Lyon County Commissioner) seconded.

Nevada Open Meeting Law Discussion

- Rob Rule led the conversation on the Nevada Open Meeting Law, which will follow NRS code 241. This will provide transparency, familiarity, clarity and encourage dialogue on issues.

Welcome and Committee Member Introductions

- Captain Evan Morrison (Commanding Officer of NASF) welcomed everyone and provided opening statements.
- Tribal Elder Mr. Ashley George of the Fallon Paiute Shoshone Tribe opened the meeting with a blessing.
- Captain Evan Morrison went through introductions. Each organization introduced who was representing their organization. The list of attendees/absentees are listed above on Page 1.

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.

- Rob Rule introduced Allison Turner (Moderator) who then guided everyone through the public comment period. Comments were kept to a strict 3 minutes per person. The following are comments that were received during this public comment period:
 - Jake Tibbitts stated the desire for Eureka County to be a member of the IEC due to their extensive involvement with the FRTC Modernization
 - Jim Barbee asked if there were any congressional staff present at the meeting tonight
 - Mervin Wright stated there was concern from the Pyramid Lake Tribe about noise and overflight from military aircraft
 - Connie Howard from Sierra Club expressed concern the committee had enough tribal representation to have a quorum to vote on issues

For Possible Action: Discussion of IEC Charter

- Rob Rule initiated the conversation about what the IEC Charter is and a few of the main comments the committee submitted.
 - The purpose of the Charter is to be the underlying document governing how the committee conducts business.
 - It was asked what the role of the Navy will be within this committee. Captain Evan Morrison responded with explaining the Navy would provide administrative support to the IEC, but he would be segregated from the administrative support and he would serve as another committee member.
- The main comment received from the committee on the Charter was what areas/locations we are going to discuss within the IEC – current ranges, future ranges, airspace and/or interconnected ideas.
 - Many members of the committee were in agreement to discuss all topics – current, future ranges, airspace and interconnected ideas.
- The committee members recommended a Version 2 of the IEC Charter to be distributed by a consensus vote.

For Possible Action: Elections – Chair and Vice-chair

- Nominations for Chair included Brad Crowell or Dominique Etchegoyhen (Nevada Department of Conservation and Natural Resources), Captain Evan Morrison (Navy), Jon Raby (BLM), Chairman Amber Torres (Walker River Paiute Tribe), Mervin Wright Jr. (Pyramid Lake Paiute Tribe), and Commissioner Pete Olsen (Churchill County).

- Nominations for Vice Chair included Jon Raby (BLM), Chairman Amber Torres (Walker River Paiute Tribe), and Commissioner Pete Olsen (Churchill County).
- Amber Torres (Walker River Paiute Tribe) was elected as Chair of the IEC with 5 votes.
- Pete Olsen was elected as Vice Chair of the IEC with 7 votes.

Scope of IEC – Why are we here? Who are the members? What do we talk about?

- The committee discussed the mechanics of who, what, when, where and why in regards to the IEC.
 - Who – The IEC members were named in the 2021 National Defense Authorization Act (NDAA). No hierarchy exists and this forum is a roundtable discussion among the committee members.
 - What – This committee is advisory and will facilitate discussion on natural and cultural resources on the FRTC.
 - When – The NDAA was signed in the beginning of January.
 - Where – The location of the IEC meetings will rotate once in person meetings are allowed, but these meetings will always have a virtual aspect.
 - Why – Congress recognized the importance of the FRTC expansion to national defense and directed the Navy to continue dialogue with all stakeholders.
- The committee initiated discussion again on what areas/locations that are intended to be discussed within the IEC – current ranges, future ranges, airspace and/or interconnected ideas.
 - The committee passed a motion for the scope of discussion to include current withdrawal, future expansion, airspace, and interconnected ideas in a 9 to 1 vote.
- Post COVID restrictions, members agreed to rotate the location of the IEC meeting. A virtual aspect will always be available. Pete Olsen offered the use of the Churchill County Chambers for up-coming in-person meetings once past COVID restrictions.
- Committee passed a motion by consensus for a quorum to be constituted as “members present” and that language should be reflected in the charter/MOU.
- Committee passed a motion that each organization will designate a primary and alternate member in writing to the committee in a 10 to 0 vote. The primary and alternate would be allowed to attend the meetings, but each organization would retain only one vote during matters that require a vote.

For Possible Action: Discussion of IEC Memorandum of Understanding

- Rob Rule initiated the conversation about what the IEC MOU purpose would be. A few of the main concerns were submitted by the committee members, as follows:
 - One comment, that was widely received, was who could serve as a committee member.
 - The committee decided upon the process to add new members to the IEC would include a letter addressed to the committee Chair expressing their desire to participate given that organization’s connecting issues with the ranges. The committee voted in favor of the IEC participation request process.
 - Another comment that was widely received was the inconsistencies between the MOU and the Charter.
 - The language within the draft charter and MOU need to be aligned. The Navy committed to distributing another version by the end of the month, April 30th.

The members were requested to submit comments back to the administrative staff by May 28th.

Discussion on Committee Priorities

- What is the purpose of this committee? This question was a common theme that the committee members continued to initiate. The committee would be required to develop and adopt a process in organizing and guiding the discussion at each IEC meeting for greater efficiency.
 - Captain Morrison volunteered to offer a presentation on the Navy's current overview of the Navy expansion plans.

Call for Agenda Items for Next IEC Meeting

- Committee decided to review the Charter and the MOU during the next meeting and to include the Navy presentation.
- Committee members were requested to submit any items they would like to discuss during the next meeting by June 14th to the IEC administration.

Scheduling of Next IEC Meeting

- The next IEC meeting will be held within the window of June 28th through July 2nd. A doodle poll will be sent out for the members to vote upon, regarding the preferred date and time that works best for them. The committee members suggested that the meeting could be held a little earlier in the day.
- The next meeting will be tentatively held on Zoom, but with the possibility of in-person meeting.

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.

- Comments were kept to a strict 3 minutes per person. The following are comments that were received during this public comment period:
 - A question was posed in asking who seconded the nomination of Chair and Vice-Chair.
 - IEC administration will respond to that question during the next meeting.

Adjourn

- Closing comments
- Adjournment at 6:47 PM

Intergovernmental Executive Committee

Meeting Minutes

June 28, 2021 at 2:00 p.m. 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/1606077097>

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

Webinar ID: 160 607 7097

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.

Elected positions:

- Chair – Amber Torres (Walker River Paiute Tribe)
- Vice-Chair – Pete Olsen (Churchill County)

Members in attendance:

- IEC Liaisons – Rob Rule (NASF Community Plans and Liaison Officer), Toni Burton (NASF Tribal Coordinator)
- Navy – Captain Evan Morrison (Commanding Officer), Commander Scott Beyer (Public Works Officer)
- BLM – Ken Collum (District Manager Carson City)
- NDOW – Alan Jenne (Habitat Chief)

- DCNR – Brad Crowell (Director), Scott Carey (State Lands Planner)
- Churchill County – Pete Olsen (Churchill County Commissioner), Jim Barbee (County Manager)
- Lyon County – Vida Keller (Lyon County Commissioner)
- Mineral County – N/A
- Pershing County – Shayla Hudson (Pershing County Commissioner)
- Nye County – Lorinda Wichman (Natural Resources Director)
- Fallon Paiute-Shoshone Tribe – Yvonne Mori (Acting Tribal Chair)
- Walker River Paiute Tribe – Amber Torres (Chairman), Elveda Martinez (Water Resources Coordinator)
- Yomba Shoshone Tribe – N/A
- Pyramid Lake Paiute Tribe – N/A
- Lovelock Paiute Tribe – N/A
- Duckwater Shoshone Tribe – N/A
- Battle Mountain Band Te-Moak Tribe of Western Shoshone – N/A
- Elko Band Council Te-Moak Tribe of Western Shoshone – N/A
- Fort McDermitt Paiute and Shoshone Tribes – N/A
- Reno-Sparks Indian Colony – Arlan Melendez (Chairman)
- South Fork Band Council Te-Moak Tribe of Western Shoshone – N/A
- Washoe Tribe of Nevada and California – Serrell Smokey (Chairman)
- Wells Band Council Te-Moak Tribe of Western Shoshone – N/A
- Winnemucca Indian Colony of Nevada – N/A
- Summit Lake Paiute Tribe – N/A
- Te-Moak Tribe of Western Shoshone – N/A
- Yerington Paiute Tribe – Ginny Hatch (Chairwoman)

Call to Order

- IEC Chair Torres called the meeting to order at 2:03 p.m. on June 28, 2021.

Welcome and Committee Member Introductions

- IEC Chair Torres welcomed everyone and provided opening statements.
- Toni Burton, NASF Tribal Coordinator, went through roll call and introductions. Each organization introduced who was representing their organization. The list of attendees/absentees are listed above.
- IEC Chair Torres mentioned that last meeting the definition of quorum was voted upon and asked if there was any need to discuss this further. There was some confusion since a vote was not an agenda item. There was still concern stated by Vice-Chairwoman Yonne Mori that not enough Tribal representation is occurring during the IEC meetings and wanted to ensure that everything is being done to get out the information to the representatives.

Verification of Agenda Posting

- The Agenda for this meeting was posted in accordance to NRS 241.020.

Approval of Agenda

- The Agenda was approved.

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.

- IEC Chair Torres introduced Allison Turner (Moderator) who then guided everyone through the guidelines for providing a public comment. Comments were kept to a strict three minutes per person. The following are comments that were received during this public comment period:
 - Brian Chestnut commented that the agenda posted for the public did not include discussion on the quorum and would like to know what agenda was approved.
 - Elveda Martinez commented saying that she could not find Churchill County or DCNR's comments on the MOU and Charter within the package sent out and would like to make sure they are available to everyone.

