

Intergovernmental Executive Committee

November 8, 2021

2:00 p.m. PST

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Intergovernmental Executive Committee

Agenda

Monday, November 8, 2021

at 2:00 PM PST

Virtual Meeting and In-Person at the

Nevada State Capitol Building Annex

The Guinn Room, 2nd Floor

101 N. Carson St.

Carson City, NV 89701

*Masks must be worn

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/1606826146>

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

Webinar ID: 160 682 6146

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.
- Presentations should be approximately 15 minutes in length, plus 15 minutes for questions and answers.
- Items on the agenda may be taken out of order, combined, or removed, or discussion delayed, at the discretion of the Committee.
- Documentation and supporting agenda items are available on the FRTC website at www.FRTCmodernization.com/IEC.

1. Call to Order, Welcome, and Roll Call of Committee Members
2. Verification of Agenda Posting
3. Approval of Agenda
4. 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.
5. Old Business
 - a. Bureau of Indian Affairs participation in the IEC.
 - b. Participation forms to be returned.
 - c. Final IEC Charter and Memorandum of Understanding routing for signature.
6. Approval of Meeting Minutes from August 31, 2021
7. Discussion/Possible Action: Top Five Concerns of Fallon Paiute Shoshone Tribe Regarding Cultural and Natural Resources on FRTC Ranges
8. Discussion/Possible Action: Navy Update
 - Legislative Update
 - Natural Resources
 - Tribal Cultural Survey
 - Tribal Engagement
9. Call for Agenda Items for Next IEC Meeting
10. Scheduling of Next IEC Meeting
11. 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.
12. Adjourn

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 – 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.

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 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/DOI.
- 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/DOI.
- 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 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 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. 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. These positions will be managed by the Navy and the DOI. 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, Lyon, Mineral, Nye, Pershing, and Eureka County Governments. Each respective County will assign one (1) member from their respective Commissions to serve as a representative to the IEC. Counties and their commissioners have an interest in ensuring the highest achievable environment for their residents while ensuring economic opportunities. Counties and commissioners also have special expertise and knowledge of local customs, cultures, and economies. 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. 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, 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 Commissioner

Date

Lyon County
Lyon County Commissioner

Date

Mineral County
Mineral County Commissioner

Date

Nye County
Nye County Commissioner

Date

Pershing County
Pershing County Commissioner

Date

Eureka County
Eureka County Commissioner

Date

Duckwater Shoshone Tribe
Duckwater Shoshone Tribal 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
Tribal Chair

Date

Te-Moak Tribe Western Shoshone
Battle Mountain Band Tribal Chair

Date

Te-Moak Tribe Western Shoshone
Elko Band Colony Tribal Chair

Date

Te-Moak Tribe Western Shoshone
South Fork Band Colony Tribal Chair

Date

Te-Moak Tribe Western Shoshone
Wells Band Colony Tribal 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

Winnemucca Indian Colony
Winnemucca Indian Colony Chair

Date

Yerington Paiute Tribe
Yerington Paiute Tribal Chair

Date

Yomba Shoshone Tribe
Yomba Shoshone Tribal Chair

Date

Intergovernmental Executive Committee

Meeting Minutes

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

In-Person and Virtual Meeting

This meeting was held both in-person and virtually pursuant to NRS241.023 and State of Nevada Declaration of Emergency Directive 006.

Churchill County Commission 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

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

Please Note:

- Public Comment 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.

IEC Elected Positions:

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

IEC Members:

- Navy – Captain Evan Morrison, Naval Air Station Fallon (NASF) Commanding Officer (in person); Commander Scott Beyer, NASF Public Works Officer (in person)
- Bureau of Land Management (BLM) – Jon Raby, State Director Nevada (via Zoom); Ken Collum, District Manager Carson City (via Zoom)
- Nevada Department of Wildlife (NDOW) – Alan Jenne, Habitat Chief (via Zoom)
- Nevada Department of Conservation and Natural Resources (DCNR) – Dominique Etchegoyhen, Deputy Director (in person); Scott Carey, State Lands Planner (in person)
- Churchill County – Pete Olsen, Churchill County Commissioner (in person); Jim Barbee, County Manager (in person)
- Lyon County – Vida Keller, Lyon County Commissioner (via Zoom); Ken Gray, Lyon County Commissioner (in person)
- Mineral County – Christine Hoferer, Mineral County Commissioner (via Zoom); Cassie Hall, Mineral County Commissioner (via Zoom)
- Pershing County – Shayla Hudson, Pershing County Commissioner (in person); Carol Shank, Pershing County Commissioner (via Zoom)
- Nye County – Bruce Jabbour, Nye County Commissioner (via Zoom); Lorinda Wichman, Natural Resources Director (via Zoom)
- Eureka County – J.J. Goicoechea, Eureka County Commissioner (via Zoom)
- Fallon Paiute Shoshone Tribe – Yvonne Mori, Acting Tribal Chair (via Zoom)
- Walker River Paiute Tribe – Amber Torres, Chairman (in person); Elveda Martinez (via phone)
- Yomba Shoshone Tribe – Ronald Snooks, Chairman (in person)
- Pyramid Lake Paiute Tribe – N/A
- Lovelock Paiute Tribe – N/A
- Duckwater Shoshone Tribe – Warren Graham, Chairman (via Zoom)
- 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 (via Zoom)
- South Fork Band Council Te-Moak Tribe of Western Shoshone – N/A
- Washoe Tribe of Nevada and California – Serrell Smokey, Chairman (in person)
- Wells Band Council Te-Moak Tribe of Western Shoshone – N/A
- Winnemucca Indian Colony of Nevada – N/A
- Summit Lake Paiute Tribe – Nedra Crane, Vice-Chair (via Zoom)
- Te-Moak Tribe of Western Shoshone – N/A
- Yerington Paiute Tribe – N/A

IEC Liaisons and Support

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

Call to Order

- IEC Chair Amber Torres called the meeting to order at 2:11 p.m. on August 31, 2021.

Welcome and Committee Member Introductions

- IEC Chair Torres welcomed everyone and made opening statements.
- Toni Burton, IEC Liaison and NASF Tribal Coordinator, called roll. Representatives of each IEC member organization present introduced themselves. The list of attendees/absentees is above.

Verification of Agenda Posting

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

Approval of Agenda

- The IEC approved the Agenda with no changes.

Public Comment

- 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. Action will not be taken on the matters considered during this period until specifically included on an agenda as an item.
- The following comments were received during this public comment period:
 - Ms. Janet Brian Weed, working with the Yomba Shoshone Tribe and member of the Reno-Sparks Indian Colony, asked if the IEC satisfies tribal consultation requirements under federal law.
 - On behalf of Fallon Paiute Shoshone Tribe, Mr. Wyatt Golding stated that it is challenging to receive the late changes to the meeting materials and asked why they were provided so late.
 - Ms. Darlene Hooper Dewey provided a written comment. She has been a tribal monitor for nearly 20 years, and burials and artifacts need to be protected in Shoshone ancestral lands.

For Possible Action: Eureka County to Become a Member of the IEC

- Eureka County sent a letter requesting to become a member of the IEC. The letter was included in the IEC Meeting Package. The IEC members discussed the request.
- Commissioner Shayla Hudson, Pershing County, motioned to approve Eureka County becoming a member of the IEC. Commissioner Vida Keller, Lyon County, seconded the motion. The motion passed with thirteen ayes, one against, and one abstention.
 - Chairman Arlan Melendez, Reno-Sparks Indian Colony, abstained due to uncertainty regarding jurisdiction and affected resources. Vice-Chair Yvonne Mori, Fallon Paiute Shoshone Tribe, voted against because Congress determined the makeup of the IEC and she did not see where the IEC has the authority to override Congress.

Old Business

- Bureau of Indian Affairs (BIA) participation in the IEC
 - An invitation to be a member of the IEC was sent to BIA. A copy of the letter was included in the IEC Meeting Package.

- Copies of letters were sent to BIA Nevada Office, BLM Nevada office, BIA Western Regional Office, BIA Washington D.C. office.
 - Ms. Toni Burton, IEC liaison and NASF tribal relations coordinator, stated that a response from BIA has not yet been received. Letters have been mailed and follow-up phone calls were made to Director Brian Bowker at the BIA regional office and Acting Superintendent Gerry Emm in the Carson City office. She will continue to follow up.
- Participation forms
 - IEC member organizations that have not yet turned in their participation forms or have changes in their primary or alternate IEC representatives are requested to return the forms.
 - The organizations that have sent in their participation forms are as follows: BLM, NDOW, DCNR, Navy, Churchill County, Lyon County, Mineral County, Nye County, Pershing County, Walker River Paiute Tribe, Fallon Paiute Shoshone Tribe, Duckwater Shoshone Tribe, Washoe Tribe of Nevada and California, Fort McDermitt Paiute Shoshone Tribe, and Summit Lake Paiute Tribe.

Approval of IEC Meeting Minutes

- The IEC voted 14-0, with one abstained, to approve the revised April 20, 2021, meeting minutes. Yomba Shoshone Tribe abstained from voting stating they did not receive the meeting minutes for April 20, 2021.
- The IEC voted 13-0, with two abstentions, to approve the revised June 28, 2021, meeting minutes. Mineral County abstained from voting as they were not present at this meeting and Yomba Shoshone Tribe abstained from voting stating they did not receive the meeting minutes for June 28, 2021.

For Possible Action: Agenda Topics and Possible Standing Agenda Topics

- The IEC discussed potential standing agenda topics. Potential standing agenda topics (with potential leads) include:
 - Legislative update (Navy)
 - Administrative withdrawal, including acreages (BLM, Navy)
 - Cultural and ethnographic study updates (Navy)
 - Comments from Nevada Governor's Office and Navy responses to comments (Navy)
 - Impacts of Navy activity on cultural and natural resources on the existing base (Navy)
- IEC Vice-Chair Pete Olsen suggested standing agenda items also be potential action items, should the IEC want to take an action on a standing agenda item.
- The IEC voted 16-0 for these items to be standing agenda items.

