

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, February 20, 2010  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

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CALL TO ORDER. At 8:18am, the Council Meeting was called to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; Director of the Natural Resources Department, William Cowan; and Natural Resources Department Wildlife Biologist, Rachael Brown, were present.

REPORTS

a. Council

- I. Chairman. Chairman Warner Barlese advised he had no report but would be making comments throughout the Council Meeting.
- II. Vice-Chairman. Vice-Chairman Ernie Barlese advised he had no report.
- III. Secretary/Treasurer. Secretary/Treasurer Jerri Lynn Barlese advised the Council on the segments of the EPA Tribe Regional Tribal Operations Caucus (RTOC) and the Tribal Leaders Round Table she attended February 2-4, 2010, on the Susanville Indian Rancheria, California.

b. Natural Resources Department

William Cowan, Director, gave a written and verbal report.

Rachael Brown, Wildlife Biologist, gave a report on the development of the Tribe's Horse Management Plan which is not to be confused with the BLM's Wild Horse Capture operations, and the BLM's capture of the wild horses it manages that have trespassed the Summit Lake Reservation.

Chairman Warner Barlese discussed the ugly emails the Tribe has received from people who believe the Tribe is trying to capture its horses and send them to the BLM holding corrals in Fallon, Nevada, and then somewhere to the East Coast.

CONSENSUS At 8:40am, it was the consensus of the Council that the Tribe's policy on BLM managed horses that trespass the Reservation is zero tolerance; that the Tribe lacks sufficient land and forage to support its own horses and the public's trespassing horses.

William Cowan and Rachael Brown discussed the opportunity to partnership with the U.S. Department of Interior's U.S. Fish and Wildlife Service, Sacramento Region Office and Reno Office, on a Connecting People with Nature grant in June or July 2010 on the Summit Lake Reservation and the Territory of the Tribe. Environmental Coordinator Ron Johnny commented that he would like to partnership as well since the GAP Grant was not able to conduct Earth Day activities on the Summit Lake Reservation in April of each year because of the usual weather and road conditions on Earth Day.

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(At 8:58am, Rachael Brown completed her presentation.)

Director Cowan discussed the data the Tribe collected from the 2009 spawn run of the Lahontan Cutthroat Trout and asked the Council to set 2010 Fish Harvest Limits based on that data.

Council Members discussed increasing and lowering the Fish Harvest Limit for 2010 as compared to previous years.

**CONSENSUS** At 9:07am, it was the consensus of the Council to set the 2010 Fish Harvest Limits at five (5) for adults and two (2) for minors.

Department Director Cowan and Environmental Protection Department Director Johnny discussed with the Tribe the need to have the Council approve Job Announcements/Job Descriptions where the Council had approved same at the Tribe the approved the grant application containing the Job Announcements/Job Descriptions like the Noxious Weed Technician and Noxious Weed Technician Crew Lead Job Announcements/Job Descriptions in the Tribal Wildlife Grant application approved by the Council and funded by U.S. Fish and Wildlife Service.

**CONSENSUS** It was the consensus of the Council that in the future no Job Announcements/Job Descriptions contained in a contract or grant application approved by the Council need come before the Council again, and that Department Directors are authorized to make minor changes to the Council approved grant and contract application Job Announcements/Job Descriptions.

Director Cowan then discussed the following, previously Council approved, Job Announcements/Job Descriptions: Noxious Weed Technician; Noxious Weed Technician – Crew Leader; Maintenance Worker (Fisheries); and Maintenance Worker (Range, Roads, etc.).

(At 9:27am, Ron Johnny left the meeting.)

(At 9:30am, Ron Johnny entered the meeting.)

(At 9:34am, Ron Johnny left the meeting.)

(At 9:36am, Ron Johnny entered the meeting.)

(At 9:39am, Ron Johnny left the meeting.)

(At 9:43am, Ron Johnny entered the meeting.)