Old Business

- Participation Forms
 - The organizations that have sent in their participation forms are as follows: BLM, DCNR, Walker River Paiute Tribe, Churchill County, Nye County, Navy, Duckwater Shoshone Tribe, Washoe Tribe of Nevada and California, Fort McDermitt Paiute Shoshone Tribe, Summit Lake Paiute Tribe, Pershing County, Lyon County, Fallon Paiute Shoshone Tribe, and NDOW.
 - Any organization that has not turned in their participation form was requested to do so.
- A public comment from last meeting asked who seconded the Chair and Vice Chair elections. Chair's election was seconded by Captain Morrison. The Vice Chair was not seconded by anyone and this was an administrative oversight.
 - Commissioner Keller believes Commissioner Shank seconded the vote.

Approve of meeting minutes from April 20, 2021

- Minor corrections to the meeting minutes were submitted and recorded.
 - Vice-Chairwoman Yvonne Mori commented that the purpose of the IEC was misstated in the meeting minutes as, "Congress recognized the importance of the FRTC expansion to national defense and directed the Navy to continue dialogue with all stakeholders." She requested to know who made this statement as she believes it was not said in that way during the last meeting and believes it to be inaccurate. She stated "Congress directed the NDAA that IEC was created to exchange information about the natural and cultural resources on the current base." She asked for the sentence to be removed from the meeting minutes.
 - IEC Vice-Chair Olsen commented that the IEC voted at the April meeting that all topics, including the proposed modernization, were on the table for discussion by the IEC. A motion was made to table the approval of the April 20 meeting minutes. Commissioner Keller seconded. 12 yeas. Motion passes.
 - Approval of the April 20 meeting minutes were deferred until the next meeting when further clarification on the statement could be made.

For Possible Action: Discussion of IEC Charter

- Two comments were received that apply to both the MOU and the Charter.
 - DCNR submitted a comment that they wish to add “recreational resources” to the purpose of the IEC. Vice-Chairwoman Yvonne Mori requested the addition of “cultural practices” to the purpose.
 - The IEC voted to add both “recreational resources” and “cultural practices” to the purpose and other appropriate locations in the documents. Scott Carey of DCNR motioned for this to be the language to include into both the MOU and Charter. Captain Morrison seconded. 12 yeas. Motion passes.
 - Comment was received on both documents to include the Bureau of Indian Affairs (BIA) to be a member of the IEC.
 - Vice-Chairwoman Yvonne Mori motioned to include BIA as a member of the IEC. Commissioner Hudson seconded. 12 yeas. Motion passes.
 - IEC Vice-Chair Olsen motioned to add Eureka County to the IEC. Commissioner Keller seconded. After discussion, 10 yeas and two abstentions. Motion passes.

For Possible Action: Discussion of IEC Memorandum of Understanding

- Comment received from DCNR regarding participation forms: should the organizations be required to fill them out each year, every other year or one and done?
 - It was motioned for participation forms to be filled out yearly by organizations to capture any changeover in leadership. Motion by Scott Carey of DCNR. Alan Jenne of NDOW seconded. 12 yeas. Motion passes.

Navy Presentation and Discussion

- Captain Morrison gave a presentation on the status of the proposed modernization and the Navy’s management of natural and cultural resources.
 - Fiscal Year 2021 NDAA extends the current withdrawal for the existing 203,000 acres for another 25 years.
 - This does not include additional acreage to increase the size of the ranges.
 - The NDAA directed the Department of Navy and the Department of Interior (DOI) to establish the IEC.
 - Fiscal Year 2022 NDAA requests the modernization of the ranges through the land withdrawal. This includes withdrawing 532,000 acres from the public domain and acquiring 66,000 acres of non-federal lands.
 - This NDAA also states that certain roads and the Paiute pipeline will be relocated and/or improved.
 - On June 15, the Department of Defense transmitted the FY22 proposal to the Armed Services Committee. The Navy was directed last year to only dictate the specific military training requirements and not any of the provisions that included our stakeholders. Captain Morrison made it a point to clarify and restate multiple times that this does not diminish or disregard any of the agreements and work done with stakeholder to date on the modernization effort.
 - Ken Collum (BLM) provided an update on the Land Management Evaluation (LME) extension from the DOI purview.
 - This mineral and authorization withdrawal is moving up the DOI chain; it moves from the district, to the state, to headquarters. The application is currently at

- headquarters. Once the application is accepted by the Secretary's office, a 90-day comment public comment period will begin prior to publication.
- Captain Morrison continued with the Navy update and proceeded to Natural Resources.
 - The fire management plan for the existing lands in in progress and nearing finalization.
 - The Sage Grouse noise study is being worked on with NDOW, U.S. Fish and Wildlife and USGS to develop the study design to evaluate overflight impacts on sage grouse.
 - The Bravo-17 Bighorn Sheep hunt program is ongoing on the existing range; it is highly successful and will continue. A draft MOA has been developed with NDOW and is ready for signature if the proposed withdrawal is approved by Congress.
 - The INRMP is currently being updated for the management of the existing lands.
 - Conservation Law Enforcement Officer positions are currently being evaluated as to whether they should be Navy employees or contracted through BLM law enforcement.
 - Captain Morrison continued with the Cultural Resources update.
 - The Tribal engagement team was established for Naval Air Station Fallon. The Tribal liaison and Tribal relations coordinator were brought on staff. Since January 2021 they have engaged the Tribes over 100 times, which includes in-person meetings or phone calls with Tribal leadership.
 - The Navy has contracted Far Western Anthropological Group for the ethnographic and Class 3 pedestrian surveys. Work plans have been received and reviewed by Tribes. The SHPO has given the stamp of approval for work to begin late summer, early fall 2021.
 - The programmatic agreement is being updated and will be shared with the Tribes in November 2021 prior to sharing with SHPO and the ACHP.
 - Comments from Tribes on the access agreement were received comments and incorporated. The updated agreement is being reviewed by the Navy legal team and the next version will be sent to Tribes by late July or early August 2021.
 - The current ICRMP is being utilized on NAS Fallon and a revision will be completed if the proposed withdrawal is approved by Congress.
 - Director Brad Crowell asked for clarification on the acreage numbers that the Navy was requesting to withdrawal. Mr. Crowell said he would send the numbers he found and Rob Rule or Captain Morrison can help with clarification.
 - IEC Vice-Chair Olsen asked if the IEC will receive the FY22 NDAA. Rob Rule said it can be shared with the Committee at this time.
 - IEC Vice-Chair Olsen asked for clarification on relocation of Pole Line Road, Sand Canyon Road, Lone Tree and SR 361. Rob Rule clarified with SR 361 is being realigned, Lone Tree would be improved, and Sand Canyon and Pole Line would be relocated.
 - IEC Vice-Chair Olsen asked if the IEC would review the hunting MOA. Rob Rule said the hunting MOA is publicly available as it was a part of the EIS, but the IEC admin can provide it to the Committee.
 - IEC Vice-Chair Olsen asked Mr. Collum if the LME included provisions for GreenLink at this time. Mr. Collum said it does not include those provisions since this is an application, not an order.

- Vice-Chairwoman Yvonne Mori asked Mr. Collum why the LME proposal wasn't sent to the IEC prior to submission. Mr. Collum explained the process for these applications. Since it is an application, it is not reviewed by the public or committees.

Call for Agenda Items for Next IEC Meeting

- IEC Chair Torres called for any agenda items for next IEC meeting.
- IEC Chair Torres informed IEC members of the process to submit a request for agenda item(s). A form will be sent out to the members shortly after the meeting and members are requested to fill it out and return requests to the IEC liaisons.
- IEC Vice-Chair Olsen offered the Churchill County Commissioner Chambers for the next meeting if people would like to meet in person.

Scheduling of Next IEC Meeting

- The next IEC meeting will be held between August 23-27 or August 30-September 3. A doodle poll will be sent out for the members to vote for their preferred date and time.
- The next meeting will be held on Zoom and in person at the Churchill County Commissioner Chambers if members are comfortable with meeting in person.

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.

- Kish LaPierre asked if the BIA is part of the Department of Interior does that make it inclusive. IEC Chair Torres believes the Committee addressed this concern earlier.
- Rob Bastion commented that he agreed with DCNR's request to add "recreational resources" to the purpose of the IEC. Rob continued his commenting stating he is a private citizen who recreates regularly in the proposed withdrawal area of Bravo-17.

Adjourn

- IEC Chair Torres made closing comments and called for a motion to adjourn. Vice-Chairwoman Yvonne Mori motioned. IEC Vice-Chair Olsen seconded. Motion passes.
- The meeting adjourned at 4:04 p.m.



EUREKA COUNTY BOARD OF COMMISSIONERS

J.J. Goicoechea, Chairman ♦ Mike Sharkozy, Vice Chair ♦ Rich McKay, Member

PO Box 694, 10 South Main Street, Eureka, Nevada 89316

Phone: (775) 237-7211 ♦ Fax: (775) 237-4610 ♦ www.co.eureka.nv.us

August 6, 2021

Navy Air Station Fallon Range Training Complex Intergovernmental Executive Committee

Attn: Chair Amber Torres, Walker River Paiute Tribe, via email to chairman@wrpt.org

Vice Chair Pete Olsen, Churchill County Commission, via email to polsen@churchillcounty.org

RE: Eureka County written request for membership on FRTC Intergovernmental Executive Committee

Dear Chair Torres and Vice Chair Olsen,

At the Navy Air Station (NAS) Fallon Range Training Complex (FRTC) Intergovernmental Executive Committee (IEC) meeting in April, Jake Tibbitts, Eureka County Natural Resources Manager, provided public comment stating the desire for Eureka County to be a member of the IEC due to Eureka County's extensive involvement in the FRTC Modernization. The Eureka County Board of Commissioners followed up at their meeting on May 6, 2021 and voted to formally request this participation. We also understand the IEC charter has been discussed at the IEC meetings and a provision moved forward allowing new voting members after a letter had been received and voted on. We formally request membership of Eureka County on the IEC as a voting member.

Further, we note the Conference Committee report on the Fiscal Year 2021 National Defense Authorization Act includes a directive stating:

"The conferees note this renewal maintains the status quo of the FRTC. However, the conferees also note that with the increasing deployment of 5th generation fighters, finding a way to expand the Fallon Range Training Complex, in a manner that is responsive to the needs of all stakeholders is essential for the Nation's tactical aviation readiness and improved ground forces training. The conferees direct the Department of the Navy to continue to work with the committees of jurisdiction, the Nevada congressional delegation, State, and Tribal stakeholders to secure a mutually-agreed upon expansion at FRTC."

