

MINUTES
Regular Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, April 21, 2012
Primary Administrative Office, Sparks, Nevada

CALL TO ORDER. At 9:06 a.m., 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, Jerri Lynn Barlese, Randi DeSoto and Jerry Barr. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT. William Cowan, Natural Resources Department Director; Barbara Nelson, Administrative Coordinator/Finance Assistant.

REPORTS – CHAIRMAN WARNER BARLESE

Chairman Barlese reported Resolution SL-09-2012, Authorizing the Acceptance of the Offer of Settlement from the United States to the Summit Lake Paiute Tribe to Settle Claims Brought in *Nez Perce Tribe v. Salazar*, needed to be amended. The statement in the "Now Therefore Be It Resolved" section which states "...to settle the claims of the *community*..." will be changed to read "to settle the claims of the *affected parties*..."

MOTION: Council Secretary/Treasurer Jerri Lynn Barlese introduced a motion to amend Resolution SL-09-2012, Authorizing the Acceptance of the Offer of Settlement from the United States to the Summit Lake Paiute Tribe to Settle Claims Brought in *Nez Perce Tribe v. Salazar*. Council Vice-Chairman Ernie Barlese seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted.

REPORTS – VICE-CHAIRMAN ERNIE BARLESE

Vice-Chairman Barlese reported he participated in a meeting with Frances Winn, Finance Director and Council Members Jerry Barr and Randi DeSoto on Friday, April 20, 2012. The meeting will be discussed in Executive Session later in this Council meeting.

REPORTS – SECRETARY/TREASURER JERRI LYNN BARLESE

Council Secretary/Treasurer Barlese recapped her March 2012 Secretary/Treasurer's report. She stated she received a policy on sage grouse which she discussed with Kent Bloomer, Resource Technician.

She reported she received an email from Sex Offender Registration and Notification Act (SORNA) staff regarding an extension on her SORNA package.

The Secretary/Treasurer reported she reviewed ICWA cases, two of which involved Tribal Members. She discussed these cases with the appropriate Social Workers. The Social Workers determined the children need to stay where they are at. She also reviewed six to eight non-affiliated Tribal Member ICWA cases.

Secretary/Treasurer Barlese reported she attended constitution training conducted by Montana Associates on March 29 and 30, 2012. The training pointed out SLPT needs to add some things that should be in a constitution but are not in SLPT's.

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Secretary/Treasurer reported she needs to mail an enrollment application to one person which she will give to Ms. Nelson to mail.

She stated she still needs to talk to Cristal Quinn. She also completed Council Administrator (CA) minutes for February and March 2012. She will provide copies to Chairman Barlese.

REPORTS – COUNCIL MEMBER RANDI DESOTO

Council Member DeSoto reported she attended the CA meeting on March 4, 2012. SLPT has \$7,979.00 available for 2012 higher education scholarships. She stated the Higher Education Committee has not yet met this year. Three students have submitted requests for funding.

MOTION: Council Secretary/Treasurer Jerri Lynn Barlese introduced Resolution SL-10-2012, Higher Education Mandated Funds, awarding Vanessa Garfield \$1,994.75 in scholarship funds for the Spring 2012 semester, and waiving the reading of the resolution. Council Member Randi DeSoto seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared Resolution SL-10-2012 enacted.

MOTION: Council Member Jerry Barr introduced Resolution SL-11-2012, Higher Education Mandated Funds, awarding Delgadina Gonzalez \$1,994.75 in scholarship funds for the Spring 2012 semester, and waiving the reading of the resolution. Council Member Randi DeSoto seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared Resolution SL-11-2012 enacted.

MOTION: Council Member Jerry Barr introduced Resolution SL-12-2012, Higher Education Mandated Funds, awarding Melissa Duffy \$3,989.50 in scholarship funds for the Winter 2011 and Spring 2012 semesters, and waiving the reading of the resolution. Council Secretary/Treasurer Jerri Lynn Barlese seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared Resolution SL-12-2012 enacted.