**EXECUTIVE SESSSION** It was the consensus of the Council to go into Executive Session from 9:44am to 9:50am.

(At 9:50am, the Council automatically came out of Executive Session.)

**MOTION** Motion by Council Secretary/Treasurer Jerri Lynn Barlese to introduce and enact Resolution "Approval of a Desert Terminal Lakes Fund Contract between the Bureau of Reclamation

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and the Summit Lake Paiute Tribe pursuant to the Indian Self Determination and Education Assistance Act, as amended.” Motion seconded by Council Member Jerry Barr. The Council asked Director William Cowan to read the Resolution aloud and he did. Vote called. VOTE: 3 For, 0 Against and 0 Abstaining. At 9:57am, Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and Resolution SL-05-2010 was enacted.

Natural resources Department Director William Cowan discussed with the Council the tribal consultation and protection of ceremonial sites from pollution paragraph contained in BLM’s recent notice of availability of Geothermal Leases. Environmental Protection Department Director Ron Johnny reminded the Council that the content of the paragraph was, so far, after several consultation sessions and was a continuing work in progress.

BREAK            At 10:03am, it was the consensus of the Council to take a five minute break.

CALL BACK TO ORDER. At 10:08am, the Council Meeting was called to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; Director of the Natural Resources Department, William Cowan, were present.

Natural Resources Department Director Report continued.

(At 10:22am, Vice-Chairman Ernie Barlese left the meeting.)

BREAK            At 10:47am, it was the consensus of the Council to take a 10 minute break.

CALL BACK TO ORDER. At 10:57am, the Council Meeting was called to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; Director of the Natural Resources Department, William Cowan, were present.

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- c. Acting Chief Administrative Employee (ACAE). ACAE Johnny gave a verbal report on his activities as the Acting Director of the Personnel and Administration Departments and Acting Indian Child Welfare Act worker, including: repeatedly talking with a tribal member who is anxiously awaiting her next Higher Education Contract payment for the college winter Semester she is attending; reading the non-environmental aspects of the FERC (Federal Energy Regulatory Commission) Final Environmental Impact Statement on the Ruby Pipeline Project; contacts with state welfare agencies in cases where it is believed the child may be an Indian Child as defined by the Indian Child Welfare Act (enrolled or eligible for enrollment); communications with the Tribe's GSA Field Representative concerning replacement vehicles in April or May and the Natural Resource Department's need for a spray liner in the bed of G63 2115H; working with Jeff Ulrich, District Manager, Santa Rosa District, for a Government-to-Government Consultation session on the Forest Service's new Native American remains reburial policy for the March 20 Council Meeting; attending the U.S. Department of Justice Sex Offender Registry Training and preparing a interim Sex Offender Registry web site policy after getting Council permission to implement the Sex Offender web site; .
- d. Environmental Coordinator (Director, Environmental Protection Department). Director Johnny gave a verbal report, including: he attended the February 2-4, 2010 EPA Tribe Regional Tribal Operations Caucus (RTOC) sponsored by the Susanville Indian Rancheria on the Rancheria, and the segments of the RTOC he attended, and that he traveled to the RTOC on February 1 and returned to the office before the end of the business day on February 4; reading the environmental aspects of the FERC (Federal Energy Regulatory Commission) Final Environmental Impact Statement on the Ruby Pipeline Project that affect the Summit Lake Reservation and Territory of the Tribe; the increasing workload caused by the FERC Final EIS and his continuing inability to complete all components of each of the Work Plan's Components and complete the End-of-Year Report for the 2008-2009 GAP Grant; working with the Tribal Accountant on the GAP Grant's budget for internal purposes; Web Site Updates; networking with groups and federal agencies that have filed negative comments on FERC's Draft and Final EIS and the plan of Recology to dump trash (dry) and garbage (wet, including 20% mined human waste) within the Territory of the Tribe 25 miles west of Winnemucca and the pollution possibilities of such a project; working with BLM's Winnemucca District Office Manager and the new Tribal Liaison to schedule a Government-to-Government Consultation session for today's Council Meeting; working with the Natural Resources Department on a partnership with the U.S. Department of Interior, U.S. Fish and Wildlife Service Sacramento Region Office and Reno Office for a June or July 2010 "Connecting People with Nature and the Environment," and how this would help meet one the Work Plan Components of the GAP Grant since weather and road conditions usually prevent the GAP Grant from having Earth Day activities on the Summit Lake Reservation; the need to have the Landlord spray the Environmental Coordinator's office, and the other offices, for ants; networking with Tribes on the Recology/Jungo Landfill environmental issues; attending the February 11, 2010 Meeting of the Humboldt County Regional Planning