For Possible Action: Discussion and Adoption of IEC Charter

- DCNR submitted minor corrections on the Charter, which were incorporated.
- The Fallon Paiute Shoshone Tribe submitted more substantial comments on the Charter, some of which needed to be discussed by the IEC. Comments were provided in advance in the IEC Meeting Package and included:
 - The "potentially expanded FRTC land area and airspace" as described in the Charter are beyond the scope of work of the IEC, as defined by Congress in the fiscal year (FY) 2021 National Defense Authorization Act (NDAA).
 - The definition of a "quorum" does not facilitate a decision by a representative group of the IEC.

- The IEC vote to allow organizations not called out in the NDAA to request to become a member is inconsistent with the IEC as defined by Congress.
 - Organizational descriptions are inconsistent in the level of detail and may be inaccurate.
- IEC Chair Torres summarized votes and discussions of the IEC thus far that were related to the Fallon Paiute Shoshone Tribe's comments on the Charter.
 - The scope of the IEC was voted on during the IEC meeting on April 20, 2021. The IEC passed a motion 9-1 in favor of the scope of discussion to include current withdrawal, future expansion, airspace, and interconnected ideas.
 - The definition of a "quorum" was voted on during the IEC meeting on April 20, 2021. The IEC passed a motion by consensus for a quorum to be constituted as "members present."
 - The IEC voted 10-0 to allow organizations not specifically called out in the FY21 NDAA to be able to request to be added to the IEC membership. The process included writing a letter addressed to the IEC Chair expressing their desire to participate and outline a connection to the FRTC.
 - Language included in each organization's section was meant to be a placeholder until the organization had the opportunity to edit the description during its review of the Charter.
- The IEC members discussed comments from the Fallon Paiute Shoshone Tribe on the Charter. Tribal members expressed concern that more tribes are not participating in the IEC. IEC Chair Torres summarized the efforts to date to reach out to Nevada tribes and encourage their participation in the IEC to have their voices heard. IEC Chair Torres reminded IEC members that they are encouraged to submit agenda items for discussion.
- The IEC voted 11-5 to adopt the IEC Charter. The Fallon Paiute Shoshone Tribe, Yomba Shoshone Tribe, Reno-Sparks Indian Colony, Washoe Tribe of Nevada and California, and Summit Lake Paiute Tribe voted to not adopt the Charter.

For Possible Action: Discussion and Adoption of IEC Memorandum of Understanding

- DCNR submitted minor corrections on the Memorandum of Understanding (MOU), which were incorporated.
- The Fallon Paiute Shoshone Tribe submitted more substantial comments on the MOU, some of which needed to be discussed by the IEC. Comments were provided in advance in the IEC Meeting Package and included:
 - The "potentially expanded FRTC" land area and airspace as described in the MOU are beyond the scope of work of the IEC, as defined by Congress in the FY21 NDAA.
 - References to "other concerns" go beyond the FY21 NDAA.
 - The IEC is not a decision-making body but rather a forum for exchanging information.
 - The definition of a "quorum" does not facilitate a decision by a representative group of the IEC.
 - The NDAA states which entities are invited to be members of the IEC. There is no legal authority to add more.
 - Organizational descriptions are inconsistent in the level of detail and may be inaccurate.
- IEC Chair Torres summarized votes and discussions of the IEC thus far that were related to the Fallon Paiute Shoshone Tribe's comments on the MOU.
 - The scope of the IEC was voted on during the IEC meeting on April 20, 2021. The IEC passed a motion 9-1 in favor of the scope of discussion to include current withdrawal, future expansion, airspace, and interconnected ideas.

- The definition of a “quorum” was voted on during the IEC meeting on April 20, 2021. The IEC passed a motion by consensus for a quorum to be constituted as “members present.”
 - The IEC voted 10-0 to allow organizations not specifically called out in the FY21 NDAA to be able to request to be added to the IEC membership. The process included writing a letter addressed to the IEC Chair expressing their desire to participate and outline a connection to the FRTC.
 - Organizational descriptions for counties can be consolidated into one paragraph.
- IEC Chair Torres asked for input and feedback from the tribes for specific actions the IEC could take to improve outreach to tribes to try to increase participation.
- Chairman Serrell Smokey, Washoe Tribe of Nevada and California, stated that it is difficult to secure tribal participation and the IEC should take that into consideration in future actions. He stated it is important for BIA to participate in the IEC, as they hold the titles to tribal lands.
- IEC Chair Torres and IEC Vice-Chair Olsen both reiterated that all IEC members are encouraged to submit agenda items for discussion at future meetings.
- The IEC voted 14-0 to incorporate the comment from the Fallon Paiute Shoshone Tribe to combine the county descriptions in the MOU, in a manner similar to the description of the tribes and as listed in the Charter.
- The IEC voted 9-4 to adopt the IEC MOU as amended. The Fallon Paiute Shoshone Tribe, Yomba Shoshone Tribe, Reno-Sparks Indian Colony, and Washoe Tribe of Nevada and California voted to not adopt the MOU.

Navy Presentation and Discussion

- Captain Evan Morrison, NASF, gave a presentation on the status of the proposed modernization and the Navy’s management of natural and cultural resources.
 - The Navy submitted a legislative proposal for FY 2022 NDAA to modernize the FRTC.
 - There were challenges due to changes in administration and political leadership, both in the Department of the Navy and the Department of the Interior (DOI).
 - The Navy will continue to work with agency partners and Congressional committees to advocate for inclusion of modernization in FY 2022 and continue advocacy in FY 2023.
 - The IEC is a valuable forum for the Navy to hear and discuss the concerns of tribes and stakeholders.
- Mr. Ken Collum, BLM Carson City District, provided an update on the Land Management Evaluation (LME).
 - The Land Management Evaluation for the existing Navy withdrawal was extended. The application is moving through the DOI and is currently with the Secretary of the Interior.
 - If the application for withdrawal extension is accepted, a notice would be published in the Federal Register, which would initiate a 90-day public comment period.
- Captain Morrison continued with the Navy update and proceeded to Natural Resources.
 - **Fire Management Plan:** The last chapters of the plan are in development. The National Environmental Policy Act (NEPA) process would be initiated once the full draft plan has been developed. Public, tribal, and agency stakeholder input on the plan will be requested during the NEPA process. Once the NEPA process is complete, implementation would begin depending on available funds. The Navy is pursuing funds to implement the fire management plan and implementation may begin in FY 2023.
 - **Sage Grouse Noise Study:** The Navy and NDOW will hold a planning meeting in September to define the study parameters.

- **Bravo-17 Bighorn Sheep Hunt Program:** The Navy will work with NDOW this fall to coordinate access for the bighorn sheep hunters as hunting season begins.
 - **Integrated Natural Resources Management Plan (INRMP):** The contract has been awarded to revise specific sections of the INRMP, the wetland management and Dixie Valley agricultural greenbelt management that surrounds the main station, and landscaping planning to integrate Bird Air Strike Hazard (BASH) management. The Navy plans to pursue a full revision of the INRMP in FY 2022 to incorporate all the efforts that have been made in recent years, as well as revise the goals and objectives of the INRMP to meet the current management needs and expectations.
 - **Conservation Law Enforcement Officers:** Two positions have been funded for one year, when the expectation was for the modernization legislation to be passed last year or this year. The Navy has requested a revision to the funding to be for one position for two years due to changes in the timeline. The Navy and BLM are coordinating on the duties of the position and Navy and/or BLM funding.
- Captain Morrison continued with the Cultural Resources update.
 - **Tribal Engagement:** The Navy's tribal engagement team has engaged tribes over 160 times since January 2021, of which 60 of those engagements were in the last two months. Engagement consisted of in-person meetings and phone calls with tribal leadership.
 - **Ethnographic and Class 3 Surveys:** Far Western Anthropological Group has revised the work plans to incorporate tribal comments. The Navy legal team is reviewing the revised version and work will start once an approved contract is complete. The start date is set for early fall 2021.
 - **Programmatic Agreement:** All parties are still working through the programmatic agreement process.
 - **Access Agreements:** The access agreement is being reviewed by the Navy and will be sent to tribes for review by the end of next week.
 - **Integrated Cultural Resources Management Plan (ICRMP):** The Navy continues to execute the current ICRMP for the existing ranges.
- Chairman Arlan Melendez, Reno-Sparks Indian Colony, requested the Navy provide the list of tribal engagement. The Navy will provide the list to the IEC.
- Regarding the bighorn sheep hunt program, IEC Vice-Chair Olsen asked if there has been more work done about antelope being in that area. Captain Morrison stated he will find out more about possible Antelope hunting in the B-17 area.
- Vice-Chair Yvonne Mori, Fallon Paiute Shoshone Tribe, asked if the 160 tribal outreach engagements were for cultural resources and the IEC or for other topics. Captain Morrison responded that outreach was related to all aspects of cultural and natural resources, FRTC modernization, current ranges, and the IEC.

Call for Agenda Items for Next IEC Meeting

- IEC Chair Torres called for any agenda items for next IEC meeting.
- Captain Morrison, NASF, requested Fallon Paiute Shoshone Tribe provide a top five list of specific concerns regarding cultural and natural resources for the current FRTC ranges and the potential modernization so the Navy can address the concerns properly.
- Mr. Dominique Etchegoyhen, DCNR, requested updated maps, which would be helpful as the IEC reviews acreage.