We do not see how this directive can be met without all the affected counties being formally engaged. We see the IEC as the natural fit to meet both the intent of the NDAA language establishing the IEC as well as the Conference Committee directive.

Eureka County was a very active cooperating agency on the development of the FRTC Modernization EIS including active participation, past and current, with the State of Nevada agencies and other cooperating agencies on the State Consolidated Request. Eureka County is affected by the FRTC – as currently configured and as proposed for "modernization" – through airspace and citizens who hold grazing permits in the area and others who recreate on and enjoy the lands in and around the FRTC. Eureka County desires to continue our active involvement in matters related to the FRTC.

Eureka County has much to offer the IEC. We have expertise and experience within the various departments of the County including Eureka County Natural Resources Department, Public Works and through various established advisory committees such as Eureka County Natural Resource Advisory Commission, the Eureka County Community NEPA Committee, and the Eureka County Planning Commission. The specific areas of expertise that Eureka County can advise on includes, but is not limited to, water resources, socioeconomics, rangeland resources, noise, visual resources, archaeological resources, recreation, air resources, transportation, and public health and safety. Each area of expertise listed is not claimed but has been demonstrated by Eureka County. Eureka County considers participation as a serious matter and we have and continue to commit ourselves to fully demonstrating our expertise.

Also, the State of Nevada, through NRS 278 and NRS 321, has enacted statutory responsibility upon Eureka County (and other Nevada counties) to develop and implement processes for determining land use, resource and water management, and environmental planning as necessary to serve the public health, safety, convenience, and welfare. Eureka County has exercised its local government authority and has developed a Master Plan in 1973 with expansion of the Master Plan and the Natural Resources and Land Use Element of the Plan in 1998, 2005 and 2010. Further, both the Eureka County Code and the Eureka County Master Plan mandate “the involvement of Eureka County in the management of federal lands and in the development of criteria that are meaningful in any decision-making process....”

The Eureka County Code clearly defines Eureka County’s program mission related to natural resources and federal land use management. The County Code calls for County participation “in all actions that are being taken or are being proposed to be taken regarding federal lands located within Eureka County” (Title 9 Chapter 40.030). The County Code goes on to specifically define each area that the County shall participate in. In order to follow its own County Code and County plans, Eureka County has a Natural Resources Department with staff including a Natural Resources Manager tasked with the mission “. . . to inventory, make plans for and manage the County’s natural resources under the direction of the Board of Eureka County Commissioners, and to advise the Board about matters involving the County’s natural resources” (Eureka County Code, Title 9, Chapter 20.020).

We have enclosed a completed IEC participation form designating Eureka County’s primary and alternate members to the IEC, should the IEC accept our request and add us.

Thank you for considering our request. We look forward to working with the IEC on matters related to the FRTC.

Sincerely,



J.J. Goicoechea, Chairman
Eureka County Board of Commissioners

cc: Rob Rule, NAS Fallon (via email)

Intergovernmental Executive Committee

Chair: Amber Torres
Vice-Chair: Pete Olsen

Mr. Bryan Bowker
Western Regional Director
Bureau of Indian Affairs
2600 N Central Ave.
Fourth Floor Mail Room
Phoenix, AZ 85004

Director Bowker,

Subj: INVITATION TO BUREAU OF INDIAN AFFAIRS TO BECOME A MEMBER OF THE
INTERGOVERNMENTAL EXECUTIVE COMMITTEE FOR FALLON RANGE TRAINING COMPLEX

In representing the Intergovernmental Executive Committee (IEC) as the elected Chair, I am formally extending an invitation to the Bureau of Indian Affairs to participate in this collaborative body.

Contained in the fiscal year (FY) 2021 National Defense Authorization Act (NDAA), legislation renewed the land withdrawal for the Fallon Range Training Complex (FRTC) but did not approve the proposed Navy Modernization effort for National Defense purposes. The legislation directed the Navy to continue collaborating with stakeholders to address the opportunity for future expansion of the ranges. The FY2021 NDAA directed the Department of the Navy and the Department of the Interior to establish an Intergovernmental Executive Committee (IEC) "for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources". During the last IEC meeting on June 28th, 2021, the committee voted unanimously to include the Bureau of Indian Affairs as a representative member of the IEC due to their core responsibilities and expertise in supporting Native American tribal interests. The vote recognized the need for the committee to include an element of understanding and appreciation of Native American customs and culture as part of their discussions.

As stated above, the purpose of this letter is to formally invite the Bureau of Indian Affairs to join the IEC as a member and request your agency designate a representative to participate in the committee meetings and actions. If possible, the IEC membership wishes you to consider participating in the next IEC meeting, currently planned on August 31, 2021 at 2 p.m. The meeting will be hosted virtually on Zoom, as well as in person at the Churchill County Commission Chambers in Fallon, Nevada. My primary point of contact for this request is Ms. Toni Burton, the Naval Air Station Fallon Tribal Coordinator, and can be reached at toni.burton@navy.mil.

If you have any questions regarding the IEC, we can certainly provide you with background and additional information or answer questions concerning the committee or any past or present actions. We hope you will seriously consider participating as an active member. Thank you and we look forward to your agency's participation on this Committee.

Sincerely,



Amber Torres
Chairman of Walker River Paiute Tribe
Chairman of IEC

Cc:
Director of the Bureau of Indian Affairs, Darryl LaCounte
Bureau of Indian Affairs Western Nevada Agency, Gerry Emm
Bureau of Land Management Nevada Director, Jon Raby

From: Scott Carey <scarey@lands.nv.gov>

Sent: Tuesday, August 10, 2021 5:01 PM

To: Rule, Robert M CIV USN (USA) <robert.m.rule6.civ@us.navy.mil>; Brad Crowell <bcrowell@dcnr.nv.gov>; Dominique Etchegoyhen <detchegoyhen@dcnr.nv.gov>

Cc: Gena Plummer <gplummer@dcnr.nv.gov>

Subject: [Non-DoD Source] RE: IEC Members - 28 JUN 21 Meeting Minutes, Version 4 DRAFT Charter and MOU

Rob,

I have a couple of comments and suggested changes to MOU, to reflect the changes the IEC approved the add the Bureau of Indian Affairs and Eureka County to the committee and reflect the IEC's vote to require member participation forms be filled out annually.

- 1) Under Section V Subsection C. Membership: Eureka County should be added to the membership along with similar language regarding the County Commission making the appointment and allowing the county to send an alternate.
- 2) Under Section IX. Signatures. Signature lines should be added to the MOU for the Bureau of Indian Affairs and Eureka County.
- 3) Under Section V Subsection b.5.a. Designated Agency Representative: At the last meeting the IEC voted to require participation forms be submitted annually. I think it would be good to capture this decision within the MOU and this section makes the most sense to me. Here is the proposed language that I would suggest.

a) Before the first meeting of the year, each entity will ~~send a letter~~ submit a participation form to the Committee regarding who their primary and alternate will be for attendance at the meetings. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity.

If you have any questions or need any additional information about these suggestions to the MOU please feel free to contact me.

Thank You,

Scott H. Carey, AICP

State Lands Planner

Nevada Division of State Lands

Department of Conservation and Natural Resources

901 S. Stewart Street, Suite 5003

Carson City, NV 89701

scarey@lands.nv.gov

(O) 775-684-2723 | (F) 775-684-2721



From: Yvonne Mori <eysdirector@fpst.org>

Sent: Monday, August 23, 2021 4:34 PM

To: Burton, Toni A CIV USN NAS FALLON NV (USA) <toni.burton@navy.mil>; Lapierre, Kish D CIV USAF (USA) <kish.d.lapierre@navy.mil>

Subject: [Non-DoD Source] FPST Comments

Kish and Toni,

Attached are the Fallon Paiute Shoshone Tribe's comments to the following Intergovernmental Executive Committee documents:

1. Charter, Version 4; and
2. MOU, Version 4.

Also, we have reviewed the June 28, 2021 meeting minutes and have the following suggestions.

1. The pages should be numbered; and
2. After-the-meeting comments of the IEC Admin Team should not be included in minutes. Minutes are supposed to reflect what actually occurs in official meetings, not afterwards.

Lastly, please forward the August 31 meeting agenda.

Thank You,

Yvonne

Yvonne Mori
Vice Chairman/Stepping Stones Director
Fallon Paiute Shoshone Tribe
775-423-1132 (ph)
775-666-5811 (cell)
775-423-3503 (fx)



CONFIDENTIALITY STATEMENT: This message and accompanying documents are covered by the electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521 and may contain confidential information intended for the specified individual(s) only. If you have received this communication in error, please notify sender immediately by e-mail, and delete the message.

Fallon Paiute Shoshone Tribe Comments

FOR OFFICIAL USE ONLY – NOT FOR PUBLIC RELEASE/WORKING DOCUMENT

Version 4/Draft: 2 August 2021

Intergovernmental Executive Committee Charter

COMMITTEE PURPOSE, BACKGROUND, AND OBJECTIVES

Purpose: This Charter establishes the Fallon Range Training Complex (FRTC) Intergovernmental Executive Committee (IEC) ~~pursuant to the Record of Decision for the FRTC Modernization Environmental Impact Statement (EIS) and~~ in compliance with the National Defense Authorization Act (NDAA) for Fiscal Year 2021, for the purpose of facilitating government-to-government and intergovernmental coordination and the exchange of views, information, and advice in matters regarding the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns, within the existing ~~and potentially expanded FRTC land area and airspace~~.