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Commission in Winnemucca; working from 10:30am to 11:32pm, Saturday, February 13, 2010 to draft the Council's Comment, and get the Council Chairman's permission to submit the Comment, on the day of the deadline for BLM's Record of Decision contained in the Cover Letter of FERC's Final EIS; transporting and dump the Tribe's office trash at the Pyramid Lake Paiute Tribe's Nixon Transfer Station Saturday night-Sunday morning, February 13-14, 2010; working Sunday, February 14, 2010 at the Tribe's office to organize the deliverables for the 3rd and 4th Quarter 2008-2009 GAP Grant; and, the Sick Leave he has taken between February 15-19, 2010 because of Walking Pneumonia and the likelihood that he would be taking much more Sick Leave until he was cured.

OLD BUSINESS

- a. Final Design of Tribal Enrollment/Membership Card.

ACAE Johnny provided the Council with the example of Tribal Enrollment/Membership Card designed by TDR (Tribal Data Resources) for the Tribe with all but one of the requests of the Council, that being that while the total Summit Lake Paiute blood can be listed, and the total Indian blood, the card cannot list the total of other Tribes' blood.

CONSENSUS It was the consensus of the Council to accept the design of the new Tribal Enrollment/Membership Card by TDR.

The Council and Mr. Johnny discussed what they needed to address during the Government-to-Government Consultation with the District Manager and other officials of the BLM Winnemucca District Office.

LUNCH BREAK At 11:55am, the Council agreed to take a lunch break until 12:50pm.

BLM asked for permission to digitally record the Council Meeting for their administrative record purposes.

CALL BACK TO ORDER. At 12:59pm, the Council Meeting was called to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business, and said we would go around the room and introduce everybody. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny, and asked everyone present to introduce themselves: Mark Hall, Bureau of Land Management; Larry Denny, Associate District Manager, Winnemucca BLM; Gene Siedlitz, Winnemucca District

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Manager with the BLM; Dean Barlese; Orville Barlese, Pyramid Lake; Charlie Reed, Member, Fort Bidwell Tribal Council; Tegun Jimenez; and Kennan Reed.

PRAYER           At 1:02pm, Northern Paiute Dean Barlese sang a traditional song and conducted a prayer to help use guide us, ensure that the discussions that would occur today went well, that everyone's well being continued, and that as everyone traveled from today's meeting traveled safely.

NEW BUSINESS

a. Government-to-Government Consultation with BLM

Chairman Warner Barlese turned the floor over to Gene Siedlitz. Mr. Siedlitz said that today's meeting was not only about Ruby Pipeline but any other topics the Council was interested in. Mr. Siedlitz advised that Ron Johnny has been working with BLM Archaeologist Sam Potter. Mr. Johnny advised that he had created a spread sheet listing all known BLM projects of concern to the Tribe within its Territory and with a couple extra blank spaces for additional projects for his telephone conferences with Mr. Potter.

Mr. Siedlitz recounted the history of the BLM Winnemucca District Offices' consultation efforts with the Council since 2008 when he was appointed District Manager.