Council Member DeSoto stated she would talk to Frances Winn about sending a letter to the Bureau of Indian Affairs (BIA) requesting additional higher education funds, if any excess funds are available. Council Member DeSoto stated she would call the three students and their schools to advise that funding is forthcoming.

Council Member DeSoto reported she received a letter from a Tribal Member voicing a complaint against a Council Member.

CONSENSUS: Consensus of Council was to discuss the letter in Executive Session later in this meeting.

REPORTS – COUNCIL MEMBER JERRY BARR

Council Member Barr had no report.

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REPORTS – FINANCE DIRECTOR, FRANCES WINN

Frances Winn provided paper documents for Council at this meeting to support her agenda items today. She also gave Council flash drives containing March and April financial reports and provided Council with an update of 2011 and 2012 Council meeting minutes and resolutions. She stated Council has one set of minutes from 2011 that needs to be reviewed and approved. They are for a meeting held at the Tribal office in Sparks on August 13, 2011. A draft of the meeting minutes were distributed to Council for review and approval. Ms. Winn stated she has reviewed the January, February and March 2012 minutes. These drafts are being reviewed by William Cowan, Natural Resources Department Director. Ms. Winn stated that whenever Council designates a Resolution as being confidential, it is not posted on the SLPT website, but rather the Resolution number and title is listed on the website with the word "confidential" beside it.

Ms. Winn provided Council with a copy of the Action Item list for the January, February and March 2012 Council meetings. She explained that when an item has been completed, it will be grayed out. The goal is to have the Action Item list grayed out completely.

Ms. Winn stated Council needs to adhere to policy regarding posting agendas. Agendas need to be posted no less than five days prior to the Council meeting.

Ms. Winn reiterated to Council that when correspondence comes to the Tribal office from Members, it is simply good business to respond with an acknowledgement letter to the Member.

Ms. Winn proposed Council authorize herself and Mr. Cowan to review all HUD contracts and determine how to spend the funds from 2001 to present. Ms. Winn and Mr. Cowan will present their plan to Council for approval. Mr. Cowan will handle the programmatic end and Ms. Winn the financial actions.

She then discussed the US Bank forms that need to be completed and sent to US Bank removing Ron Johnny as the contact for SLPT. She stated this is crucial and Council needs to take action as soon as possible.

Council Member Barr provided Ms. Winn receipts from the purchase of Verizon tablets for himself and Chairman Barlese.

Ms. Winn reported an Election Committee meeting was held on April 17, 2012. Christina Gonzalez has been appointed to chair this committee.

Ms. Winn provided Council with a draft Council Consensus Approval form. The form was developed to ensure all Council Members approve stipend payments. She asked Council to review the form and consider approving its use.

Ms. Winn discussed the 2011 audit bids. Egghart and Associates was chosen to be the auditors due to their past experience with SLPT's deferred revenue issue. She provided Council with a copy of Egghart's bid.

Ms. Winn reported a certified letter was received from the Environmental Protection Agency (EPA) requesting payment of \$96,615 in disallowed costs for the General Assistance Program (GAP) grant administered by the now terminated Environmental Coordinator, Ron Johnny. Mr. Cowan asked if Council would be discussing the EPA issue at today's meeting to which Chairman Barlese responded yes.

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Ms. Winn stated SLPT received a letter from Housing and Urban Development (HUD) regarding the Annual Performance Report (APR) which HUD is stating is past due. Ms. Winn recommended a Council Member be designated to take responsibility for HUD reports. Mr. Cowan asked for clarification with regard to how the APR is done to which Ms. Winn responded the APR is done on-line.

Ms. Winn stated the Council Administrator's (CA) are not being cohesive in preparing the quarterly BIA Consolidated Tribal Government Program narrative report. She sent a letter to BIA asking for an extension on submitting the report since it wasn't prepared by the deadline of April 15, 2012. She stated she has mixed feelings regarding the job the CA's are doing. She will continue addressing deficiencies at future Council meetings.