Background: ~~The Navy has requested additional lands to maximize training opportunities.~~ Over the course of the EIS process, stakeholders including federal, state, and local governments, Nevada's Native American Tribes, nongovernmental organizations (NGOs), and the public at large demonstrated interest regarding the existing FRTC land area, ~~the potentially expanded FRTC land area, as well as airspace~~. Given the keen interest of stakeholders and the demand for increased government-to-government and intergovernmental coordination, the Navy included the requirement for the IEC in the Record of Decision. ~~The IEC was subsequently mandated by Congress within the 2021 NDAA.~~

Objectives:

- Create a forum to serve as an exchange of information and to facilitate coordination pertaining to the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other range related concerns.
- Seek to identify, promote protection, minimize potential impacts, and appropriately manage the natural resources, cultural resources, cultural practices, and recreational resources within the existing ~~and potentially expanded boundaries of the FRTC~~.
- Balance stewardship practices with 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 all members into a comprehensive approach to collaboratively evaluate management practices in sustaining natural resources, cultural resources, cultural practices, and recreational resources within the FRTC.
- Enhance and promote public awareness, appreciation, and responsible use of the FRTC, and build public trust on the Navy's ability to effectively manage the land, resource, and airspace issues.
- ~~Ensure any FRTC expansion is responsive to the needs and concerns 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.
- Encourage public and NGO participation in facilitating two-way dialogue during periodic IEC meetings.
- Promote unrestricted access to the IEC meetings to the public at the greatest extent possible and provide meeting materials according to Nevada's open meeting law.

Commented [FT1]: The National Defense Authorization Act of 2021 is the legal authority of the IEC. The Record of Decision was the outcome of a (legally flawed) legislative environmental review process which proposed the FRTC modernization, and Congress rejected that proposal. The IEC should stay within the scope of applicable establishing the IEC, the 2021 NDAA.

Commented [FT2]: See Comment above. The "potentially expanded FRTC land area and airspace" are beyond the scope of the work of the IEC, as defined in the FY 21 NDAA.

Commented [FT3]: See Comment above. The "potentially expanded FRTC land area, as well as airspace" are beyond the scope of the work of the IEC, as defined in the FY 21 NDAA.

Commented [FT4]: Agreed. Congress defined the IEC, and the IEC should follow Congress' specific direction, as defined in the 2021 NDAA.

Commented [FT5]: See Comment above. The "potentially expanded boundaries of the FRTC" are beyond the scope of the work of the IEC, as defined in the FY 21 NDAA.

Commented [FT6]: See comments above. FRTC expansion is not within the scope of IEC as defined by Congress.

FOR OFFICIAL USE ONLY – NOT FOR PUBLIC RELEASE/WORKING DOCUMENT

FOR OFFICIAL USE ONLY – NOT FOR PUBLIC RELEASE/WORKING DOCUMENT

Version 4/Draft: 2 August 2021

- Facilitate information exchange and coordinate the concerns of the stakeholders to safely access portions of the FRTC for natural resources, cultural resources, cultural practices, and recreational resources needs.

SCOPE

The scope of this charter is intended to facilitate dialogue, exchange of information, and obtain ideas from stakeholders regarding the management of the ranges within the existing ~~and potentially expanded land area and airspace~~ boundaries of the FRTC. Specifically, this forum is not a decision-making entity but will foster and receive ideas on the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns, within the public land withdrawal area and associated airspace. The large number of stakeholders in northern Nevada necessitates a collaborative effort in accessing subject matter experts within federal, state, and local government entities, Native American Tribes, and NGOs.

ORGANIZATION / ROLES AND RESPONSIBILITIES

IEC Organization:

- Create a multi-disciplinary forum representing federal, state, local, and Tribal governments, as well as NGOs.
- Rotate the Chair and Vice-Chair biennially.
- Assign an IEC Coordinator to organize agendas, coordinate meetings, forward invitations, provide presentations, and draft meeting minutes for distribution.
- Assign IEC Liaisons to ensure members/entities are getting all meeting materials and coordinate exchange of requested information.
- Conduct meetings within this Charter's objectives and scope.
- Meet no fewer than three times each calendar year.
- Define a "quorum" as "the members who are present during each meeting."
- Promote unrestricted access to the IEC meetings to the public at the greatest extent possible and provide meeting materials according to Nevada's open meeting law.

Roles:

The stakeholders and interested parties possess specific skillsets and expertise valuable in assisting the Navy toward effective management practices. Some of the entities are listed below with their respective mission statements. These groups/agencies are expected to participate, but participation is not limited to those indicated below. Any government entity that wishes to be included in the IEC that has not been specifically named in the NDAA must submit a letter to the Committee containing the reason why they wish to be a voting member. The letter will come before the Committee during the next scheduled meeting as an agenda item, and new members may be approved by the Committee. If any government entity wishes to not be a part of the IEC, they are asked to submit a letter to the Committee containing the reason why they wish to not be involved. This preference will stand as a record for the Committee.

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. The Navy owes

Commented [FT7]: For the reasons stated in prior IEC meetings, this does not facilitate decision by a representative group of the IEC. Based on this rule, the IEC could vote with only 1 member present. Or with no tribes present. Given the level of tribal participation thus far, this calls into question the legitimacy of the IEC.

Commented [FT8]: This is inconsistent with the IEC as defined by Congress. For example, while federal agencies like the Bureau of Indian Affairs are included in IEC as an agency of the Department of the Interior, Eureka County is not.

a special trust responsibility to tribes, which means the Navy has duties of the highest responsibility and trust to protect tribal interests. In carrying out such duties, BIA is judged by the most exacting standards of a fiduciary. These high standards apply to the Navy's role with IEC and "undertaking [its] actions and managing [its] lands consistent with the conservation of protected tribal resources."

Bureau of Indian Affairs (BIA) – BIA's mission is to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska Natives. BIA owes a special trust responsibility to tribes, which means BIA has duties of the highest responsibility and trust to protect tribal interests. In carrying out such duties, BIA is judged by the most exacting standards of a fiduciary. These high standards apply to BIA's role with IEC.

Bureau of Land Management (BLM) – has oversight responsibilities regarding the management of the FRTC under the Federal Land Policy and Management Act (FLPMA). BLM owes a special trust responsibility to tribes, which means BLM has duties of the highest responsibility and trust to protect tribal interests. In carrying out such duties, BLM is judged by the most exacting standards of a fiduciary. These high standards apply to BLM's role with IEC.

Nevada Department of Conservation and Natural Resources (NDCNR) – has primary jurisdiction to protect, manage, and enhance Nevada's natural, cultural, and recreational resources, 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 – 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. County governments that 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 – are federally-recognized sovereign nations with many diverse roles and responsibilities. Included among them is intergovernmental relations with federal, state and local governments; to preserve and protect the Indian cultural resources, and values and heritage which includes protection of access to cultural sites; to 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 to 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. Tribes have a special relationship with their trustee, the United States, which owes special trust responsibilities to tribes.

Commented [FT9]: This is explained in more detail in many places. See, e.g., <https://www.doi.gov/sites/doi.gov/files/uploads/m-37045.pdf> at 10 and https://www.usetinc.org/wp-content/uploads/Pdf_Documents/Consultation%20Policy/DO%20Tribal%20Policy.pdf at 3.

Commented [FT10]: See https://www.denix.osd.mil/na/policy/dod-policies/native-policy-1998/DoD%20American%20Indian%20and%20AK%20Native%20Policy_1998.pdf at 6. See also <https://www.denix.osd.mil/na/policy/dod-policies/2021-patc/2021%20DoD%20Plan%20of%20Action%20on%20Tribal%20Consultation.pdf> at 2.

Commented [FT11]: This is explained in more detail in many places. See, e.g., <https://www.doi.gov/sites/doi.gov/files/uploads/m-37045.pdf> at 10.

Commented [FT12]: See comment immediately above.

Commented [FT13]: See comments above. Because these counties are not included by Congress as IEC members, they should not be allowed to become members. They could participate just like any other member of the public.

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 resources, cultural resources, cultural practices, and recreational resources.
- Create major milestones and realistic timelines for actions between meetings.
- Develop a meeting format.
- Develop and coordinate responses to Requests for Information (RFI) and Requests for Action (RFA) from stakeholders. RFI and RFA may include, but are not limited to, giving presentations, bringing in subject matter experts, or offering recommendations during meetings.
- Identify the Navy and DOI (BLM/[BIA](#)) Liaisons to interface with the IEC.
- Rotate and coordinate the hosting venue, as appropriate.
- Send a letter to the Committee yearly regarding the entity’s primary and alternate attendees to the meetings. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
- Promote unrestricted access to the IEC meetings to the public at the greatest extent possible and provide meeting materials according to Nevada’s open meeting law.

Commented [FT14]: BIA is now part of the DOI representation on IEC.

IEC Coordinator

- Will be established through the Navy/BLM/[BIA](#).
- Collaborate with Chair and Vice-Chair in developing and distributing the meeting agenda and materials.
- Schedule at a minimum three IEC meetings annually.
- Draft meeting minutes and forward those minutes to participants within thirty (30) business days after the date of the meeting in accordance to the Nevada Open Meeting Law. Include next meeting date and venue.
- [Ensure the FRTC Modernization website is up to date and incorporate the agendas, minutes, meeting materials, and meeting recordings.](#)

Commented [FT15]: Because the FRTC Modernization is not within the scope of the IEC, using the FRTC website is not appropriate and confusing to the public.

IEC Liaisons

- Will be established by the Navy/BLM/[BIA](#).
- Communicate with members/entities regularly.
- Compile attendee list and forward invitations to attendees, including letter invitations to the public meetings via certified mail.
- Ensure members/entities receive all meeting materials as well as any requested information.
- Coordinate and respond to RFI and RFA with applicable parties.

Chair

- Announce the public IEC meetings.
- Preside over the meetings in an orderly fashion and comply with this charter.
- Collaborate with IEC Coordinator/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.
- In the Chair's absence, preside over the meetings in an orderly fashion and comply with this charter. In such instances, the Vice-Chair may appoint a temporary Vice-Chair to fulfill the above responsibilities for that meeting.

Navy

- Provide plans and analysis relating to actionable activities addressed in the Final EIS, Record of Decision, and/or legislation.
- Address key milestones between meetings.
- Collaborate with BLM Liaison on RFI and RFA.
- Provide information in response to reasonable requests regarding past, current, or future FRTC operations.
- Represent Navy leadership and interests by assigning the Commanding Officer to the IEC. In the absence of the Commanding Officer, an alternate member with decision-making authorization may be substituted.