Mr. Siedlitz discussed the history of the FERC (Federal Energy Regulatory Commission) release of a Draft and Final Environmental Impact Statement. When Mr. Siedlitz mentioned the Final EIS contained a 30 day BLM Comment period which ends Saturday, February 13, 2010, Chairman Warner Barlese asked Ron Johnny to explain the recent letter the Tribe had just received on February 12, 2010, a letter from Mark Mackowitz, dated February 8, 2010, extending the BLM deadline to April 1, 2010. (Ron Johnny then distributed copies of the Mark Mackowitz letter to Mr. Siedlitz, Mr. Denny, Mr. Hall, the Council, and guests; Mr. Siedlitz said he had not seen the letter prior to today.)

Mr. Siedlitz discussed the Ruby Pipeline routes that are still viable alternatives: Proposed Route; Sheldon Route; Black Rock Route.

Mr. Siedlitz discussed the 90 day period BLM Nevada State Director Ron Wenker has to issue a Right-of-Way document, and the other planned tribal consultations with the Pyramid Lake Paiute Tribe, Lovelock Paiute Tribe, and the Fallon Paiute-Shoshone Tribe.

In answering Chairman Warner Barlese's question, Mr. Siedlitz said that he, BLM Nevada State Director Ron Wenker and the BLM Archaeologist met with the Pyramid Lake Tribal Council.

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Charlie Reed then asked for permission to speak, and advised that as far as he knew, the Fort Bidwell Tribal Council, which he is a member of, has not had these kinds of Consultation sessions with the BLM in their area. Mr. Siedlitz said he will bring the concern forward to California BLM personnel.

Mr. Siedlitz then addressed the order FERC had issued Ruby Pipeline LLC to construct a route entirely within the Highway 140 right-of-way.

Chairman Warner Barlese advised Mr. Siedlitz that the Summit Lake Paiute Council has made repeatedly requests for a Site Visit along the Ruby Pipeline construction route north of, and several miles east and west of the Summit Lake Reservation. Mr. Siedlitz asked that a tentative date for a Site Visit, walking along the construction route, be set today.

Mr. Siedlitz and Mr. Johnny discussed the short comings of the Biological Assessment recently filed with FERC.

Mr. Siedlitz explained why the documents prepared by teams and others for the BLM Winnemucca District Office on the Ruby Pipeline Project were not posted on the FERC On-line eLibrary and thereby not available for the public to review and comment on. Mr. Siedlitz advised that he will email copies of the documents the BLM Winnemucca District Office has submitted to Ron Johnny.

Mr. Siedlitz then discussed the BLM Klamath Falls Resource Area Office letter of Non-Support to FERC. Mr. Siedlitz said that nearly all BLM offices (e.g., Winnemucca, Elko, Utah) have issued similar offices to that issued by the BLM Klamath Falls Resource Area Office. Chairman Warner Barlese then asked Mr. Siedlitz to discuss why the Summit Lake Paiute Tribe had to file the BLM's Mile-by-Mile Analysis with FERC which allowed FERC to place parts of it in the Final EIS, and why no other BLM documents from the Winnemucca and Elko BLM District Offices have been filed. Mr. Johnny then discussed the FERC On-line filing process and the immediate notification, by email, of documents accepted for filing and then later filed.

Discussion was then had on the Council's repeated comments of concern on the possibility of Ruby Pipeline dynamite blasting construction practices damaging or destroying the One Mile Spring flow, the Tribe's most sacred on-Reservation water source and FERC's and Ruby's, apparent, lack of concern based on old studies, and the Council's repeated complaints that any affect on that or another water right of the Tribe and constitutes a violation of the Trust Responsibility the United States has with the Tribe.

The Council and Mr. Siedlitz discussed the reasons the Council wants a Site Visit on the Ruby Pipeline construction route to protect the Tribe's rock stacks and other cultural resources and prevent pollution from construction activities.