Ms. Winn reported she will be asking for Council action today on the 2012 Election, the EPA issue, purchase of another storage shed, and the new administration trailer at the lake.

BREAK. Consensus of Council was to take a break at 10:30 a.m.

CALL TO ORDER. At 10:41 a.m., 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, Jerri Lynn Barlese, Jerry Barr, and Randi DeSoto. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT. William Cowan, Natural Resources Department Director; Frances Winn, Finance Director; Barbara Nelson, Administrative Coordinator/Finance Assistant.

REPORTS – WILLIAM COWAN, NATURAL RESOURCES DEPARTMENT DIRECTOR

Mr. Cowan presented an oral and written report which included discussion of:

- Mid-year evaluation with Fish and Wildlife Service (FWS),
- Department of Energy (DOE), Energy Efficiency Block Grant quarterly report,
- Newsletter to Tribal Members regarding SLPT fishing regulations and limits and mailing of fishing permits,
- Gillette Livestock, Inc. request for grazing permit on the Reservation,
- Production of Lahontan cutthroat trout (LCT) video on the Reservation,
- Hiring of Robert Parker, Fish and Wildlife Biologist,
- BIA funding of SLPT's Cyclical Hatchery Maintenance proposal,
- SLPT's field season on the Reservation began March 21, 2012,
- Damage to tribal facilities on the Reservation during the winter season,
- Installation of the VAKI Riverwatcher electronic fish counting system,
- Installation of Mahogany Creek fish trap weirs,
- 2012 fish spawning season began March 26, 2012,
- BIA funding of Endangered Species proposal to purchase a VAKI Riverwatcher system,
- Submission of quarterly reports to BIA and Bureau of Reclamation,

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- Discussion with Humboldt County Road Department to grade the Cedarville road,
- Measuring the level of Summit Lake,
- Drought conditions at the Reservation due to scant snow depth in the upper watershed,
- Discussions with BIA, BLM and EPA regarding SLPT's Treatment as a State (TAS) application,
- Discussions with BLM regarding Reservation boundary fence damage by trespass livestock and mustangs,
- Meeting with BIA and the Natural Resources Conservation Service to discuss revising the Reservation grazing management plan,
- Meeting with University of Nevada Reno (UNR) to discuss the food web analysis and Passive Integrated Transponder (PIT) tagging,
- UNR travelling to the Reservation to continue the food web analysis sampling,
- EPA webinar on General Pesticide permits,
- FWS funding of SLPT's proposal to implement management and research for the conservation of sage grouse,
- Lumos and Associates site visit regarding rerouting the Hells Canyon road and proposed reroute of the road west of Summit Lake,
- GIS training,
- Fish and Wildlife Biologists attending Aviation training, and
- Upcoming meetings and events.

Mr. Cowan reported FWS is pleased with the progress he has made through the Intergovernmental Personnel Act (IPA) agreement between SLPT and FWS. The IPA will expire March 2013. FWS will begin addressing a new IPA beginning August 2012.

Mr. Cowan reported he would like to discuss the status of the TAS application with BLM today. He will also be discussing BLM's Memorandum of Understanding to repair Reservation fences.

Mr. Cowan advised Council the Natural Resources Department (NRD) sage grouse conservation project must go through an environmental and recovery permit process. The actual ground work for the project may begin Fall 2012 or next year. He stated Governor Brian Sandoval has disbanded the Governor's sage grouse conservation team. Mr. Cowan stressed the importance of SLPT having representation on state expert sage grouse conservation teams. Since SLPT's Tribal Wildlife Grant for sage grouse management and conservation has been funded, SLPT now has resources to participate on these teams.

MOTION: Council Chairman Warner Barlese introduced a motion to appoint William Cowan and the NRD staff to be engaged in existing and future sage grouse recovery teams. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining.

Mr. Cowan reported NRD intends to close out the noxious weed Tribal Wildlife Grant this year. He requested Council approval for Chairman Barlese to sign the proof for the noxious weed sign. Also, to close out this grant, NRD will be constructing shower facilities at the compound.