Scheduling of Next IEC Meeting

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

Public Comment

- IEC Chair Torres introduced Ms. Turner (Moderator) who then guided everyone through the guidelines for providing a public comment. Comments were kept to a strict three minutes per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an item.
- The following comments were received during this public comment period:
 - Mr. Wyatt Golding stated that he could hear Vice-Chair Mori very clearly on the phone and suggested it may be an issue with the audio at the Chambers. Ms. Turner apologized for any technology issues and expressed appreciation to Vice-Chair Mori for taking the time to type in her comments.
 - Ms. Janet Brian Weed, working with the Yomba Shoshone Tribe and member of the Reno-Sparks Indian Colony, stated that tribes are sovereign, independent nations recognized by Congress. Tribes need to be dealt with independently under the federal law and recognition. The federal standing rule should not be overridden because this is an IEC meeting.
 - Chairman Serrell Smokey, Washoe Tribe of Nevada and California, stated the importance of these formative stages of the IEC, not to rush, and to have patience to properly set the stage for future work. He also stated the IEC would not overrule existing federal law regarding consultation with sovereign governments; there is still an obligation to the individual tribes that are impacted by naval activities.
 - Captain Morrison, NASF, clarified the IEC does not replace Section 106 Government-to-Government consultation requirements.
 - Chairman Arlan Melendez, Reno-Sparks Indian Colony, stated that the IEC process feels like consultation, especially with agencies wanting to discuss the potential future expansion.
 - Commissioner Bruce Jabbour, Nye County, asked why reaching a BIA representative was so challenging. Since the IEC was a Congress mandate, if BIA continues to be nonresponsive, then the IEC should draft a letter to Congress expressing the request for BIA's participation.

Adjourn

- IEC Chair Torres made closing comments and called for a motion to adjourn. A motion was made and seconded, and all IEC members voted to adjourn.
- The meeting adjourned at 4:15 p.m.

Intergovernmental Executive Committee

November 8, 2021

2:00 p.m. PST

Nevada State Capitol Building Annex, The Guinn Room, 2nd Floor
101 N. Carson St., Carson City, NV 89701

Join the meeting online: <https://mantech.zoomgov.com/j/1606826146>

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

Webinar ID: 160 682 6146

Welcome and Member Roll Call

- Navy
- BLM
- BIA
- NDOW
- DCNR
- County Commissioners
 - Churchill
 - Lyon
 - Mineral
 - Pershing
 - Nye
 - Eureka
- Tribal Representatives
 - Fallon Paiute Shoshone Tribe
 - Walker River Paiute Tribe
 - Yomba Shoshone Tribe
- Tribal Representatives (continued)
 - Pyramid Lake Paiute Tribe
 - Lovelock Paiute Tribe
 - Duckwater Shoshone Tribe
 - Battle Mountain Band Te-Moak Tribe of Western Shoshone
 - Elko Band Council Te-Moak Tribe of Western Shoshone
 - Fort McDermitt Paiute and Shoshone Tribes
 - Reno-Sparks Indian Colony
 - South Fork Band Council Te-Moak Tribe of Western Shoshone
 - Washoe Tribe of Nevada and California
 - Wells Band Council Te-Moak Tribe of Western Shoshone
 - Winnemucca Indian Colony of Nevada
 - Summit Lake Paiute Tribe
 - Te-Moak Tribe of Western Shoshone
 - Yerington Paiute Tribe

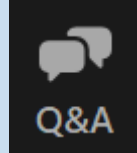
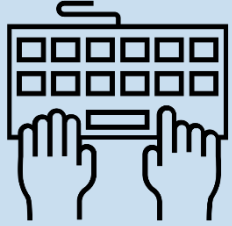
Nov. 8, 2021 IEC Agenda

- Call to Order, Welcome, and Member Roll Call
- Verification of Agenda Posting
- Approval of Agenda
- Public Comment
- Old Business
 - BIA participation in IEC
 - Participation forms
 - Final IEC Charter and MOU routing for signature
- Approval of Aug. 31 Meeting Minutes
- Discussion/Possible Action: Top Five Concerns of Fallon Paiute Shoshone Tribe Regarding Cultural and Natural Resources on FRTC Ranges
- Discussion/Possible Action: Navy Update
 - Legislative Update
 - Natural Resources
 - Tribal Cultural Survey
 - Tribal Engagement
- Call for Agenda Items for Next IEC Meeting
- Scheduling of Next IEC Meeting
- Public Comment
- Adjourn

Commenting Instructions

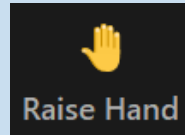
USING ZOOM DESKTOP OR MOBILE APPLICATION

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.

Old Business

- BIA participation in IEC
 - Agreed to participate as IEC member
- Participation Forms
 - Update as needed and return to IEC Liaison
 - Received from:
 - BLM
 - BIA
 - NDOW
 - NDCNR
 - Navy
 - Churchill County
 - Lyon County
 - Mineral County
 - Pershing County
 - Nye County
 - Eureka 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

Old Business

- Final IEC Charter and MOU
 - Routing for signature

Approve Aug. 31, 2021 Meeting Minutes

- Changes since draft version:
 - Minor corrections made.
 - Walker River Paiute Tribe requested additional language be added regarding the nature of the Fallon Paiute Shoshone Tribe's comments on IEC Charter and MOU.
 - Walker River Paiute Tribe requested a record of who voted against adopting the IEC Charter and MOU.
- Revised meeting minutes are included in IEC November meeting package.



Fallon Paiute Shoshone Tribe Cultural Resources Presentation

Veterans

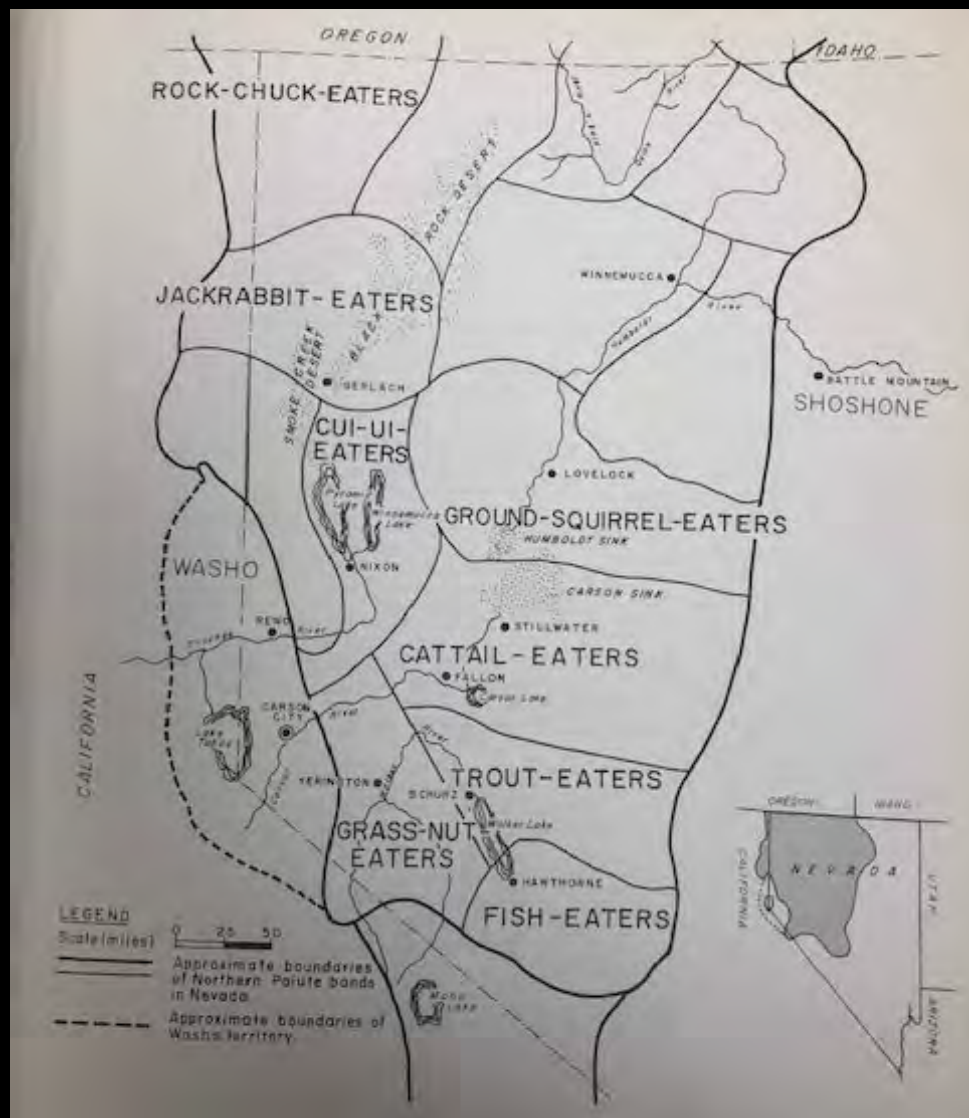


Great Basin Tribes



People of the Marsh





Toi – Tule
 Cui-ui – Cui-ui Fish
 Agai – Trout
 Kammu – Jackrabbit
 Kedu - Groundhog