Orville Barlese and Charlie Reed discussed their life experiences in the Summit Lake-Fort Bidwell area referred to as the Proposed Route and Black Rock Route, and their knowledge of the locations of

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the bodies and burials of Northern Paiute people. Orville Barlese said the only way to avoid the burials and bodies on the ground from U.S. Army-Northern Paiute conflicts is to use the Highway 140 Route.

Mr. Johnny advised that he had just learned at an El Paso sponsored educational event that included discussions on Ruby Pipeline was that ground penetrating radar studies on BLM land have been done in the Goose Lake area, and why such studies were not done in the area north, east and west of the Summit Lake Reservation. Mr. Siedlitz said that such studies were new to him.

There was discussion that the Council is aware that the Ruby pipeline Project is not just about one pipeline, that the right-of-way sought by Ruby is large enough to accommodate additional 42-inch pipelines and thus affect the ability of the environment (e.g., sagebrush, traditional foods and medicine, animals tribal members rely on for subsistence purposes) to heal itself.

In discussing the future effects of the Ruby Pipeline Project, the Council discussed the impact of the pipeline project on its future plans to add additional lands to the Reservation and its past requests to Mr. Siedlitz and his staff to co-manage BLM managed lands that were the original lands of the People that became the Summit Lake Paiute Tribe (e.g., BLM roads, Lahontan Cutthroat Trout Study Area, etc.), and the Council's continuing request to get Technical Assistance from BLM in how to add lands it manages to the Summit Lake Reservation.

(At 2:35pm, Tansey Smith entered the meeting.)

Mr. Siedlitz advised that BLM has not yet issued its Resource Management Plan and it is at that time the Council needs to make comment. The Council stated they wanted to obtain Section 36 (the water gap) and the Lahontan Cutthroat Trout Study Area.

The Council discussed the impacts of the Ruby Pipeline Project on the tribe's Land Use Plan and on land assignments to tribal members.

The Council and Mr. Siedlitz agreed that the Ruby Pipeline Site Visit would take place on Saturday, March 13, 2010. That Environmental Coordinator Ron Johnny, who is going to try and make it to the Summit Lake Reservation on Friday, March 12, 2010, since his work site between February 15 and December 15 is the Summit Lake Reservation, and he could call the Council, Mr. Siedlitz and his staff (Mark Hall and Larry Denny), and other interested persons and let everyone know if the roads were open or closed due to ice and snow. Dean Barlese suggested that Dale Barr and others from the Fort McDermitt Reservation have oral knowledge of the importance of that area where the pipeline construction is planned in the Proposed Route. Orville Barlese and Charlie Reed said they would be interested given the oral history they know of the area.

Chairman Warner Barlese discussed his disbelief that FERC would release the Final EIS when the document was so incomplete. Council Member Jerry Barr said he had seen a television news item whereby Ruby said they were going to start construction in Wyoming in April 2010.

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Mr. Siedlitz said that Ruby Pipeline cannot disturb or break ground on public lands until the BLM right-of-way is signed, and that he has been repeatedly asked to make pre-decisional decisions so Ruby can obtain County permits and variances to start work.

Mr. Siedlitz was asked about the Inventory of the cultural resources taken by Pacific Legacy in violation of federal law that was requested by all Ruby Pipeline affected Tribes at the October 8, 2009 BLM (Ruby paid for) Meeting in Winnemucca. Mr. Siedlitz advised that all items collected by the Pacific Legacy are now at the Nevada State Museum. Mr. Siedlitz then gave Chairman Warner Barlese a 180 some page Inventory.

Mark Hall, BLM, suggested that when the Summit Lake Paiute Tribe was ready to claim its sacred items held in the Nevada State Museum, that the Council contact him (Mr. Hall) and a copy of SL-01-2010 and a letter from the Council Chairman asking for repatriation of the Tribe's sacred items taken by Pacific Legacy. Rather than a coalition of Tribes approaching BLM, Mr. Siedlitz recommended that each Tribe file a separate repatriation request.