CONSENSUS: Consensus of Council was for Chairman Warner Barlese to sign the proof for the noxious weed sign.

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Mr. Cowan stated a military tent has been donated to SLPT for the Connecting with Nature Event. He reminded Council they agreed to participate in the event.

Discussion Topics

Mr. Cowan stated Council Member Jerry Barr has volunteered to oversee the DOE Energy Efficiency Block Grant. Mr. Cowan reported he has completed reporting requirements for the grant. He asked for Council approval to assign Robert Parker, Fish and Wildlife Biologist, the lead on the grant to introduce him to Federal grant management. Ms. Winn offered to work with Mr. Parker to modify the budget.

Mr. Cowan stated the Tribal Compound pump house is infested with rodent and packrat waste. He stated Energy Efficiency Block Grant (EEBG) could be used to insulate the pump house and repair the roof where it was damaged during the winter. Also, the EEBG could be used to install new energy conserving air conditioners/heaters in the old Administration trailer at the Tribal compound. Mr. Parker will be tasked with contacting DOE to modify the grant.

CONSENSUS: Consensus of Council is to have Robert Parker, Fish and Wildlife Biologist, take the lead on the DOE Energy Efficiency Block Grant. Council Member Jerry Barr will be the Council liaison for the grant.

Mr. Cowan discussed the HUD grants. An environmental report will need to be developed before any HUD projects can go forward. Mr. Cowan stated he can provide oversight and management but would like the Council's endorsement to delegate the day-to-day workload for HUD to NRD staff.

CONSENSUS: Consensus of a majority of Council is to have Mr. Cowan provide oversight and management for the HUD grants while delegating the daily workload to NRD staff.

Mr. Cowan reported Dr. Geoff Smith, UNR, wants to move forward on excavating rock shelters at Sheldon. Council needs to meet with Dr. Smith to move forward with the project. Mr. Cowan will contact Dr. Smith to determine his timeline of activities so that Council can have monitors present at the excavation paid by UNR as mentioned in a draft MOA for the project. Chairman Barlese asked Mr. Cowan to obtain a copy of their MOA. FWS also has developed a MOA on projects similar to this activity. Ms. Nelson was asked to locate for Mr. Cowan the minutes where Council discussed SLPT's conditions with UNR regarding the rock shelter excavation. Mr. Anan Raymond, FWS Archaeologist, will be present at the May 19, 2012 Council meeting. Chairman Barlese will contact Mr. Raymond and advise the meeting will be at the Reservation.

Mr. Cowan discussed repatriating artifacts removed by Ruby Pipeline contractors. He suggested the repatriation occur the first or second weekend in May. Council agreed to the date of May 12, 2012. Expenses will be paid out of Ruby Pipeline funds. Mr. Cowan will contact Nick Valentine, FWS, to advise of the date of the repatriation. Council Member DeSoto offered to contact Dean and Orville Barlese to invite them to the event.

Mr. Cowan advised Council SLPT's appeal letter needs to be submitted to EPA on the bill for collection by May 2, 2012. The letter needs to state SLPT's opposition to the bill for collection and the reasons why. Ms. Winn stated if an appeal letter is not sent, EPA will put a hold on SLPT's funding at the U.S. Treasury which will affect all of NRD grants. Chairman Barlese stated he does not know any legal contacts to assist SLPT with the appeal letter without charging for their services.

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Mr. Cowan asked for a five minute Executive Session to discuss Land Status and Personnel matters.

MOTION: Council Vice-Chairman Ernie Barlese introduced a motion to go into Executive Session for five minutes to discuss Land Status and Personnel matters. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Executive Session began at 11:59 a.m. and concluded at 12:05 p.m.

LUNCH BREAK. Consensus of Council was to take a lunch break at 12:05 p.m.

CALL TO ORDER. At 1:07 p.m., 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, Jerri Lynn Barlese, Jerry Barr, and Randi DeSoto. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT. William Cowan, Natural Resources Department Director; Barbara Nelson, Administrative Coordinator/Finance Assistant.