BLM

- Provide status on collaborative efforts with the Navy related to land management transitional plans.
- Provide information in response to reasonable requests regarding past, current, or future FRTC operations.
- 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 to the IEC. In the absence of the director, an alternate member with decision-making authorization may be substituted.

BIA

- [Designate a BIA Liaison](#)
- On behalf of Native American Tribes, BIA will:
 - o enhance the quality of life
 - o promote economic opportunity
 - o carry out the responsibility to protect and improve the trust assets

Commented [FT16]: Who drafted this? The Fallon Tribe would like the opportunity to consult with BIA about this language.

Nevada Department of Conservation and Natural Resources

- Offer management options.
- Assist in efforts to follow through on management options to help ensure success.
- Represent the State of Nevada specific to natural, cultural, and recreational resources, land, and wildlife interests by assigning the Nevada Department of Conservation and Natural Resources Director to the IEC. In the absence of the director, an alternate member with decision-making authorization may be substituted.

Nevada Department of Wildlife

- 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. In the absence of the director, an alternate member with decision-making authorization may be substituted.

County Governments

- Provide prospective and local expertise to the benefit of the Navy and other Committee members.
- Identify concerns or impacts on local customs, culture, economies, and natural resources.
- Work collaboratively with the Navy/BLM to develop management options to alleviate such concerns and impacts and assist with implementation where applicable.
- Designate a County Commissioner to represent the individual County's interests. In the absence of the appointed commissioner, an alternate member with decision-making authorization may be substituted.

Native American Tribes

- Assist in identifying cultural resources and cultural practices for protection within the FRTC boundaries.
- Participate in studies with cultural resource implications.
- Identify Tribal interests, including relevant Tribal goals and objectives, impacts of FRTC operations on the general health and well-being of Tribal members, and identifying cultural resources and cultural practices for [access to resources on FRTC lands and](#) protection from FRTC operations.
- Represent Native American interests with each Tribe Chair. In the absence of the Chair, an alternate member with decision-making authorization may be substituted.

APPROACH

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

Periodic meetings

- Periodic meetings may be conducted every four (4) months at a minimum.
- Each meeting will have an agenda and presided by the Chair. In general, the agenda will include, but will not be limited to: roll call, a summary of the previous meeting, various updates on projects/initiatives, determine day and location of next meeting, public comment period(s), and an open discussion on potential or existing issues.
- After each meeting, 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 biennially.

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 reassigned to different positions should 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.
- Each entity will send a letter to the Committee yearly regarding who their primary and alternate will be for attendance at the meetings. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

FOR OFFICIAL USE ONLY – NOT FOR PUBLIC RELEASE/WORKING DOCUMENT

Version 4/Draft: 2 August 2021

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
NDCNR	Brad Crowell	Director	(775) 684-2700	bcrowell@dcnr.nv.gov
NDOW	Tony Wasley	Director		twasley@ndow.org
BIA				
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	(775) 945-2446	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)273-7861ext.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
STAFF DEL	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 Parobek	Regional Director	(775) 686-5711	stacy.parobek@mail.house.gov

FOR OFFICIAL USE ONLY – NOT FOR PUBLIC RELEASE/WORKING DOCUMENT

Version 4/Draft: 2 August 2021

DRAFT

FOR OFFICIAL USE ONLY – NOT FOR PUBLIC RELEASE/WORKING DOCUMENT

Fallon Paiute Shoshone Tribe Comments

Version 4/Draft: 2 August 2021

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 Environmental Impact Statement (EIS)~~ and in compliance with the National Defense Authorization Act (NDAA) for Fiscal Year 2021, for the purpose of facilitating government-to-government and intergovernmental coordination and the exchange of views, information, and advice in matters regarding the management of natural resources, cultural resources, cultural practices, and recreational resources, ~~as well as other concerns~~, within the existing ~~and potentially expanded~~ FRTC land area and airspace.

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 (FLPMA) (43 U.S.C. chapter 35).
- ~~Bureau of Indian Affairs -~~

III. Scope

The scope of this MOU is intended to facilitate dialogue, exchange of information, and obtain ideas from stakeholders regarding the management of the ranges within the existing ~~and potentially expanded~~ land area and airspace boundaries of the FRTC. Specifically, this forum is not a decision-making entity but will foster and receive ideas on the management of natural resources, cultural resources, cultural practices, and recreational resources, ~~as well as other concerns~~, within the existing ~~and proposed~~ 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, Native American Tribes, and nongovernmental organizations.

The IEC will seek to identify, promote protection, minimize potential impacts, and appropriately manage the natural resources, cultural resources, cultural practices, and recreational resources within the boundaries of the FRTC and associated airspace. The IEC will facilitate information exchange and coordinate the needs of the stakeholders to safely access portions of the FRTC for natural resources, cultural resources, cultural practices, and recreational resources. 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

Commented [FT1]: The National Defense Authorization Act of 2021 is the legal authority of the IEC. The Record of Decision was the outcome of a (legally flawed) legislative environmental review process which proposed the FRTC modernization, and Congress rejected that proposal. The IEC should stay within the scope of applicable establishing the IEC found in the 2021 NDAA.

Commented [FT2]: See Comment above. The “potentially expanded” FRTC is beyond the scope of the work of the IEC, as defined in the FY 21 NDAA. “Other concerns” is vague. This statement already covers the FY 21 NDAA.

Commented [FT3]: BIA should complete this.

Commented [FT4]: See comments to Section I above.

For Official Use Only

of information will also assist Bureau of Land Management (BLM) as it manages Dixie Valley under FLPMA in accordance with the uses authorized for these areas by PL 106-65 and PL 116-283.

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 serves as an information exchange for ideas pertaining to management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns. 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. Nor does anything in this document intend to modify, in any manner, other agreements, rights granted by a treaty or otherwise between any participating agencies.

Commented [FT5]: "Other concerns" is vague. This statement already covers the FY 21 NDAA.

V. Function, Structure, and Membership

a. Function

1. The IEC is established for the purpose of facilitating government-to-government and intergovernmental coordination and the exchange of views, information, and advice in matters regarding the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns, within the existing and potentially expanded FRTC land area and airspace. This forum will conduct meetings and address issues in an advisory capacity.
2. At each meeting, representatives of the Navy, BLM, State of Nevada, 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 resources, cultural resources, cultural practices, and recreational resources protection within the Bravo ranges, Dixie Valley, the Shoal Site and associated FRTC airspace. Presentations may be in response to a request for information or a request for action. The IEC may invite other agencies to report on their activities as they relate to the FRTC and its proposed expansion and airspace. 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, the Shoal Site, and airspace to the IEC for consideration and possible action. The IEC Liaisons, who are established by the BLM and Navy as appropriate, 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.
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. The location of the meetings of the IEC will rotate to

Commented [FT6]: This is another statement of purpose, which is addressed above, so should be stricken as duplicative. And references to "other concerns" and the "potential expanded FRTC" go beyond the FY 21 NDAA.

Commented [FT7]: The IEC is not a decision-making body. The FY 21 NDAA specifically states it is for exchanging information. Therefore, the reference to "action" is misplaced. In contrast, Congress gave the Intergovernmental Executive Committee for the Air Force's Nellis Test and Training Range authority of "making recommendations." Section 2844(b)(2), Public Law 116-283. No such authority exists for the NAS Fallon Intergovernmental Executive Committee.

For Official Use Only

facilitate ease of access for all members of the IEC. Every meeting will have a virtual aspect as well. 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~~ 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.

Commented [FT8]: The NV Open Meeting law should always be followed.

b. Structure

1. As a collaborative group, all members will be heard in representing their respective agencies in facilitating management activities. Each member of the IEC 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. A "quorum" is to be defined as "the members who are present during each meeting."
3. Chair and Vice-Chair of the IEC will be elected biennially among members of the IEC.
4. Membership 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. IEC members are eligible for reappointment by their respective organizations. 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.
5. 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 must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
 - a) Before the first meeting of the year, each entity will send a letter to the Committee regarding who their primary and alternate will be for attendance at the meetings. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity.
6. The IEC, as a whole, will be supported by IEC Coordinator and Liaisons, as necessary. ~~The IEC Coordinator and Liaison are hired and managed by the Navy.~~ The Coordinator will be responsible for facilitating administrative and logistical support including preparing meeting agendas, coordinating meetings, and drafting meeting minutes. The Liaisons will be responsible for forwarding invitations, providing presentations, and communicating regularly with members.

Commented [FT9]: For the reasons stated in prior IEC meetings, this does not facilitate decision by a representative group of the IEC. Based on this rule, the IEC could vote with only 1 member present. Or with no tribes present. Given the level of tribal participation thus far, this calls into question the legitimacy of the IEC.

Commented [FT10]: Assuming this is correct, this should be a matter of record so that there is no ambiguity about who oversees these positions.

Commented [FT11]: The Fallon Tribe suggests striking the information about the roles and responsibilities of each governmental entity because that is already addressed in the "ORGANIZATION / ROLES RESPONSIBILITIES" Section of the Charter. If the roles and responsibilities information remains, it should include the information recommended for addition to that Section of the Charter by the Fallon Tribe.

c. Membership

For Official Use Only

The NDAA identified core IEC members, but did not limit participation to only the stated entities. Some of the entities are listed below with their respective mission statements. These groups/agencies are expected to participate, but participation is not limited to those indicated below. Any entity that wishes to be included in the IEC that has not named within the NDAA must submit a letter to the Committee containing the reason why they wish to be an IEC member. The letter will come before the Committee during the following meeting, and new members may be approved by the Committee. The following are the members of the IEC. If any entity wishes to not be a part of the IEC, they are asked to submit a letter to the Committee containing the reason why they wish to not be involved. These actions will stand as a record for the Committee.

Commented [FT12]: The NDAA states who will be members. There is no legal authority for adding more.