Toi Ticutta Band



Toi – Tule
Ticutta - Eater



Our Homelands Give Us Life









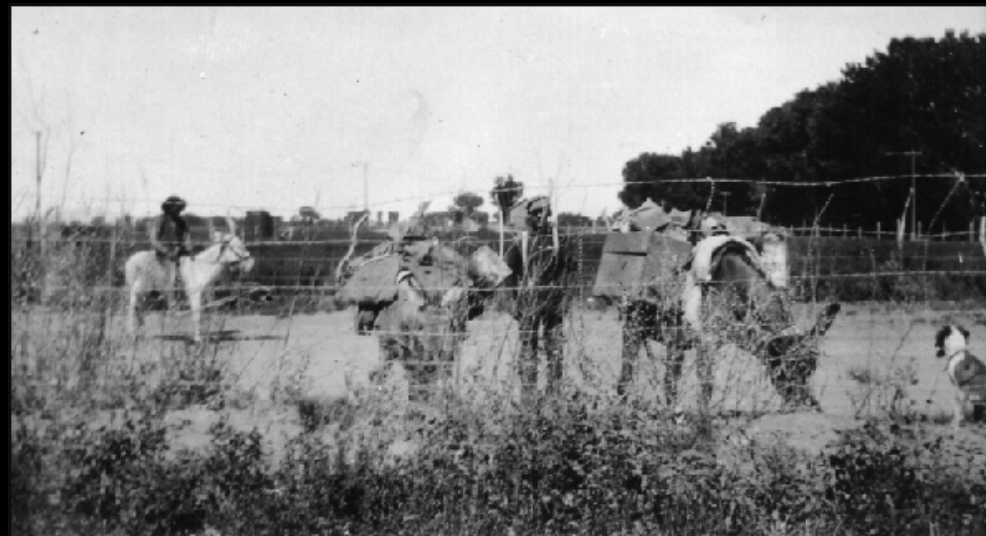


Tools for Life

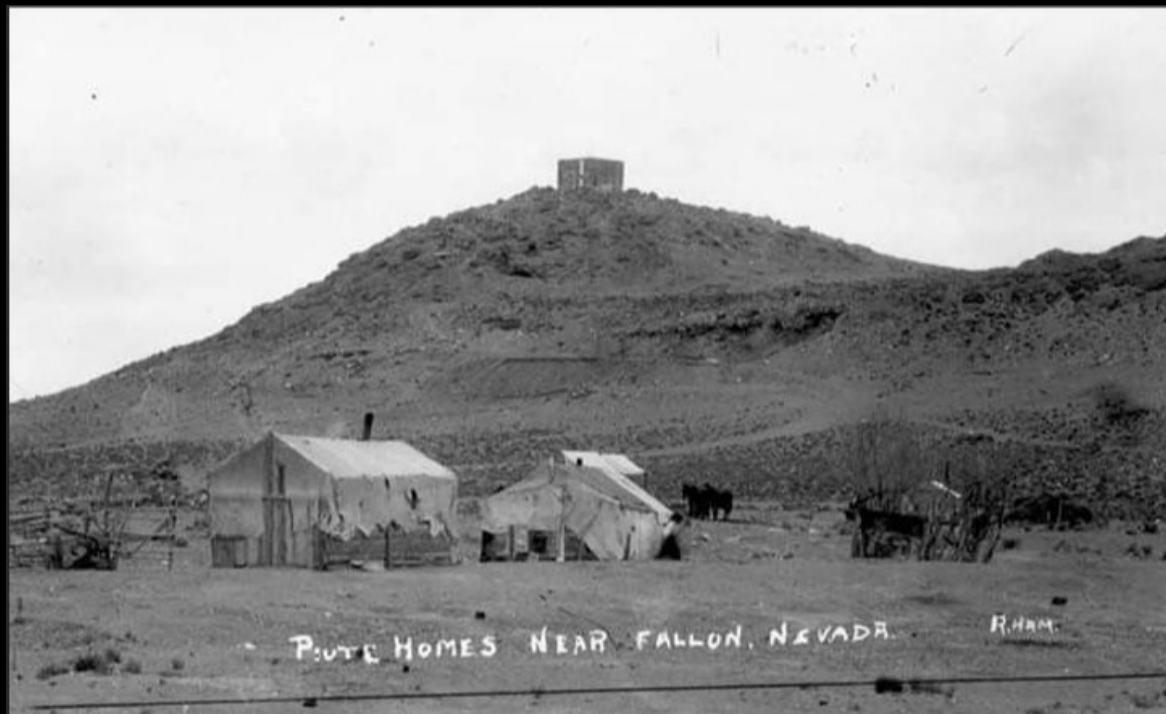




Tribal Reservation Establishment



Fallon Colony



Sacred Sites

- Some are visited daily
- Some annually
- Some seasonally
- Some are never visited – or only visited by certain people.
- All are equally important



Fox Peak



Sand Mountain



Sand Mountain Alert!

Don't buy gas at Fox Peak



The owner of Fox Peak gas station is the Fallon Paiute Shoshone Tribe. The tribe has been active in the effort to close down OHV access at Sand Mountain. Buying gas somewhere else will send them a message that we will not support them if they don't support us.

Fairview Mountain



Dixie Valley



Dixie & Rawhide Hot Spring



Wolf's Head



Dick and Doc on Lone Rock, 6 November 1986



Figure 109.

Jimmy George with some of the material that were part of his doctoring kit (pipe, kit fox, skunk pelt). He did not ordinarily wear sagebrush bark clothing when he doctored. Photograph by Sven Liljeblad, ca 1958.

Ordinance Impacts

- Annually, approximately 1.5 million individual pieces of ordnance, such as bombs, rockets, missiles and projectiles are expended on current FRTC ranges.
- These are largely left in and on the ground. No known removal or remediation.
- Due to the large quantity of ordnance, including unexploded bombs, impact areas are considered “no-go” lands.



Bravo 20

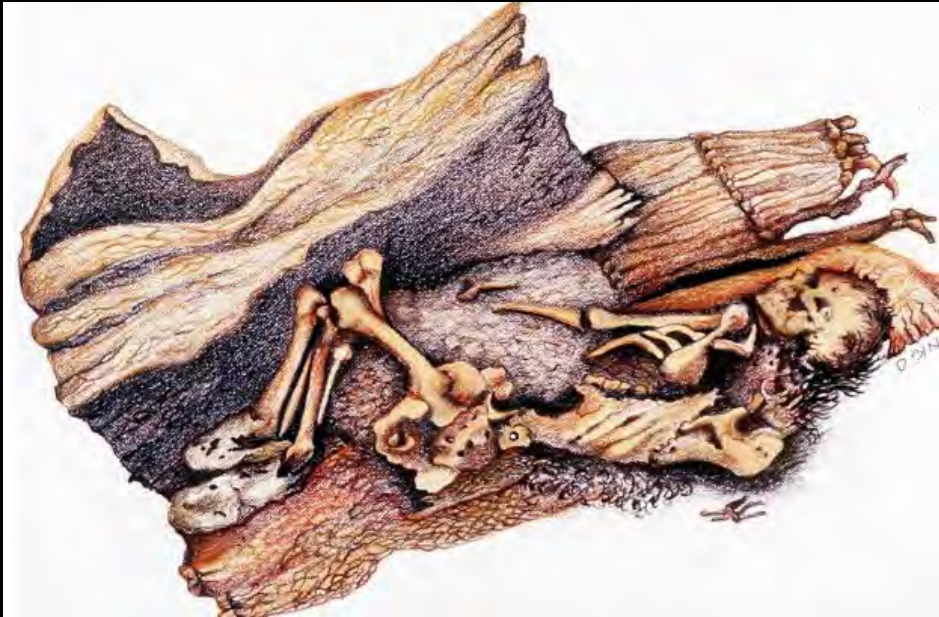


TARGET DEBRIS AND BOMB CRATER



Burial L-8/3 from site 26CH1050 in Stillwater Marsh, 1987.
Photograph by Donald R. Tuohy. (Courtesy U.S. Fish and
Wildlife Service, Fallon, Nevada)

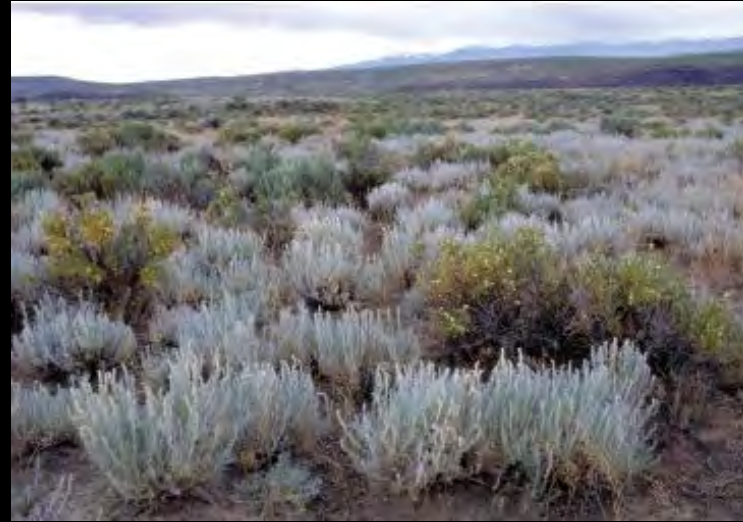
Spirit Cave



Sacred Ground



Native Plants



Species



Cultural Adaptation and Contemporary But Still Paiute/Shoshone







The Devastating Impacts of the Existing NAS Fallon Base and Training and Why an Expansion is a Threat to Tribes' Existence

- 1) Without access to our ancestral lands and cultural resources, our way of life ends
- 2) Without access to our ancestral lands and cultural resources, we lose our culture and identity
- 3) Permanent and irreplaceable damage to cultural resources from training
- 4) Permanent and irreplaceable damage to burials from training
- 5) Loss of public lands while harming surrounding lands through unfortunate environmental impacts

Cultural Resources Are Important

- Cultural Resources are Irreplaceable
- Cultural Resources tie us to our homeland
- We are responsible to protect the resources for our future generations just as are ancestors protected for us.