GUESTS PRESENT. Gene Seidlitz, District Manager, BLM Winnemucca District; Mark Hall, Archaeologist, BLM Winnemucca District; Derek Messmer, Supervisor, Fuels Reduction, BLM Winnemucca District.

GOVERNMENT-TO-GOVERNMENT CONSULTATION, BLM

Mr. Seidlitz stated the consultation today will cover the following topics:

- Montana Mountains Vegetation Management Project,
- Jackson Mountain Horse Gather, and
- Black Rock Desert Climate Change Study.

Mr. Messmer discussed BLM's Montana Mountains Fuels Treatment Program. He stated a scoping document was issued in March 2011. The project is a combination of habitat restoration and fuels reduction. The area is habitat for big horn sheep and sage grouse. The project is intended to limit the spread of wildfires. It will include some road maintenance to allow better access if a fire occurs. BLM will be initiating prescribed fires on cheat grass habitat. Mr. Messmer discussed fuel breaks which include a combination of treatments: applying herbicides, prescribed fires, hand trimming and seeding. The intent is to slow the fires and have a tactical way for equipment to enter. Green strips will be maintained with herbicides to control invasive annual species. Council Member Barr asked what type of vegetation will be used to retard fires and if the vegetation would include invasives which overtake natural vegetation. Mr. Cowen was concerned about the use of kochia and crested wheat grass as both plants are considered noxious weeds. Mr. Messmer stated these invasives usually stay in the area where they are planted for fire retardant purposes. Chairman Barlese asked if there is a possibility the invasives will be carried off by animals and vehicles. The Environmental Assessment being sent next week will describe the invasive plants to be seeded. Mr. Cowan and the Council voiced concern because SLPT is actively fighting invasive weeds.

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Road maintenance will occur on BLM-system roads. Mr. Messmer stated BLM will be grading only – no gravel. These roads are accessed by hunters and ranchers. Mr. Seidlitz stated BLM has had a transportation plan in place for some time. He stated only two or three roads receive annual funding for maintenance. Mr. Messmer stated most BLM-system roads receive no maintenance. Mr. Cowan asked if BLM's funding for road maintenance is allocated per BLM District to which Mr. Seidlitz responded yes. Mr. Messmer stated BLM has a roads maintenance budget and a fuels restoration budget.

Mr. Messmer stated BLM would be using Dixie harrows, wheel tractors and tow behind tractors for road maintenance. BLM will be monitoring the area for the next few years to ensure the area doesn't return to a cheat grass habitat area. Mr. Cowan asked Mr. Messmer for an example of a treated area which Mr. Messmer stated he would provide. Council Member Barr asked if there are any sage grouse leks in the affected areas. Mr. Messmer responded BLM worked with the Nevada Department of Wildlife (NDOW) to identify sage grouse leks. No activity will occur within ¼ mile of the leks or when the sage grouse are nesting. The Montana Mountain project will be ongoing for a ten year period. Mr. Cowan asked about the cause of the cheat grass die off mentioned by Mr. Messmer. Mr. Messmer responded no one really knows, it's still being researched, but it may be tied to warm wet springs or when there's no rainfall in the Fall.

Mr. Messmer stated maintenance will include installing and modifying riparian areas. A hydrologist has been brought in to identify what steps are needed to maintain the riparian areas. Some springs are now fenced but need to be repaired or new fences installed to keep livestock away from the springs. Some sagebrush will be removed using chain saws and anchors. Annual maintenance of the project area will occur.

Mr. Cowan asked how far along BLM is with the consultation process. Mr. Seidlitz stated the project was started January 2009. Mr. Seidlitz stated Montana Mountains is probably one of the last pristine areas for sage grouse habitat. This project is hoping to maintain that habitat. Numerous Federal agencies as well as tribes are involved in the consultation process. Mr. Seidlitz stated some of the maintenance will be funded by Ruby mitigation funds held by NDOW. Mr. Cowan asked if FWS consultation has concluded. Mr. Messmer stated BLM is consulting further with FWS.