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).~~ In the absence of the Commanding Officer, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
2. Bureau of Land Management (BLM). The Carson City District Office Manager of Bureau of Land Management (BLM) will serve as a DOI representative. ~~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 the director, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
3. Bureau of Indian Affairs (BIA). ~~BIA's mission is to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska Natives.~~ The Director will be the primary representative for BIA. In the absence of the director, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
4. Nevada Department of Wildlife. The Director of the Nevada Department of Wildlife will serve as a representative to the IEC. ~~The Nevada Division of Wildlife has an interest to protect, conserve, manage and restore wildlife and its habitat for the benefit of citizens of Nevada and the United States.~~ In the absence of the director, an alternate member with decision-making authorization may be designated. This alternate must

Commented [FT13]: Who drafted this? The Fallon Tribe would like an opportunity to consult with BIA about this paragraph.

For Official Use Only

be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

5. Nevada Department of Conservation and Natural Resources. The Director of the Nevada Department of Conservation and Natural Resources will serve as a representative to the IEC. ~~The Nevada Department of Conservation and Natural Resources has primary jurisdiction to protect, manage, and enhance Nevada's natural, cultural, and recreational resources. In the absence of the director, an alternate member with decision-making authorization may be designated.~~ This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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 an appointed Commissioner, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

For Official Use Only

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, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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 Chair, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

Commented [FT14]: Giving each county its own paragraph while putting more than 18 tribal entities into a single paragraph could be interpreted to mean that each tribe is worthy of less importance to the IEC process. If that is not intended, the Fallon Tribe suggests having one paragraph for all the counties.

VI. Roles and Responsibilities of the IEC Members

- a. Elect the Chair and Vice-Chair.
- b. Develop a charter with the IEC membership to establish mechanisms and guidelines in the conduct of the group.
- c. Direct IEC Coordinator/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.

For Official Use Only

- 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 attendees, including letter invitations via certified mail.
- h. Direct IEC Coordinator to draft meeting minutes and forward those minutes to participants within forty-five (45) business days after the date of the meeting. These minutes will include the next meeting day and venue. These meeting minutes will be retained on file publicly.

VII. Review

This MOU will be reviewed at least every two (2) 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.

For Official Use Only

IX. Signatures

United States Navy
Commander, Navy Region Southwest

Date

Bureau of Land Management
Director, State of Nevada

Date

Nevada Department of Wildlife
Director, State of Nevada

Date

Nevada Department of Conservation
And Natural Resources
Director, State of Nevada

Date

Churchill County
Churchill County Commission Chair

Date

For Official Use Only

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

For Official Use Only

For Official Use Only

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

For Official Use Only

For Official Use Only

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
Yerington Paiute Tribal Chair

Date

Intergovernmental Executive Committee Charter

COMMITTEE PURPOSE, BACKGROUND, AND OBJECTIVES

Purpose: This Charter establishes the Fallon Range Training Complex (FRTC) Intergovernmental Executive Committee (IEC), pursuant to the Record of Decision for the FRTC Modernization Environmental Impact Statement (EIS) and in compliance with the National Defense Authorization Act (NDAA) for Fiscal Year 2021, for the purpose of facilitating government-to-government and intergovernmental coordination and the exchange of views, information, and advice in matters regarding the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns, within the existing and potentially expanded FRTC land area and airspace.

Background: The Navy has requested additional lands to maximize training opportunities. Over the course of the EIS process, stakeholders including federal, state, and local governments, Nevada's Native American Tribes, nongovernmental organizations (NGOs), and the public at large demonstrated interest regarding the existing FRTC land area, the potentially expanded FRTC land area, as well as airspace. Given the keen interest of stakeholders and the demand for increased government-to-government and intergovernmental coordination, the Navy included the requirement for the IEC in the Record of Decision. The IEC was subsequently mandated by Congress within the 2021 NDAA.

Objectives:

- Create a forum to serve as an exchange of information and to facilitate coordination pertaining to the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other range related concerns.
- Seek to identify, promote protection, minimize potential impacts, and appropriately manage the natural resources, cultural resources, cultural practices, and recreational resources within the existing and potentially expanded boundaries of the FRTC.
- Balance stewardship practices with 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 all members into a comprehensive approach to collaboratively evaluate management practices in sustaining natural resources, cultural resources, cultural practices, and recreational resources within the FRTC.
- Enhance and promote public awareness, appreciation, and responsible use of the FRTC, and build public trust on the Navy's ability to effectively manage the land, resource, and airspace issues.
- Ensure any FRTC expansion is responsive to the needs and concerns 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.
- Encourage public and NGO participation in facilitating two-way dialogue during periodic IEC meetings.
- Promote unrestricted access to the IEC meetings to the public at the greatest extent possible and provide meeting materials according to Nevada's open meeting law.
- Facilitate information exchange and coordinate the concerns of the stakeholders to safely access portions of the FRTC for natural resources, cultural resources, cultural practices, and recreational resources needs.

SCOPE

The scope of this charter is intended to facilitate dialogue, exchange of information, and obtain ideas from stakeholders regarding the management of the ranges within the existing and potentially expanded land area and airspace boundaries of the FRTC. Specifically, this forum is not a decision-making entity but will foster and receive ideas on the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns, within the public land withdrawal area and associated airspace. The large number of stakeholders in northern Nevada necessitates a collaborative effort in accessing subject matter experts within federal, state, and local government entities, Native American Tribes, and NGOs.

ORGANIZATION / ROLES AND RESPONSIBILITIES

IEC Organization:

- Create a multi-disciplinary forum representing federal, state, local, and Tribal governments, as well as NGOs.
- Rotate the Chair and Vice-Chair biennially.
- Assign an IEC Coordinator to organize agendas, coordinate meetings, forward invitations, provide presentations, and draft meeting minutes for distribution.
- Assign IEC Liaisons to ensure members/entities are getting all meeting materials and coordinate exchange of requested information.
- Conduct meetings within this Charter's objectives and scope.
- Meet no fewer than three times each calendar year.
- Define a "quorum" as "the members who are present during each meeting."
- Promote unrestricted access to the IEC meetings to the public at the greatest extent possible and provide meeting materials according to Nevada's open meeting law.

Roles:

The stakeholders and interested parties possess specific skillsets and expertise valuable in assisting the Navy toward effective management practices. Some of the entities are listed below with their respective mission statements. These groups/agencies are expected to participate, but participation is not limited to those indicated below. Any government entity that wishes to be included in the IEC that has not been specifically named in the NDAA must submit a letter to the Committee containing the reason why they wish to be a voting member. The letter will come before the Committee during the next scheduled meeting as an agenda item, and new members may be approved by the Committee. If any government entity wishes to not be a part of the IEC, they are asked to submit a letter to the Committee containing the reason why they wish to not be involved. This preference will stand as a record for the Committee.

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 Indian Affairs (BIA) – BIA's mission is to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska Natives.

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 protect, manage, and enhance Nevada’s natural, cultural, and recreational resources, 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 – 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. County governments that 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 resources, cultural resources, cultural practices, and recreational resources.
- Create major milestones and realistic timelines for actions between meetings.
- Develop a meeting format.
- Develop and coordinate responses to Requests for Information (RFI) and Requests for Action (RFA) from stakeholders. RFI and RFA may include, but are not limited to, giving presentations, bringing in subject matter experts, or offering recommendations during meetings.
- Identify the Navy and DOI (BLM) Liaisons to interface with the IEC.
- Rotate and coordinate the hosting venue, as appropriate.

- Submit a participation form to the Committee yearly regarding the entity's primary and alternate attendees to the meetings. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
- Promote unrestricted access to the IEC meetings to the public at the greatest extent possible and provide meeting materials according to Nevada's open meeting law.

IEC Coordinator

- Will be established through the Navy/BLM.
- Collaborate with Chair and Vice-Chair in developing and distributing the meeting agenda and materials.
- Schedule at a minimum three IEC meetings annually.
- Draft meeting minutes and forward those minutes to participants within thirty (30) business days after the date of the meeting in accordance to the Nevada Open Meeting Law. Include next meeting date and venue.
- Ensure the FRTC Modernization website is up to date and incorporate the agendas, minutes, meeting materials, and meeting recordings.

IEC Liaisons

- Will be established by the Navy/BLM.
- Communicate with members/entities regularly.
- Compile attendee list and forward invitations to attendees, including letter invitations to the public meetings via certified mail.
- Ensure members/entities receive all meeting materials as well as any requested information.
- Coordinate and respond to RFI and RFA with applicable parties.

Chair

- Announce the public IEC meetings.
- Preside over the meetings in an orderly fashion and comply with this charter.
- Collaborate with IEC Coordinator/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.
- In the Chair's absence, preside over the meetings in an orderly fashion and comply with this charter. In such instances, the Vice-Chair may appoint a temporary Vice-Chair to fulfill the above responsibilities for that meeting.

Navy

- Provide plans and analysis relating to actionable activities addressed in the Final EIS, Record of Decision, and/or legislation.
- Address key milestones between meetings.
- Collaborate with BLM Liaison on RFI and RFA.
- Provide information in response to reasonable requests regarding past, current, or future FRTC operations.
- Represent Navy leadership and interests by assigning the Commanding Officer to the IEC. In the absence of the Commanding Officer, an alternate member with decision-making authorization may be substituted.

BLM

- Provide status on collaborative efforts with the Navy related to land management transitional plans.
- Provide information in response to reasonable requests regarding past, current, or future FRTC operations.
- 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 to the IEC. In the absence of the director, an alternate member with decision-making authorization may be substituted.

BIA

- On behalf of Native American Tribes, BIA will:
 - enhance the quality of life
 - promote economic opportunity
 - carry out the responsibility to protect and improve the trust assets

Nevada Department of Conservation and Natural Resources

- Offer management options.
- Assist in efforts to follow through on management options to help ensure success.
- Represent the State of Nevada specific to natural, cultural, and recreational resources, land, and wildlife interests by assigning the Nevada Department of Conservation and Natural Resources Director to the IEC. In the absence of the director, an alternate member with decision-making authorization may be substituted.

Nevada Department of Wildlife

- 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. In the absence of the director, an alternate member with decision-making authorization may be substituted.