BREAK            At 3:00pm, it was the consensus of the Council to take a five minute break.

CALL BACK TO ORDER. At 3:11pm, the Council Meeting was called to order by Council Chairman Warner Barlese.

ROLL CALL. Council Secretary/Treasurer Jerri Lynn Barlese called roll. Present: Warner Barlese, Ernie Barlese, Jerry Barr, and Jerri Lynn Barlese. Council Chairman Warner Barlese declared a quorum was present and the Council could conduct business, and said we would go around the room and introduce everybody. Council Secretary/Treasurer Jerri Lynn Barlese advised that Environmental Coordinator (Director, Environmental Protection Department), and Acting Chief Administrative Employee, Ron Johnny; James Barlese; Mark Hall, Bureau of Land Management; Larry Denny, Associate District Manager, Winnemucca BLM; Gene Siedlitz, Winnemucca District Manager with the BLM; Dean Barlese; Orville Barlese, Pyramid Lake; Charlie Reed, Member, Fort Bidwell Tribal Council; Tegun Jimenez; and, Kennan Reed, were present.

Ron Johnny distributed a copy of the spreadsheet he had created for himself and BLM Archaeologist Samuel Potter when they held their telephone conferences. Mr. Siedlitz, Mr. Hall, and Mr. Denny updated the spreadsheet as follows:

Progress on securing E. Mountain Cave:	Not yet secured. Some BLM internal funding to do a couple of things and in the general area. Proposal to clean up the looters mess.
Surveying Other, apparent, Caves:	Proposal to get a University archaeologist to do a survey of the mountain for other caves.

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Discussion was had that the Council wanted to have medicine persons and traditional persons to accompany the professor and to go into the caves first before an archaeologist goes into any caves, and before cleaning up the looters mess. Discussion was had on the Council and BLM continuing consultation on expenses of the medicine persons, traditional persons and monitors being covered. Mr. Siedlitz discussed the Challenge Cost Share Agreement funding Professor Robert Kelly from a University in Wyoming. Mr. Hall assured the Council that there would be an official consultation session before Professor Kelly started work. Mr. Siedlitz stated that Dave Hayes, Manager, and Kathy Ataman, Archaeologist, BLM Black Rock Field Office, would be involved in the consultation too.

Discussion was had that the Tribes have not agreed yet on the repatriation and re-burial of the human remains and funeral objects from the E. Mountain Cave.

Status of the Road around Paiute Meadows Ranch:

No construction in culturally sensitive areas. Kathy Ataman, Archaeologist, BLM Black Rock Field office is working on Treatment Plan.

Mr. Hall, Native American Coordinator, advised the Tribe would be consulted prior to any permits being issued in accordance with ARPA (Archaeological Resources Protection Act). Discussion was had that the Council wants to be involved in the development of the Treatment Plan, and so that medicine people and traditional people can go out and conduct the necessary ceremonies. Mr. Hall promised to get an answer on a dialogue by Monday, February 22, 2010.

Status of the Project to Protect the Desert Dace from being eaten by the Green Sun Fish

BLM is aware that the Tribe wants advanced notice of any construction so tribal members could consider getting their ceremonies done before construction starts. This coming spring the barriers will be installed.

Geothermal Test Well north of Gerlach

BLM is waiting on the cultural report from the consultant hired by the Geothermal company

Status of the Administrative Center north of Gerlach

The Environmental Assessment for the BLM right-of-way was sent out for public comment. The Decision Record was issued in late December. BLM still working on design of Center.

Jungo Road Landfill

The proposed landfill is on private land in a checkerboard area of BLM land. BLM is providing Mr. Abby, National BLM Director, with some language to address concerns of the public opposed to the landfill.