Naval Air Station Fallon

Intergovernmental Executive Committee Update

CAPT Evan Morrison
Commanding Officer
November 8, 2021



FRTC Modernization



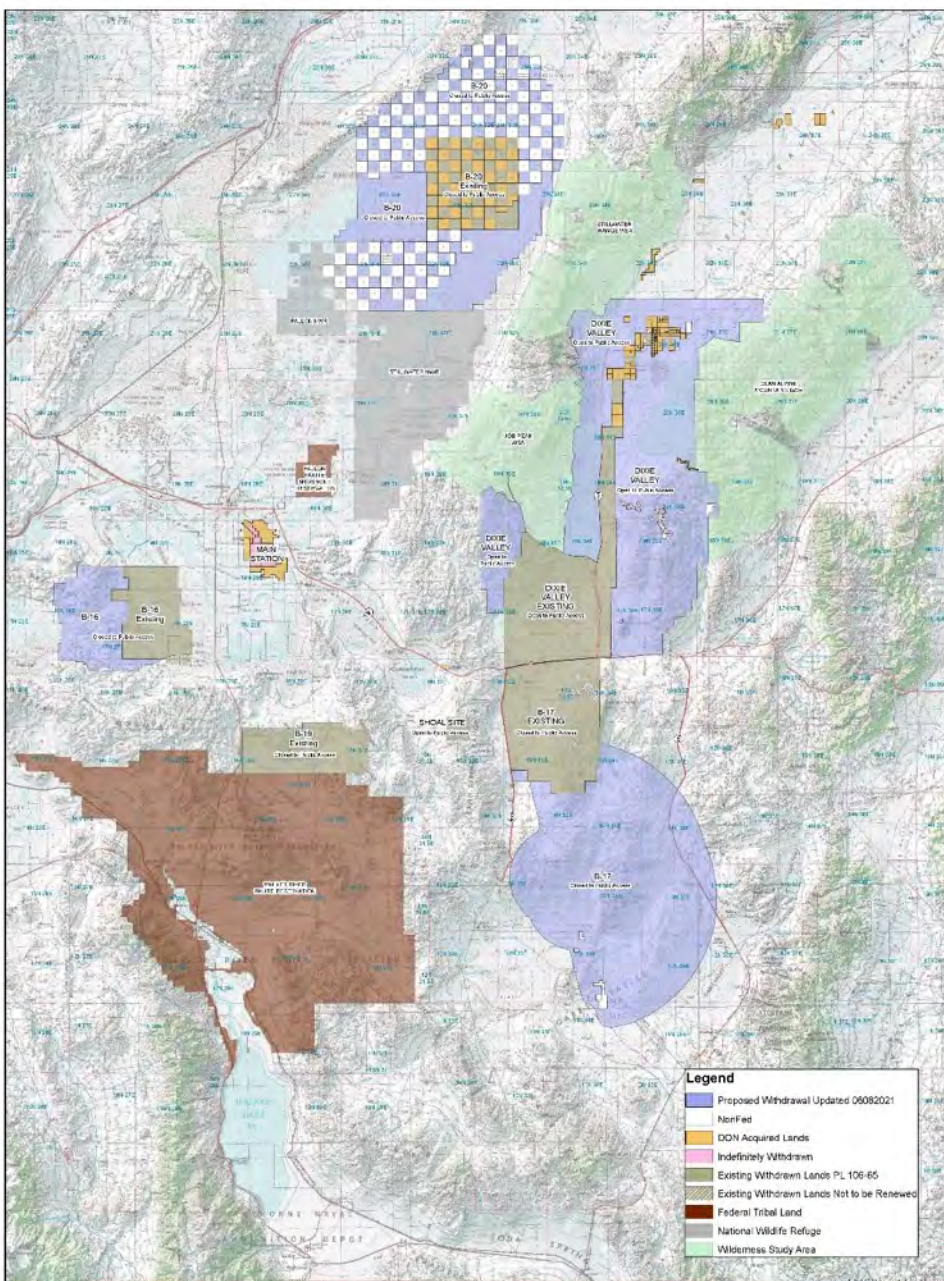
- Navy working on modernization legislation with the Nevada Delegation and the committees of jurisdiction for Congressional consideration in the 2022 NDAA
- Navy focus will continue to be implementation the Record of Decision (ROD) obligations and working with the Intergovernmental Executive Committee (IEC)
- The current and future gaps in training naval aviation and special warfare personnel still exist and the significant challenges to readiness have not been resolved



NAS Fallon and Fallon Range Training Complex Acreage



FRTC Modernization Land Summary			
Range	Current Acres	Proposed Additional Acres	Total Proposed Acres
B-16	27,359	31,515	57,795
B-17	53,572	187,811	241,360
B-19	29,012	0	29,012
B-20	41,005	174,393	215,398
Dixie Valley	80,121	201,876	281,997
Totals	231,069	595,595	825,562



73

Fallon Range Training Complex Modernization



Prepared by NAVFAC SW Cadastral
By: JRS/JSED
Date: 06/08/2021
File Name: Fallon_Withdrawal_06082021



Natural Resources Update

NAS Fallon, Public Works Department

Ann Schofield

Natural Resources Manager

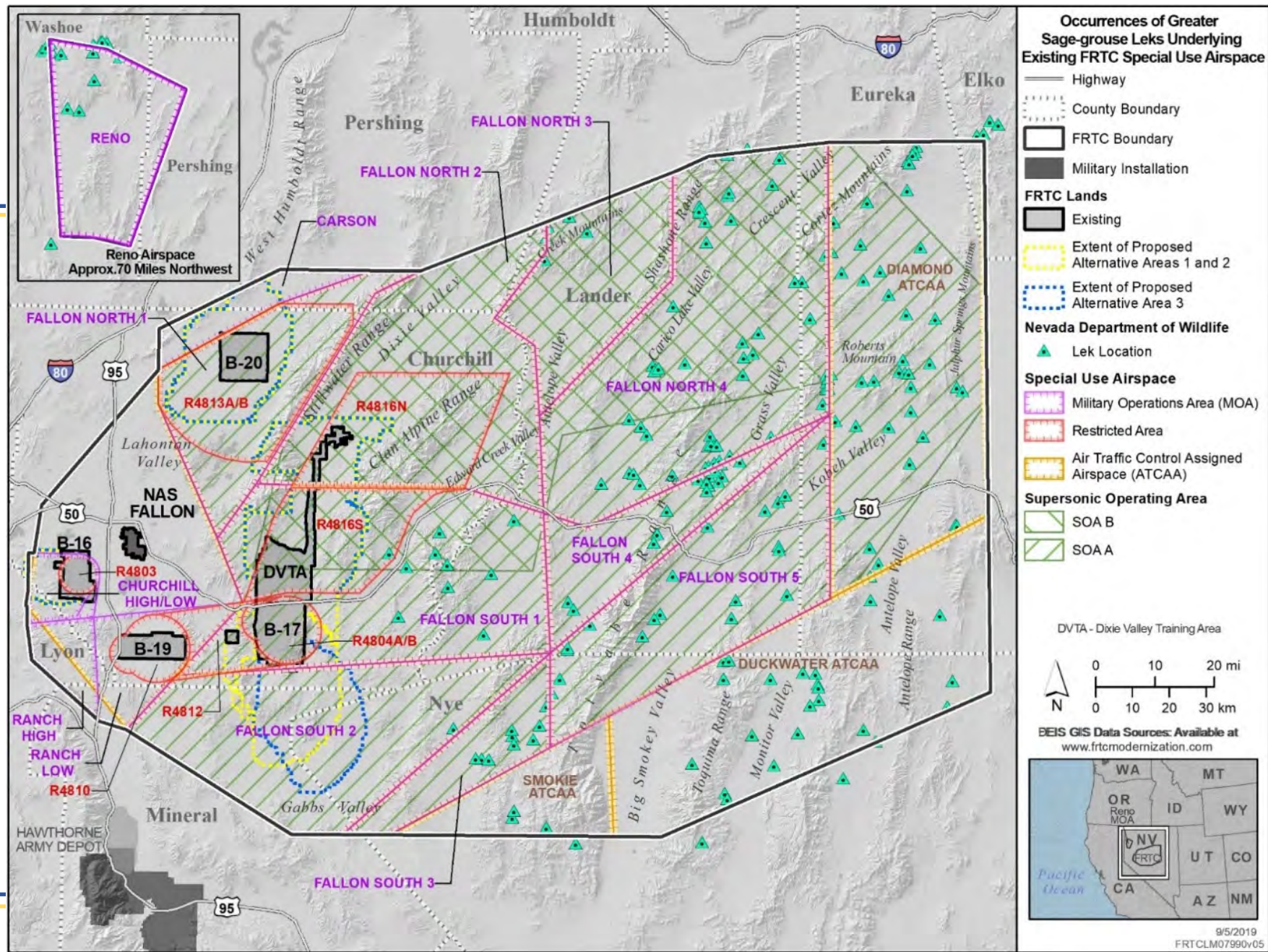


Sage Grouse Noise Study



- Study to evaluate whether change in overflight impacts Sage Grouse
 - Lowering Airspace floor in eastern MOAs
 - Sage grouse habitat located under airspace – east of bombing ranges
- Navy collaborating with NDOW, USGS, USFWS
 - Noise study design in progress
 - USGS will lead study implementation
 - Funding for study in FY22