County Governments

- Provide prospective and local expertise to the benefit of the Navy and other Committee members.
- Identify concerns or impacts on local customs, culture, economies, and natural resources.
- Work collaboratively with the Navy/BLM to develop management options to alleviate such concerns and impacts and assist with implementation where applicable.
- Designate a County Commissioner to represent the individual County's interests. In the absence of the appointed commissioner, an alternate member with decision-making authorization may be substituted.

Native American Tribes

- Assist in identifying cultural resources and cultural practices for protection within the FRTC boundaries.
- Participate in studies with cultural resource implications.
- Identify Tribal interests, including relevant Tribal goals and objectives, impacts of FRTC operations on the general health and well-being of Tribal members, and identifying cultural resources and cultural practices for protection from FRTC operations.
- Represent Native American interests with each Tribe Chair. In the absence of the Chair, an alternate member with decision-making authorization may be substituted.

APPROACH

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

Periodic meetings

- Periodic meetings may be conducted every four (4) months at a minimum.
- Each meeting will have an agenda and presided by the Chair. In general, the agenda will include, but will not be limited to: roll call, a summary of the previous meeting, various updates on projects/initiatives, determine day and location of next meeting, public comment period(s), and an open discussion on potential or existing issues.
- After each meeting, 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 biennially.

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 reassigned to different positions should 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.
- Each entity will submit a participation letter to the Committee yearly regarding who their primary and alternate will be for attendance at the meetings. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

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 Environmental Impact Statement (EIS) and in compliance with the National Defense Authorization Act (NDAA) for Fiscal Year 2021, for the purpose of facilitating government-to-government and intergovernmental coordination and the exchange of views, information, and advice in matters regarding the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns, within the existing and potentially expanded FRTC land area and airspace.

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 (FLPMA) (43 U.S.C. chapter 35).

III. Scope

The scope of this MOU is intended to facilitate dialogue, exchange of information, and obtain ideas from stakeholders regarding the management of the ranges within the existing and potentially expanded land area and airspace boundaries of the FRTC. Specifically, this forum is not a decision-making entity but will foster and receive ideas on the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns, within the existing and proposed 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, Native American Tribes, and nongovernmental organizations.

The IEC will seek to identify, promote protection, minimize potential impacts, and appropriately manage the natural resources, cultural resources, cultural practices, and recreational resources within the boundaries of the FRTC and associated airspace. The IEC will facilitate information exchange and coordinate the needs of the stakeholders to safely access portions of the FRTC for natural resources, cultural resources, cultural practices, and recreational resources. 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 it manages Dixie Valley under FLPMA in accordance with the uses authorized for these areas by PL 106-65 and PL 116-283.

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 serves as an information exchange for ideas pertaining to management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns. 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. Nor does anything in this document intend to modify, in any manner, other agreements, rights granted by a treaty or otherwise between any participating agencies.

V. Function, Structure, and Membership

a. Function

1. The IEC is established for the purpose of facilitating government-to-government and intergovernmental coordination and the exchange of views, information, and advice in matters regarding the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other concerns, within the existing and potentially expanded FRTC land area and airspace. This forum will conduct meetings and address issues in an advisory capacity.
2. At each meeting, representatives of the Navy, BLM, State of Nevada, 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 resources, cultural resources, cultural practices, and recreational resources protection within the Bravo ranges, Dixie Valley, the Shoal Site and associated FRTC airspace. Presentations may be in response to a request for information or a request for action. The IEC may invite other agencies to report on their activities as they relate to the FRTC and its proposed expansion and airspace. 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, the Shoal Site, and airspace to the IEC for consideration and possible action. The IEC Liaisons, who are established by the BLM and Navy as appropriate, 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.

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. The location of the meetings of the IEC will rotate to facilitate ease of access for all members of the IEC. Every meeting will have a virtual aspect as well. 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 management activities. Each member of the IEC 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. A "quorum" is to be defined as "the members who are present during each meeting."

3. Chair and Vice-Chair of the IEC will be elected biennially among members of the IEC.
4. Membership 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. IEC members are eligible for reappointment by their respective organizations. 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.
5. 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 must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
 - a) Before the first meeting of the year, each entity will submit a participation form to the Committee regarding who their primary and alternate will be for attendance at the meetings. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity.
6. The IEC, as a whole, will be supported by IEC Coordinator and Liaisons, as necessary. The Coordinator will be responsible for facilitating administrative and logistical support including preparing meeting agendas, coordinating meetings, and drafting meeting minutes. The Liaisons will be responsible for forwarding invitations, providing presentations, and communicating regularly with members.

c. Membership

The NDAA identified core IEC members, but did not limit participation to only the stated entities. Some of the entities are listed below with their respective mission statements. These groups/agencies are expected to participate, but participation is not limited to those indicated below. Any entity that wishes to be included in the IEC that has not named within the NDAA must submit a letter to the Committee containing the reason why they wish to be an IEC member. The letter will come before the Committee during the following meeting, and new members may be

approved by the Committee. If any entity wishes to not be a part of the IEC, they are asked to submit a letter to the Committee containing the reason why they wish to not be involved. These actions will stand as a record for the Committee.

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). In the absence of the Commanding Officer, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
2. Bureau of Land Management (BLM). The Carson City District Office Manager of Bureau of Land Management (BLM) will serve as a DOI representative. 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 the director, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
3. Bureau of Indian Affairs (BIA). BIA's mission is to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska Natives. The Director will be the primary representative for BIA. In the absence of the director, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same

rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

4. Nevada Department of Wildlife. The Director of the Nevada Department of Wildlife will serve as a representative to the IEC. The Nevada Division of Wildlife has an interest to protect, conserve, manage and restore wildlife and its habitat for the benefit of citizens of Nevada and the United States. In the absence of the director, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
5. Nevada Department of Conservation and Natural Resources. The Director of the Nevada Department of Conservation and Natural Resources will serve as a representative to the IEC. The Nevada Department of Conservation and Natural Resources has primary jurisdiction to protect, manage, and enhance Nevada's natural, cultural, and recreational resources. In the absence of the director, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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 an appointed Commissioner, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

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, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
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, an alternate member

with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

11. Eureka County. The Eureka County Commission will appoint one (1) member from their respective Commissions to serve as a representative to the IEC. Eureka County has an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. In the absence of appointed Commissioner, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.
12. 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 Chair, an alternate member with decision-making authorization may be designated. This alternate must be designated in writing for the IEC. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.

VI. Roles and Responsibilities of the IEC Members

- a. Elect the Chair and Vice-Chair.
- b. Develop a charter with the IEC membership to establish mechanisms and guidelines in the conduct of the group.
- c. Direct IEC Coordinator/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 attendees, including letter invitations via certified mail.
- h. Direct IEC Coordinator to draft meeting minutes and forward those minutes to participants within forty-five (45) business days after the date of the meeting. These minutes will include the next meeting day and venue. These meeting minutes will be retained on file publicly.

VII. Review

This MOU will be reviewed at least every two (2) 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.

IX. Signatures

United States Navy
Commander, Navy Region Southwest

Date

Bureau of Land Management
Director, State of Nevada

Date

Bureau of Indian Affairs
Director, State of Nevada

Date

Nevada Department of Wildlife
Director, State of Nevada

Date

Nevada Department of Conservation
And Natural Resources
Director, State of Nevada

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

Eureka County
Eureka 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

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

Intergovernmental Executive Committee

August 31, 2021

2:00 p.m. PDT

Churchill County Commissioner's Chambers

155 N Taylor St. #145, Fallon, NV 89406

Join the meeting online: <https://mantech.zoomgov.com/j/1606077097>

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

Webinar ID: 160 607 7097

Welcome and Member Introductions

- Navy
- BLM
- BIA
- NDOW
- DCNR
- County Commissioners
 - Churchill
 - Lyon
 - Mineral
 - Pershing
 - Nye
- Tribal Representatives
 - Fallon Paiute Shoshone Tribe
 - Walker River Paiute Tribe
 - Yomba Shoshone Tribe
 - Pyramid Lake Paiute Tribe
- Tribal Representatives continue
 - 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

August 31 IEC Agenda

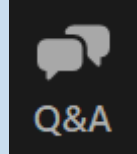
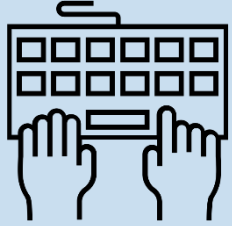
- Call to Order
- Welcome and Committee Member Introductions
- Verification of Agenda Posting
- Approval of Agenda
- Public Comment
- For Action: Eureka County to become a member of IEC
- Old Business
 - Letter to Bureau of Indian Affairs – invitation to become IEC member has been sent.
 - Participation Forms to be returned
- Approval of April 20 Meeting Minutes⁶²
- Approval of June 28 Meeting Minutes
- For Possible Action: Agenda Topics and Possible Standing Agenda Topics
- For Possible Action: Discussion/Adoption of IEC Charter
- For Possible Action: Discussion/Adoption of IEC Memorandum of Understanding
- Navy Update
- Call for Agenda Items for Next IEC Meeting
- Scheduling of Next IEC Meeting
- Public Comment
- Adjourn

Commenting Instructions

Timer
3:00

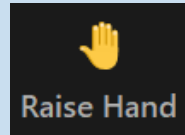
USING ZOOM DESKTOP OR MOBILE APPLICATION

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.
- 3) Speak your name, organization (if applicable), and comment.

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.