Mr. Hall reported the Fort McDermitt Paiute-Shoshone Tribe is requesting two to three weeks notice prior to BLM spraying pesticides so their Tribal Members can conduct gathers without coming into contact with pesticides. They are also concerned about cultural sites being impacted. Mr. Hall stated for cultural purposes the Montana Mountain area is one of the most investigated areas in the Winnemucca District. Council Vice-Chairman Ernie Barlese asked if there any plans for BLM to conduct a fuels reduction project near the Summit Lake Reservation. Mr. Seidlitz responded the Double H Mountain area is next for fuels reduction projects. Mr. Cowan stated he tried to incorporate fuels reduction projects for SLPT but, since the National Environmental Protection Act process would have to be followed, he made a decision not to proceed.

Mr. Seidlitz discussed the Jackson Mountain wild horse gather. The preliminary Environmental Assessment (EA) was mailed last week. Mr. Seidlitz stated this gather is scheduled to start in July and will include the use of helicopters as well as water trapping. He stated there is a concern because of the lack of precipitation. BLM will be bringing in water via tire troughs. Storage tanks holding 3,000 gallons of water will feed into the tire troughs. The water will be replenished a couple of times each week. The tanks will be removed once the gather is concluded. Mr. Cowan asked if the tire troughs have already been purchased to which Mr. Seidlitz responded yes.

Mr. Seidlitz stated the comment period for non-Tribal entities on the horse gather is 15 days from receipt of the EA. The comment period for Tribes is 30 days. Mr. Seidlitz stated the gather will last 20 days. Water trapping is less stressful for the

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horses than helicopters. Council Member Barr asked about the percentage of males to females that will be removed. Mr. Seidlitz responded he didn't have that information now but will research it and notify SLPT.

BREAK. Consensus of Council was to take a break at 2:34 p.m.

CALL TO ORDER. At 2:48 p.m., 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, Jerri Lynn Barlese, Jerry Barr, and Randi DeSoto. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT. William Cowan, Natural Resources Department Director; Barbara Nelson, Administrative Coordinator/Finance Assistant.

GUESTS PRESENT. Gene Seidlitz, District Manager, BLM Winnemucca District; Mark Hall, Archaeologist, BLM Winnemucca District.

Mr. Hall brought a certified letter responding to SLPT's comments regarding the Black Rock Climate Change Study being conducted by Desert Research Institute (DRI). He discussed the comments submitted by SLPT to BLM. He stated regarding SLPT's concern regarding cultural monitors, it is not BLM's policy to compensate monitors. They would be willing to include monitors but without compensation. Mr. Seidlitz asked for a list of cultural monitors which Chairman Barlese stated he would provide. Mr. Hall stated the DRI is essentially diverting a 45' stretch into the rest of the stream channel. The BLM Biologist has determined the project will not impact large animals, only macroinvertebrates. Council Member Barr asked how the fence would be constructed. Mr. Seidlitz stated he will email a picture of the fence and the plans to Mr. Cowan and Chairman Barlese.

Council Member Barr stated that even though the BLM Biologist has stated the study is only affecting macroinvertebrates, the project will still impact the food chain. Mr. Cowan stated the study may be better served being done in a laboratory. He also questioned the human activity which will have an impact on antelope and other large animals that frequent the springs. Mr. Hall stated the workers will be at the springs one hour or less. Mr. Seidlitz will contact the DRI to discuss their plan of action. He stated the fence around the springs is to protect the pipe being used to divert the stream channel. Mr. Hall stated he will obtain information on how DRI will be fencing off Antelope Springs and forward to Mr. Cowan and Chairman Barlese.