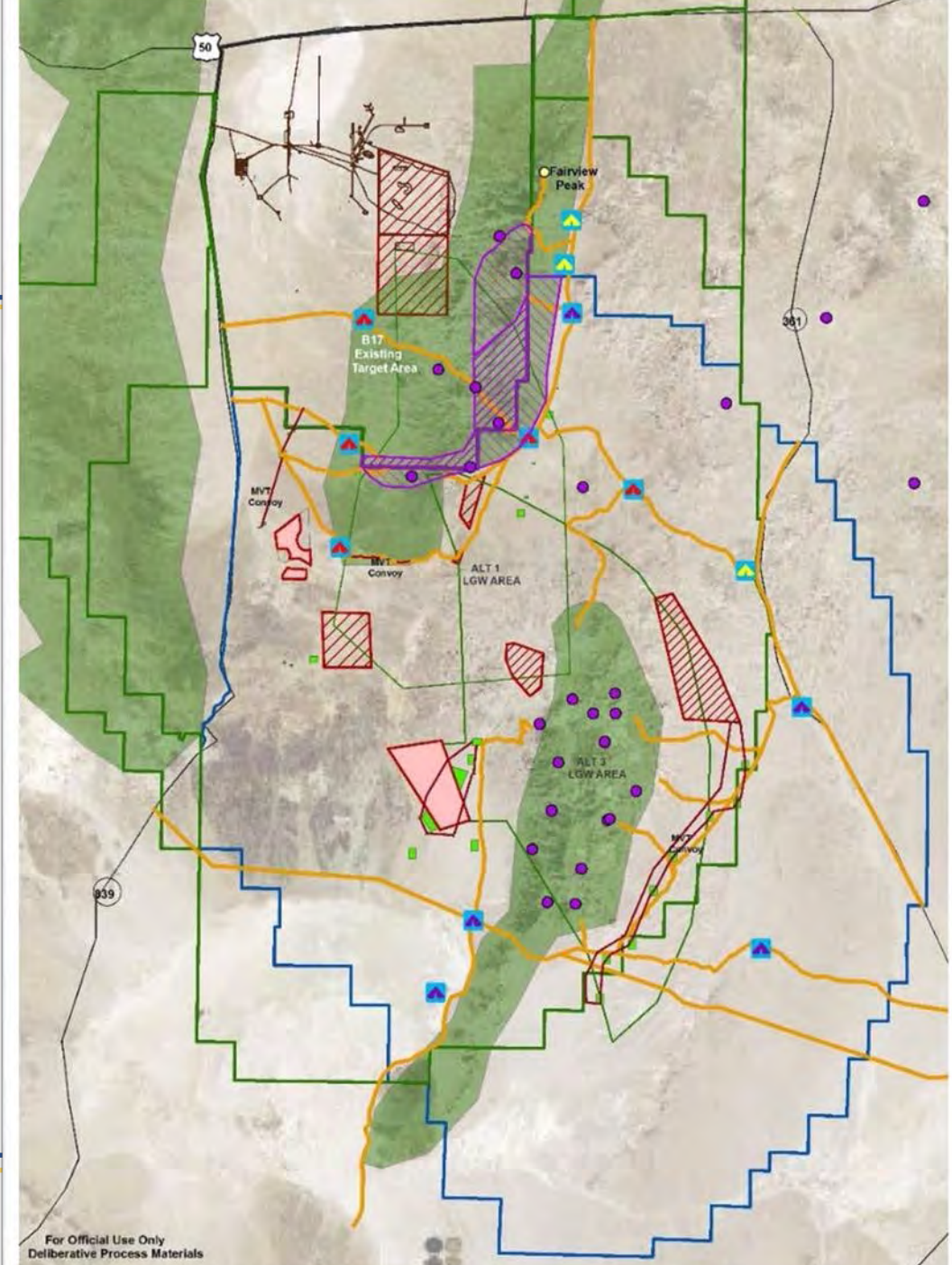
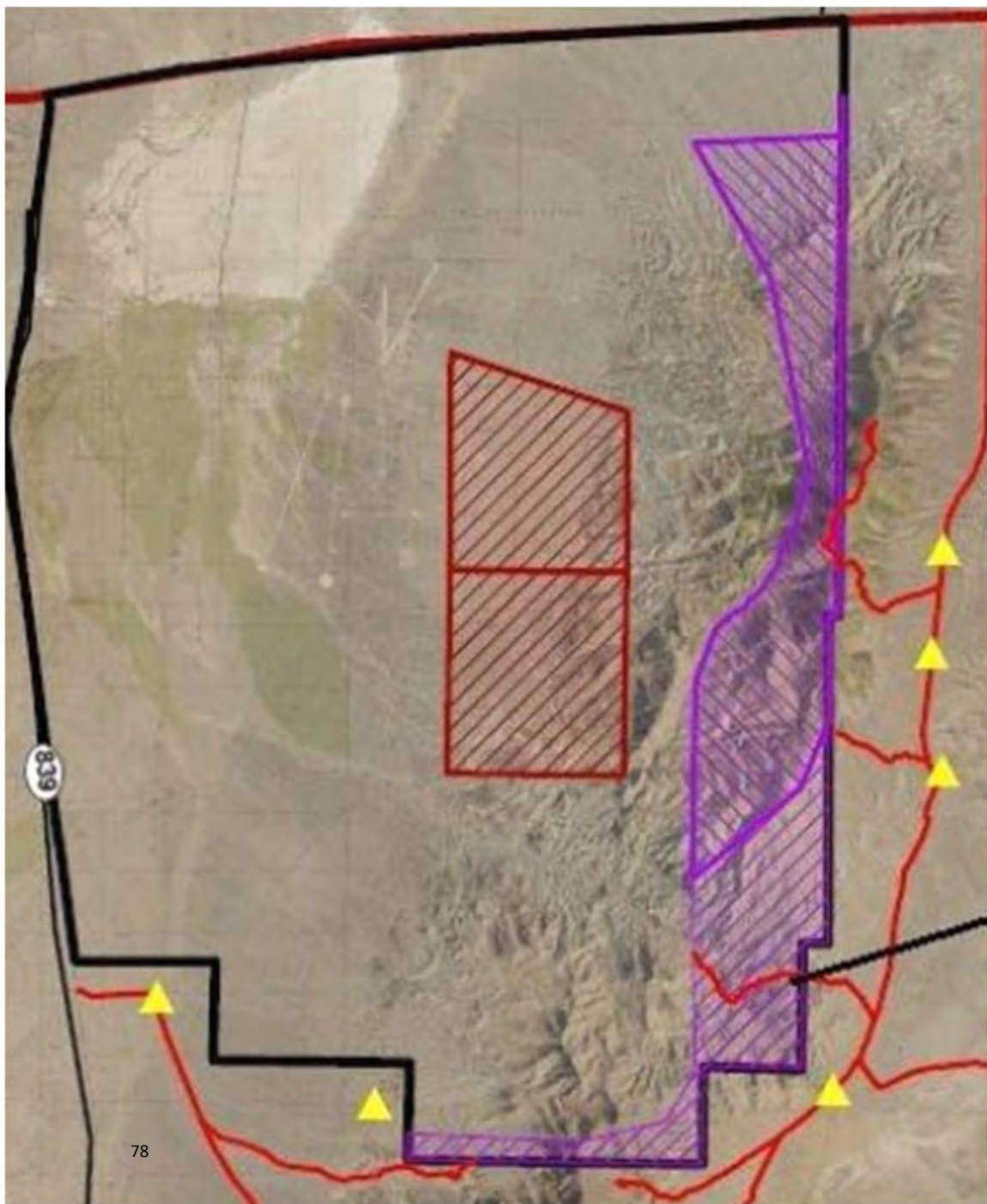


B17 Bighorn Sheep Hunt Program



- Annual NDOW Bighorn Hunt on B17
 - Current NDOW Navy cooperative agreement- signed 2000
 - Cooperative agreement (MOA) being updated to address proposed expansion
 - MOA is in final draft, awaiting modernization approval for signature







Conservation Law Enforcement Program



- ROD commitment – Two Conservation Law Enforcement Officers (CLEO) with modernization approval
- Funding planned in FY22 – partner with BLM Law Enforcement
- Need for CLEO on existing Navy lands
 - B17 bighorn sheep hunt support
 - Monitor sensitive natural and cultural resources
 - Outdoor recreation on open Navy lands

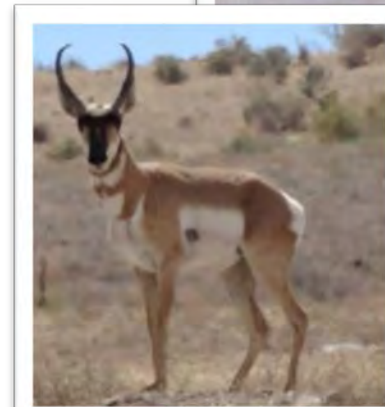




Integrated Natural Resources Management Plan



- Current INRMP Update Efforts
 - Existing lands management updates in progress
 - Agricultural program and greenbelt plan development
 - Dixie Valley wetland and sensitive species management
 - Landscaping guidance – reduce Bird Aircraft Strike Hazards
- INRMP Revision
 - Revision has been waiting for modernization approval
 - Looking at FY22/23 for plan revision
 - New Operation & Effect signatures