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	<p>The Council gave notice that if BLM ever became involved in the Recology/Jungo Road Landfill that the Council would want to officially consult on that project. The Council also asked if USGS contacted BLM to do the federally funded ground-water study, the Tribe would want to consult with BLM and USGS.</p>
<p>Newmont Mine Sandman Project</p>	<p>Preliminary Environmental Assessment is out for public comment.</p>
<p>Obtaining other BLM Office Maps so Council can complete process of identifying its traditional use area</p>	<p>Samuel Potter is working on obtaining the other maps. Mr. Hall will be working with Mr. Potter next week. Options of obtaining a map acceptable to the digital system Mr. Potter works with.</p>
<p>Protecting the cultural resources in the Kings River Community Gravel Pit</p>	<p>The gravel pit has been officially closed to the further excavation of gravel, and a gate is being sought to close the pit.</p>
<p>Implementation of the Secretary of the Interior's Order # 3289 relative to Climate Change</p>	<p>There has been no guidance on climate change from the national office. BLM is aware of the Tribe's concerns on Ruby Pipeline causing climate change.</p>
<p>Land Acquisition Technical Assistance</p>	<p>This will be a continuing consultation.</p>
<p>Summary of the Calico Horse Gather</p>	<p>BLM tried to remove all of the trespassing wild horses on the Reservation. BLM was able to remove 1,922 horses between December 28, 2009 and February 4, 2010. Horses are at a private facility in Fallon. Late this spring, BLM planning a flight to identify number of horses on the west side of the Reservation to Surprise Valley. Discussed consultation with Dave Hays and the agreement whereby the Tribe would provide the labor and BLM would provide the fencing materials to repair or replace the downed BLM-Reservation boundary fence. BLM</p>

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has the information on where the joint  
BLM-Reservation boundary fence is down.

Mr. Denny gave the Council information on the Indian Land Working Group since the Tribe is interested in adding land to the Reservation.

Mr. Hall asked if the Tribe received BLM's notices on the geothermal lease map and notice. There was discussion on the continuing need to refine the clause contained in the leases about protecting existing Northern Paiute rights and ceremonial uses.

Charlie Reed advised that about 50 years ago he lived on the Summit Lake Reservation, and recently he went back there and saw all the cheat grass that is growing along the Mahogany Creek riparian zone caused by a fire caused by two Washoe County employees. Mr. Siedlitz advised there was aerial seeding after the fire but there is no current plan to deal with the cheat grass and other invasive noxious weeds. Mr. Siedlitz was reminded that the Council has repeatedly expressed an interest in co-managing that area given its weed eradication expertise on the Reservation adjacent the BLM's land with cheat grass.

Mr. Siedlitz advised he was aware the Tribe was interested in locating a snowtel site above Snow Creek in the ISA (Instant Study Area). There were discussions on how important the snowtel site is to the Tribe and the Lahontan Cutthroat Trout in Summit Lake.

Mr. Siedlitz thanked the Council for meeting with him and his staff, and he apologized for how ineffective the Ruby Pipeline Project has proceeded. Mr. Siedlitz suggested that the Council issue a letter and list its issues with the Final EIS.

Mr. Siedlitz said he has found the Tribe's Environmental Protection Department web site very helpful in looking through past Minutes of Council Meetings and other pages as well.

(At 3:59pm, the Government-to-Government Consultation with BLM ended.)

(At 4:00pm, Chairman Warner Barlese left the meeting.)

(At 4:02pm, Dean Barlese, Orville Barlese, Tegun Jimenez left the meeting.)

(At 4:06pm, Chairman Warner Barlese entered the meeting.)

b. Meeting with Tansey Smith, ITCN Liaison to NDEP regarding desired NDEP Compact

At 4:06pm, Tansey Smith started her presentation. Ms. Smith reported that during the term of Steve Frank as Chairman of the Summit Lake Paiute Council in early 2007 signed a Compact with NDEP whereby the Tribe agreed to notify NDEP of each and every action the Tribe intended to take on the Summit Lake Reservation.