Mr. Cowan asked BLM about the status of the Resource Management Plan. He also discussed when the MOA on the fence will be available. Mr. Seidlitz stated he should have a draft to Mr. Cowan and Rachael Youmans, Fish and Wildlife Biologist, by the end of next week. Mr. Cowan stated Council is the ultimate authority for approving the MOA. Mr. Cowan and Chairman Barlese stated BLM's proposal to fund SLPT for \$17,000 for fence maintenance is a very limited amount and will not repair much fence line. Mr. Cowan further stated building the fence to strict specifications is adding cost to the construction of the fence. Mr. Seidlitz responded BLM will absorb the expense for an inspector/contractor. Mr. Cowan stated he spoke to Sweeney Gillette, owner of Gillette Livestock, Inc. and operator for the BLM Soldier Meadows grazing allotment; however, Mr. Gillette was contacting Mr. Cowan regarding potentially grazing livestock on the Reservation and not fence maintenance. Mr. Seidlitz stated Mr. Gillette and BLM discussed the trespass livestock issue and the grazing permit.

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Mr. Cowan asked BLM about the status of the Treatment as a State (TAS) application. Mr. Seidlitz stated BLM is still researching the allotted lands issue. Mr. Cowan stated Suzette Claypool, Realty Officer, BIA Western Nevada Agency, needs to be contacted by BLM. Mr. Cowan stated Mr. Hall's editorial comments were not substantive. EPA's legal advisor, Ms. Joanne Asami, advised Mr. Cowan BLM's comments were minor in nature and could be addressed quickly. Mr. Hall responded the creek mileage needs to be consistent throughout the TAS. Mr. Cowan stated the non-Indian portion of two allotments has been addressed. Mr. Hall agreed to contact Ms. Claypool within the next two weeks. Mr. Cowan stated BLM's comments have held up the TAS application for half a year and he felt BLM's actions are almost inexcusable. Mr. Seidlitz stated SLPT's former Acting Chief Administrative Employee (ACAE) misspoke many times on various issues which gives BLM cause for concern. Also, BLM is concerned that the TAS application will allow SLPT the authority to penalize BLM if livestock and wild horses continue to trespass on the Reservation. Mr. Cowan stated he will contact EPA and advise them the real issue with BLM is being penalized for livestock trespassing and affecting water quality. Mr. Seidlitz reiterated the fraudulent activities of the former ACAE are of concern to BLM per the BLM Solicitor. Mr. Cowan stated he appreciated BLM's candor but, as a sovereign nation, it may not be appropriate for a Federal agency to intervene on violations of water quality standards, if and when such standards are duly adopted. Mr. Seidlitz stated again the BLM Solicitor is advising SLPT does not have authority to penalize BLM.

Mr. Hall discussed Native American Graves Repatriation Act artifacts at the Hearst Museum. The Pyramid Lake Paiute Tribe is asking to repatriate the artifacts. Mr. Hall asked for Council input on this activity. Chairman Barlese stated it was appropriate for Pyramid Lake to take the lead.

Mr. Cowan asked about the meeting at Nevada State Museum regarding Elephant Mountain Cave artifacts. Mr. Hall responded the Pyramid Lake Tribe and a band of the Pit River Tribe attended. Mr. Hall asked for Council to provide stories of oral traditions about Elephant Mountain Cave.

Mr. Cowan advised repatriation of artifacts uncovered by Ruby Pipeline contractors will occur on Saturday, May 12, 2012. He also mentioned FWS is working on a MOU for consultation with Tribes which could serve as a model for other agencies.

Mr. Seidlitz asked Council if another government-to-government consultation could occur between SLPT and BLM at the May 19, 2012 Council meeting to discuss the MOU for the fence, the Jackson Mountain horse gather, and the Montana Mountains fuels reduction project.

The government-to government consultation concluded at 3:39 p.m.

BREAK. Consensus of Council was to take a break at 3:40 p.m.

CALL TO ORDER. At 3:51 p.m., 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, Jerri Lynn Barlese, Jerry Barr, and Randi DeSoto. Chairman Warner Barlese declared a quorum was present and Council could conduct business.

STAFF PRESENT. William Cowan, Natural Resources Department Director; Barbara Nelson, Administrative Coordinator/Finance Assistant.