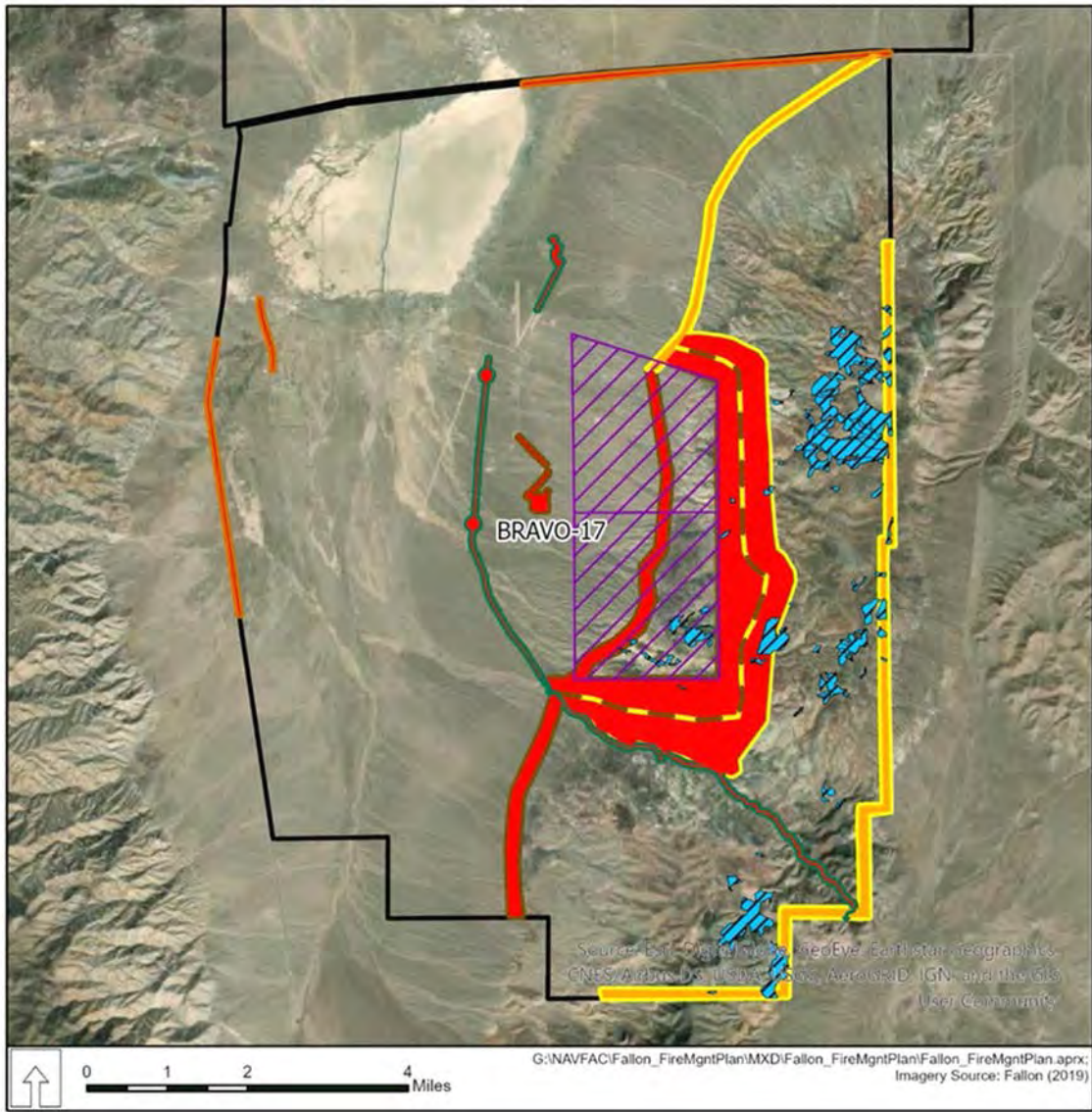




Wildland Fire Management Plan

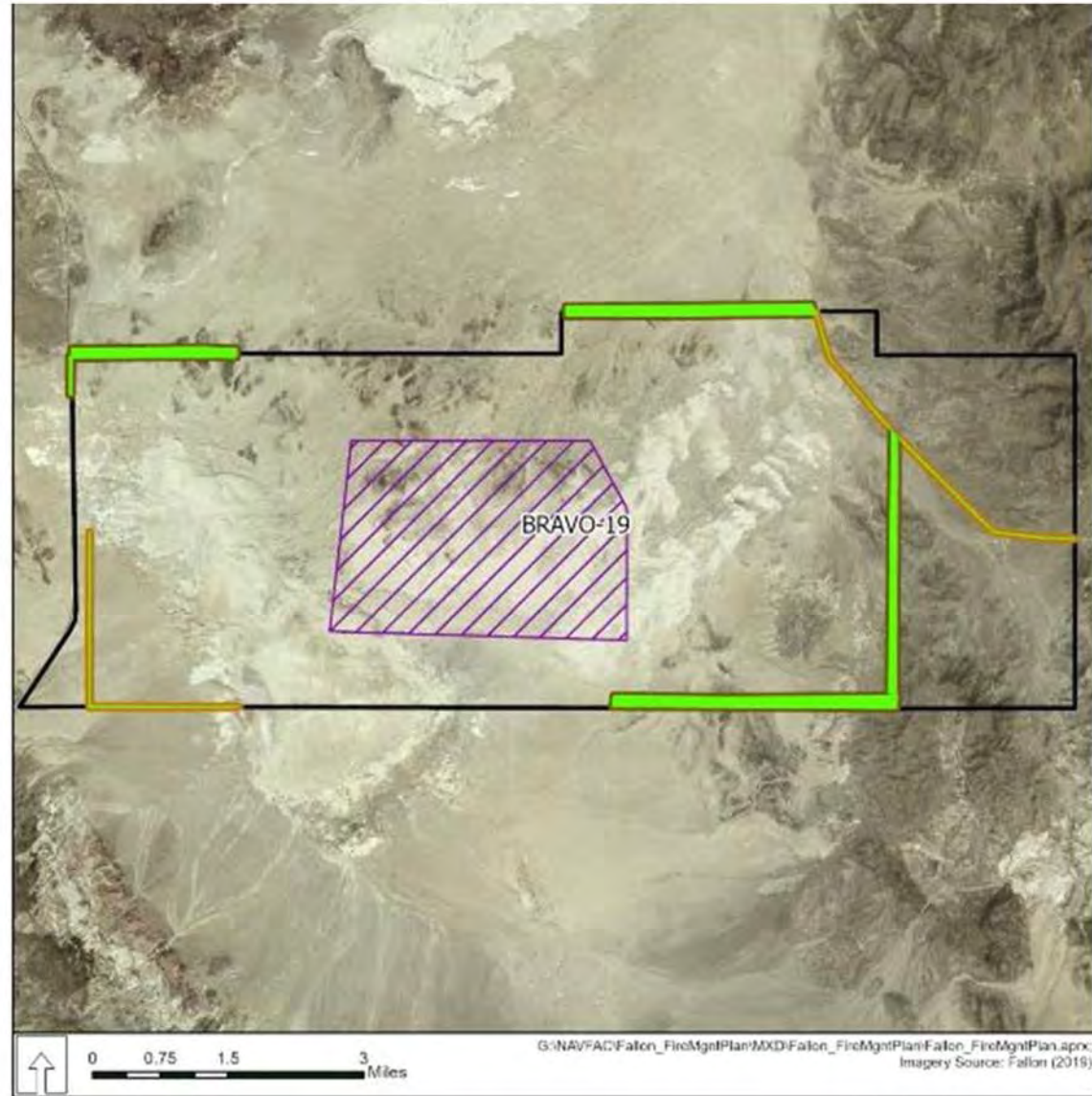
- WFMP for current ranges in progress
 - Fuel breaks identified
 - Final draft for review – Dec 2021
- NEPA review of WFMP- Environmental Assessment
 - EA to begin in 2022
- Implementation of WFMP
 - Fuel breaks implement by prioritization
- Revision of WFMP
 - required if FRTC modernization approved
 - Incorporate new lands; identify new fuel breaks





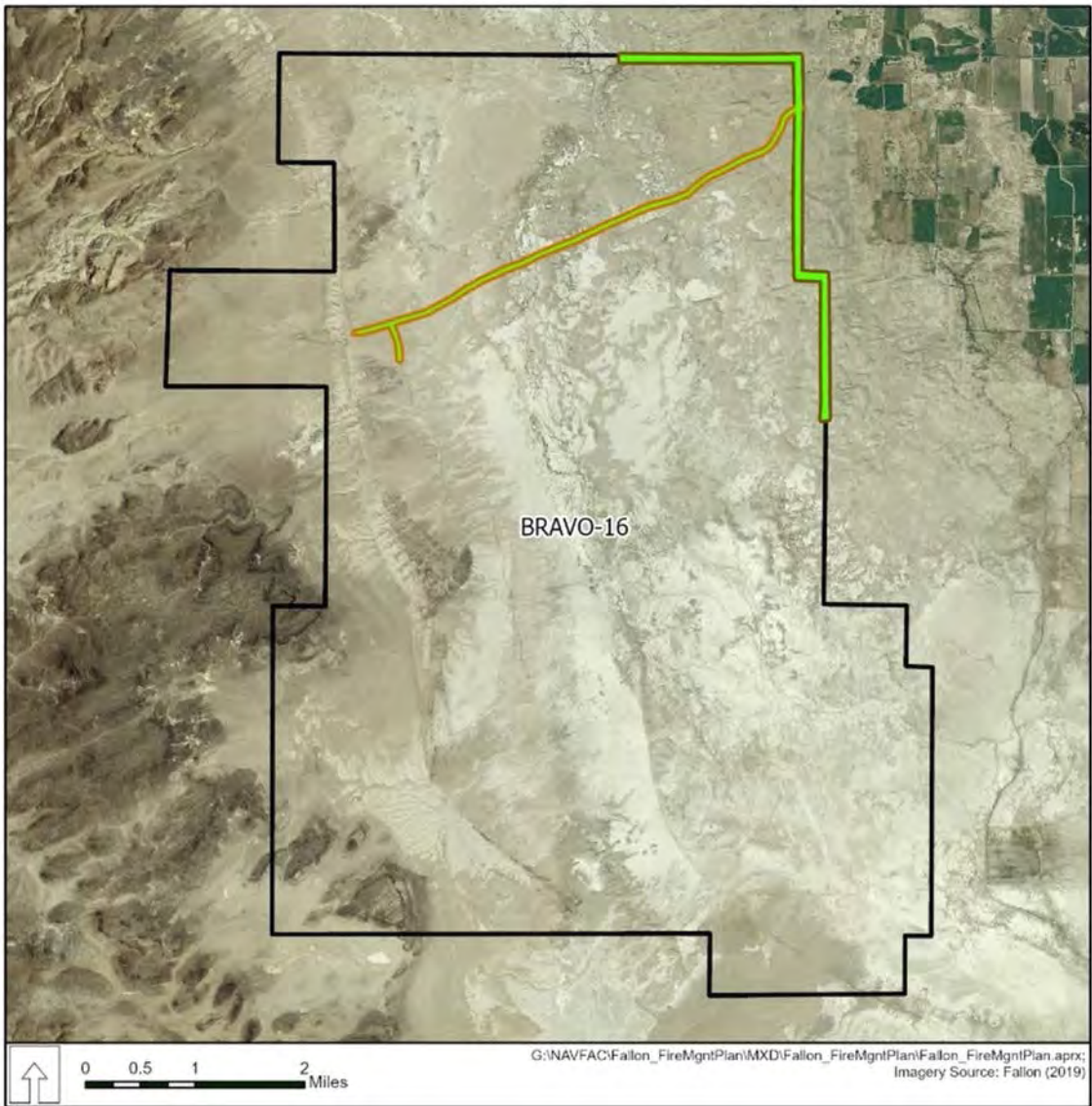
Legend

- | | |
|---|---|
| <ul style="list-style-type: none"> Installation Boundary High Explosive Impact areas Type <ul style="list-style-type: none"> Aerial Brownstripping Aerial Greenstripping Roadway or Fenceline Brownstripping Roadway or Fenceline Greenstripping | <ul style="list-style-type: none"> Priority <ul style="list-style-type: none"> Moderate High Vegetation <ul style="list-style-type: none"> Single-leaf pinyon-Utah juniper |
|---|---|