For Action: Eureka County to become a Member of the IEC

- Eureka County sent a letter requesting to be a member of the IEC.
 - Page 14-15 of Package

Old Business

- BIA Letter
 - A letter was drafted and approved by Chair and Vice-Chair to invite the BIA to be a member of the IEC.
 - Copies of the letter were sent to:
 - BIA Nevada Office
 - BLM Nevada Office
 - BIA Western Regional Office
 - BIA Washington D.C. Office
 - Copy of letter is on page 16 of Package
- Participation forms: Please update.
- Have received from:
 - BLM
 - NDOW
 - NDCNR
 - Navy
 - Churchill County
 - Lyon County
 - Mineral County
 - Pershing County
 - Nye County
 - Walker River Paiute Tribe
 - Fallon Paiute Shoshone Tribe
 - Duckwater Shoshone Tribe
 - Washoe Tribe of Nevada and California
 - Fort McDermitt Paiute Shoshone Tribe
 - Summit Lake Paiute Tribe

Approve of April 20 Meeting Minutes

- Fallon Paiute Shoshone Tribe questioned statement in April 20 meeting minutes: “Congress recognized the importance of the FRTC expansion to national defense” and requested this be struck from the meeting minutes.
 - It was confirmed that the language, “Congress recognized the importance of the expansion to national defense and directed the Navy to continue dialogue with all stakeholders” was in the April 20 presentation.
 - From Section 2842 of the FY21 NDAA: “The conferees note this renewal maintains the status quo of the FRTC. However, the conferees also note that with the increasing deployment of 5th generation fighters, finding a way to expand the Fallon Range Training Complex, in a manner that is responsive to the needs of all stakeholders is essential for the Nation’s tactical aviation readiness and improved ground forces training. The conferees direct the Department of the Navy to continue to work with the committees of jurisdiction, the Nevada congressional delegation, State, and Tribal stakeholders to secure a mutually-agreed upon expansion at FRTC.”

Approve of June 28 Meeting Minutes

- Minor corrections were received and incorporated.

For Possible Action: Agenda Topics and Standing Agenda Topics

- Agenda Topics/Standing Agenda Topics
 - Standing Agenda Topics will be kept on the agenda for every meeting. If there is an update, it will be given.

Discussion of IEC Charter

- DCNR submitted minor corrections and can be found on page 17.
- Substantial comments were received from Fallon Paiute Shoshone Tribe and can be found on pages 20-28 of the Package.

Fallon Tribe Comments to Charter – Scope of IEC and Congressional Intent

Commented [FT2]: See Comment above. The “potentially expanded FRTC land area and airspace” are beyond the scope of the work of the IEC, as defined in the FY 21 NDAA.

Commented [FT3]: See Comment above. The “potentially expanded FRTC land area, as well as airspace” are beyond the scope of the work of the IEC, as defined in the FY 21 NDAA.

Commented [FT4]: Agreed. Congress defined the IEC, and the IEC should follow Congress’ specific direction, as defined in the 2021 NDAA.

Commented [FT5]: See Comment above. The “potentially expanded boundaries of the FRTC” are beyond the scope of the work of the IEC, as defined in the FY 21 NDAA.

Commented [FT6]: See comments above. FRTC expansion is not within the scope of IEC as defined by Congress.

Commented [FT15]: Because the FRTC Modernization is not within the scope of the IEC, using the FRTC website is not appropriate and confusing to the public.

The scope of the IEC was voted on during the April 20, 2021 meeting. The committee passed a motion for the scope of discussion to include current withdrawal, future expansion, airspace, and interconnected ideas.

**Vote summary –
9 to 1 in favor of including all
discussion**

Fallon Tribe Comments to Charter – Quorum Definition

Commented [FT7]: For the reasons stated in prior IEC meetings, this does not facilitate decision by a representative group of the IEC. Based on this rule, the IEC could vote with only 1 member present. Or with no tribes present. Given the level of tribal participation thus far, this calls into question the legitimacy of the IEC.

The definition of a quorum was voted on during the April 20, 2021 meeting. Committee passed a motion by consensus for a quorum to be constituted as “members present”

**Motion passed by consensus in favor
of quorum as
“members present”**

Fallon Tribe Comments to Charter – Membership Comments

Commented [FT8]: This is inconsistent with the IEC as defined by Congress. For example, while federal agencies like the Bureau of Indian Affairs are included in IEC as an agency of the Department of the Interior, Eureka County is not.

Commented [FT13]: See comments above. Because these counties are not included by Congress as IEC members, they should not be allowed to become members. They could participate just like any other member of the public.

Vote to allow organizations not called out in the NDAA to make requests to be added to the IEC membership. The process included writing a letter addressed to the committee Chair expressing their desire to participate and outline a connection to the FRTC.

**Vote Summary -
10 to 0 in favor of allowing new
membership requests**

Fallon Tribe Comments to Charter – Description of Organizations

Commented [FT9]: This is explained in more detail in many places. See, e.g., <https://www.doi.gov/sites/doi.gov/files/uploads/m-37045.pdf> at 10 and https://www.useinc.org/wp-content/uploads/Pdf_Documents/Consultation%20Policy/DO D%20Tribal%20Policy.pdf at 3.

Commented [FT10]: See https://www.denix.osd.mil/na/policy/dod-policies/native-policy-1998/DoD%20American%20Indian%20and%20AK%20Native%20Policy_1998.pdf at 6. See also <https://www.denix.osd.mil/na/policy/dod-policies/2021-patc/2021%20DoD%20Plan%20of%20Action%20on%20Tribal%20Consultation.pdf> at 2.

Commented [FT11]: This is explained in more detail in many places. See, e.g., <https://www.doi.gov/sites/doi.gov/files/uploads/m-37045.pdf> at 10.

Commented [FT12]: See comment immediately above.

Commented [FT16]: Who drafted this? The Fallon Tribe would like the opportunity to consult with BIA about this language.

The language in each organizations' section was meant to be a placeholder until they had an opportunity to review the MOU/Charter.

If BIA accepts the invitation to become a member, they can review and recommend language to incorporate their roles and responsibilities

Discussion of IEC Memorandum of Understanding

- DCNR submitted minor corrections and can be found on page 17.
- Substantial comments were received from Fallon Paiute Shoshone Tribe and can be found on pages 29-39 of the Package.

Fallon Tribe Comments to MOU – Scope of IEC/Congressional Intent

Commented [FT2]: See Comment above. The “potentially expanded” FRTC is beyond the scope of the work of the IEC, as defined in the FY 21 NDAA. “Other concerns” is vague. This statement already covers the FY 21 NDAA.

Commented [FT4]: See comments to Section I above.

Commented [FT6]: This is another statement of purpose, which is addressed above, so should be stricken as duplicative. And references to “other concerns” and the “potential expanded FRTC” go beyond the FY 21 NDAA.

Commented [FT7]: The IEC is not a decision-making body. The FY 21 NDAA specifically states it is for exchanging information. Therefore, the reference to “action” is misplaced.
In contrast, Congress gave the Intergovernmental Executive Committee for the Air Force’s Nellis Test and Training Range authority of “making recommendations.” Section 2844(b)(2), Public Law 116-283. No such authority exists for the NAS Fallon Intergovernmental Executive Committee.

The scope of the IEC was voted on during the April 20, 2021 meeting. The committee passed a motion for the scope of discussion to include current withdrawal, future expansion, airspace, and interconnected ideas.

**Vote summary –
9 to 1 in favor of including all
discussion**

Fallon Tribe Comments to MOU – Quorum Definition

Commented [FT9]: For the reasons stated in prior IEC meetings, this does not facilitate decision by a representative group of the IEC. Based on this rule, the IEC could vote with only 1 member present. Or with no tribes present. Given the level of tribal participation thus far, this calls into question the legitimacy of the IEC.

The definition of a quorum was voted on during the April 20, 2021 meeting. Committee passed a motion by consensus for a quorum to be constituted as “members present”

**Motion passed by consensus in favor
of quorum as
“members present”**

Fallon Tribe Comments to MOU – Membership Comments

Commented [FT12]: The NDAA states who will be members. There is no legal authority for adding more.

Vote to allow organizations not called out in the NDAA to make requests to be added to the IEC membership. The process included writing a letter addressed to the committee Chair expressing their desire to participate and outline a connection to the FRTC.

**Vote Summary -
10 to 0 in favor of allowing new
membership requests**

Fallon Tribe Comments to MOU – Description of Organizations

Commented [FT3]: BIA should complete this.

Commented [FT13]: Who drafted this? The Fallon Tribe would like an opportunity to consult with BIA about this paragraph.

Commented [FT14]: Giving each county its own paragraph while putting more than 18 tribal entities into a single paragraph could be interpreted to mean that each tribe is worthy of less importance to the IEC process. If that is not intended, the Fallon Tribe suggests having one paragraph for all the counties.

Membership Section: The summary of organization's tasks and duties was removed within each organization section [Example] –

~~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 language in each organizations' section was meant to be a placeholder until they had an opportunity to review the MOU/Charter.

If BIA accepts the invitation to become a member, they can review and recommend language to incorporate their roles and responsibilities

FRTC Status

- The Navy submitted a legislative proposal to modernize the FRTC for inclusion in the FY22 National Defense Authorization Act
- The Navy has been working with stakeholders to refine the text and incorporate stakeholder interest items
- Much progress has been made and we continue to work with stakeholders to address remaining concerns
- The change in political leadership during the legislative cycle presented additional challenges
- If necessary, the Navy will resubmit the proposal as part of the FY23 budget and legislative cycle

FRTC Natural Resources Status

- Fire Management Plan
- Sage Grouse Study
- Hunting MOA
- Integrated Natural Resources Management Plan (INRMP) update
- Conservation Law Enforcement Officer (CLEO)

FRTC Cultural Resources Status

- Tribal engagements since January 2021
- Ethnographic and Class III pedestrian surveys
- Programmatic Agreement
- Access Agreement
- Integrated Cultural Resources Management Program (ICRMP) Update

Next IEC Meeting

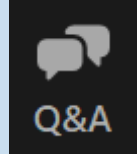
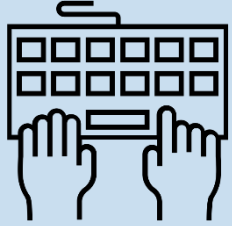
- Agenda items
- Schedule next meeting
 - Have one more before the end of the year.
 - Beginning of November?
 - Send out a Doodle Poll for the first two – three weeks in November?

Commenting Instructions

Timer
3:00

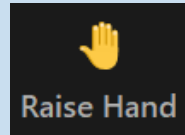
USING ZOOM DESKTOP OR MOBILE APPLICATION

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.
- 3) Speak your name, organization (if applicable), and comment.

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.

Adjourn

Thank you