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(At 4:12pm, tribal member Lorraine Watson entered the meeting.)

Council Members reviewed past Minutes of Council Meetings and could find no proof that former Council Chairman Steve Frank was given Council authority to sign a Compact with NDEP.

Environmental Coordinator Johnny advised the Council that in late 2007, when he first started working with the Tribe, the Council gave notice that the Compact with NDEP signed by Steve Frank was not valid, and at that time was replaced with a one-page sheet advising NDEP that with regard to water, roads and range issues they are to contact the Director of the Natural Resources Department, that with regard to Government-to-Government issues NDEP is to contact the Summit Lake Paiute Council, that with regard to Administration and Personnel Department issues they are to contact the Acting Chief Administrative Employee, and that with regard to GAP Grant related issues NDEP is to contact the Environmental Coordinator.

Ms. Smith discussed the new template that had been developed for a Coordination Protocol. The Council discussed that they did not want to see a lop sided agreement whereby only the Tribe had to give notice to NDEP, that they wanted to see an mutual obligation upon NDEP to give the Council notice (e.g., when NDEP held private meetings with Recology on the Jungo Landfill, which is within the Territory of the Summit Lake Paiute Tribe, the Council wants to be immediately notified).

CONSENSUS At 4:47pm, it was the consensus of the Council that Environmental Coordinator Ron Johnny is to work with Tansey Smith in drafting a proposed NDEP Compact and bring same back to the Council for consideration.

(At 4:58pm, Tansey Smith left the meeting.)

(At 4:58pm, Chairman Warner Barlese left the meeting.)

(At 4:59pm, Chairman Warner Barlese entered the meeting.)

AGENDA CHANGE It was the consensus of the Council to change the Agenda so it could select a tribal member to fill the vacancy on the Summit Lake Paiute Council created when former Council Member Reginald Lee Townsend resigned because of health reasons.

c. Filling Vacant Position on the Summit Lake Paiute Council

MOTION Motion by Council Secretary/Treasurer Jerri Lynn Barlese to go into Executive Session for thirty minutes to select the tribal members to fill the vacancy on the Council. Council Member Jerry Barr seconded the motion. Vote called. VOTE: 3 For, 0 Against and 0 Abstaining. At 9:57am, Chairman Warner Barlese, who did not vote because there was no tie vote, declared the motion had passed and the Tribe was going into Executive session at 5:10pm.

MINUTES  
Special Meeting  
SUMMIT LAKE PAIUTE COUNCIL  
Saturday, February 20, 2010  
Primary Administrative Office, 1708 H Street, Sparks, Nevada

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(At 5:40pm, the Council automatically came out of Executive Session.)

Council Chairman Warner Barlese advised that the Council had selected tribal member Randi DeSoto to fill the vacancy on the Council, and asked Environmental Coordinator Ron Johnny to contact her and see if she could appear at 9:45am the next day (Sunday, February 21, 2010) to be sworn into office and attend the Council Meeting.

ADJOURN

MOTION        Motion by Council Member Jerry Barr to adjourn the meeting. Council Secretary/Treasurer Jerri Lynn Barlese seconded the motion. Vote called. VOTE: 3 For, 0 Against and 0 Abstaining. At 5:43pm, Chairman Warner Barlese, who did not vote because there was no tie vote, reminded everyone the Council was meeting tomorrow (Sunday, February 21, 2010, at 10:00am, declared the motion had passed and the meeting was adjourned.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the February 20, 2010 Special Meeting of the Summit Lake Paiute Council (Council) were approved by the Council during a duly called meeting of the Council on March 20, 2010, by a vote of 3 For, 0 Against and 0 Abstaining, and that Council Chairman Warner Barlese did not vote because there was no tie vote.

\_\_\_\_\_  
March 20, 2010  
Date

  
\_\_\_\_\_  
Jerri Lynn Barlese, Secretary/Treasurer  
Summit Lake Paiute Council