Legend

- | |
|---|
| <ul style="list-style-type: none"> Installation Boundary High Explosive Impact areas Type <ul style="list-style-type: none"> Aerial Brownstripping Roadway or Fenceline Brownstripping Priority <ul style="list-style-type: none"> Low |
|---|



Legend

Installation Boundary

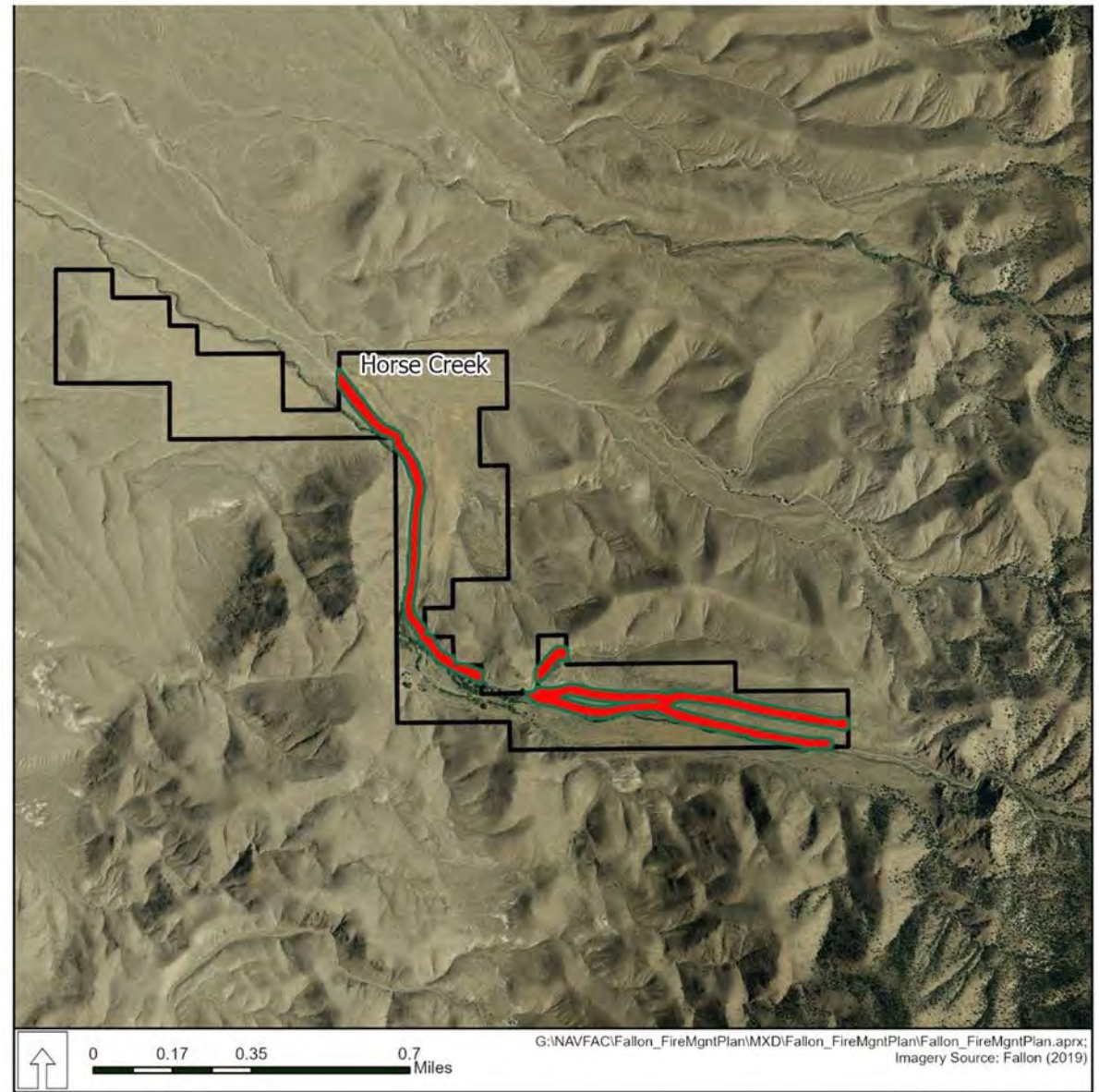
Type

Aerial Brownstripping

Roadway or Fenceline Brownstripping

Priority

Low 83



Legend

Installation Boundary

Type (Managed By)

Roadway or Fenceline Greenstripping

Priority

High



Cultural Resource Program Update



Fallon Range Training Complex Modernization Inventories B-20



- Inventory of 117,000 Acres of the B-20 Range expansion associated with the modernization is underway.
- Inventory is being conducted by Far Western.
- Inventory is being conducted by four crews made up of four individuals.
- A Native Monitor is assigned to each crew. The role of the monitor is to assist the crew in their duties and identify cultural properties that may not be recognizable to non-Native American crew members.
- Inventory is starting in the SE corner of the inventory area.
- Inventory is expected to take approximately two years.



Fallon Range Training Complex Modernization Inventories B-16



- The proposed modernization area associated with the B-16 Range was 100% inventoried as part of the EIS process.
- Inventories covered approximately 22,538 acres
- Documented or re-documented approximately 375 cultural properties
- B-16 boundary fence cultural resource report is in the process of being prepared. Current plans for the fence take into consideration commitments made during the EIS. It has been redesigned to avoid impacting National Register Eligible properties.



Fallon Range Training Complex Modernization Inventories B-17



- Approximately 12,389 acres of inventory was conducted as part of the FRTC EIS effort.
- Documented or re-documented approximately 511 cultural properties.
- Additional inventories are being planned for B-17. The first will start this fiscal year and will be up to 145,000 acres in size.



Fallon ICRMP and PA Development

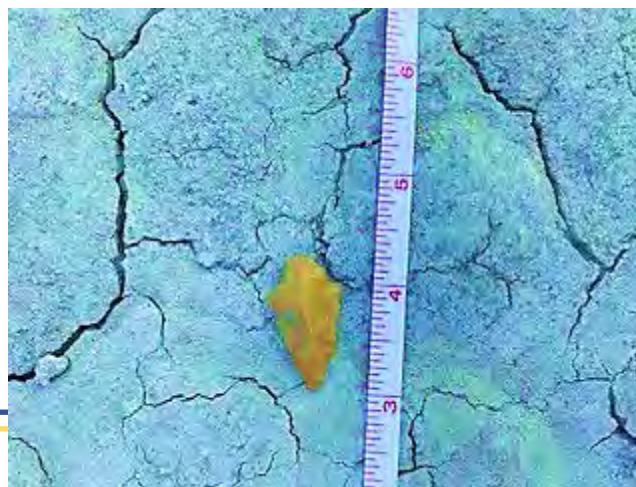


- A new Programmatic Agreement (PA) is being developed. It will be fundamentally consistent with the protocol agreement currently being used by the Bureau of Land Management.
- Development of a new Integrated Cultural Resources Management Plan (ICRMP) is being planned for. Its development will begin after outcome of FRTC is determined.



Tribal Engagement Program NAS Fallon

Kish LaPierre, MA, RPA
Tribal Liaison Officer





NAS Fallon Tribal Program



- Tribal Program was established Fall 2020
- Tribal Managed Access Agreement (MOA)
- Preliminary Assessments for Off Range Ordnance
- Archaeological and Ethnographic Studies Tribal Involvement
- Reporting Noise Complaints to NAS Fallon
- B-16 Site/Salt Caves Visits with Walker River and Fallon THPO's
- Tribal Economic Development Training



NAS Fallon Tribal Program



- Tribal Access MOA has been reviewed by Navy legal staff in Washington D.C. and a revised draft was delivered to the Tribes on 29 September 2021.
- Off Range Ordnance on Walker River Paiute Reservation PA Study is being prepared to be delivered to the Tribe.
- Cultural Studies kicked off with the Tribes in July 2021 (Ethnographic) and October 2021 (Archaeological).
- Noise complaints from the Tribes are collected by the Navy and investigated internally.
- The Navy conducted to Range visits this Fall for THPO's part of Section 106 projects.
- Tribal Economic Development Training took place in September and was well received.



Too Loud, Too Low, Too Frequent?



NAS (Naval Air Station) Fallon is
here to help!

If you witness a low-flying aircraft
in your area that you believe is due
to military activities, notify us
immediately!

Give as many details as possible
such as date, time, location, type of
aircraft, etc.

Photos and/or videos are helpful!

**NAS Fallon-Noise Complaint
Hotline (775) 426-2419**



THPO's Site Visit to B-16





THPO's Site Visit to B-16





THPO's Site Visit to B-16





Walker River THPO Site Visit to Salt Caves





Walker River THPO Site Visit to Salt Caves





Walker River THPO Site Visit to Salt Caves





Thank You Tribal Partners



- Thank you to Ms. Elveda Martinez for coordinating the THPO visit to the B-16 Range for the preliminary assessment for the Section 106 Project;
- Thank you to Ms. Misty Benner Walker River THPO for her valuable input and time spent out on the Range and at the Caves;
- Thank you to Ms. Rochanne Downs Fallon Paiute Shoshone THPO for her visit out to B-16 and valuable information and recommendations;
- Thank you Council Chairs and Council Members for your continued willingness and hard work with the Navy!

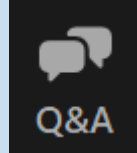
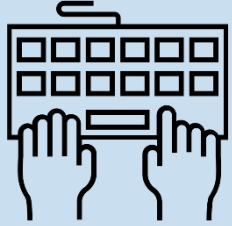
Next IEC Meeting

- Call for agenda items
- Schedule next meeting
 - Proposed Date: Last two weeks of January 2022
 - Location

Commenting Instructions

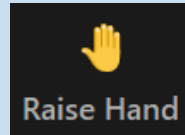
USING ZOOM DESKTOP OR MOBILE APPLICATION

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!