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Mr. Cowan discussed a recap of the BLM consultation. He stated BLM's Montana Mountains project is problematic because BLM will be seeding invasive plants which could affect sage grouse habitat. Mr. Cowan stated this project will affect the Fort McDermitt Tribe more than SLPT because they are closer in proximity. All of the affected area is relatively untouched. Also, the news that BLM has a transportation plan was a surprise. Mr. Cowan stated he doesn't believe the Montana Mountain project or the Jackson Mountain horse gather impacts SLPT and he does not feel the need to comment. Chairman Barlese stated it was good for BLM to hear SLPT's comments today.

Council Member Barr stated he would speak to Ms. Winn about Ms. Nelson drafting comments to BLM from the minutes. Council Member Barr and Chairman Barlese requested copies of the Montana Mountain Environmental Assessment.

Mr. Cowan stated the Appropriate Management Level (AML) for the Black Rock range is about 90 wild horses but BLM has never achieved this AML. The horses continually come back to the Reservation and cause damage to fences. He stated resources need to be spent on fixing the Reservation boundary fence.

OLD BUSINESS

Chairman Barlese discussed the amendments to the Election Code. He asked Ms. Nelson if comments were received from Tribal Members to which Ms. Nelson provided no.

MOTION: Council Secretary/Treasurer Jerri Lynn Barlese introduced a motion to approve the amended Election Code. Council Member Jerry Barr seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted.

Chairman Barlese stated there are issues with the Election packet. According to Resolution SL-25-2011, there are two individuals who are disbarred from SLPT business who should not have received absentee ballots. Council directed Ms. Nelson to reissue absentee ballots on colored paper, to distinguish from previous absentee ballots mistakenly sent to disqualified members. Chairman Barlese stated he was not notified who was requesting absentee ballots. Council Member DeSoto stated the resolution does not state they could not vote but only could not participate in Tribal business. Discussion followed whether voting in Council elections is considered Tribal business.

CONSENSUS: Consensus of Council is for Ms. Nelson to modify the 2012 Election ballot by changing the font style and changing the order of the candidate's names.

A letter will be sent to the five individuals who are disbarred from Tribal business advising they are not eligible to vote in the Election.

Discussion followed regarding Ronald Sam and Cynthia Mauk being appointed to the Election Committee.

CONSENSUS: Consensus of Council is for a letter to be sent to Ronald Sam and Cynthia Mauk advising they are appointed to the Election Committee.

MINUTES
Regular Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, April 21, 2012
Primary Administrative Office, Sparks, Nevada

Council Member Barr stated Ms. Winn has requested approval from Council to purchase another storage shed and to pay for removal of two trees in back of the Tribal office.

CONSENSUS: Consensus of Council is to approve purchase of a storage shed, pay for removal of two trees in back of the Tribal office, and to pay Council Member Barr for assembling the storage shed.

Discussion followed regarding modifying the new Administration trailer at the Tribal compound. Council decided to table this action to the May 19, 2012 Council meeting at the Reservation so they can look at the new trailer before making a decision on modifying it.

Council Member DeSoto advised Council to bring their old Tribal business documents into the office. Finance will arrange for American Document Destruction to come in to shred the documents.

NEXT MEETING

The next Council Meeting will be held on Saturday, May 19, 2012 at the Summit Lake Reservation starting at 10:00 a.m.

ADJOURNMENT

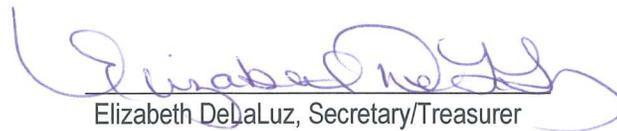
MOTION: Council Member Jerry Barr introduced a motion to adjourn. Council Vice-Chairman Ernie Barlese seconded the motion. Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted. The meeting adjourned at 4:03 p.m.

CERTIFICATION

I, Elizabeth DeLaLuz, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the April 21, 2012 Regular Meeting of the Summit Lake Paiute Council were approved by the Council during a duly called meeting of the Council on August 18, 2012, by a vote of 3 For, 0 Against, and 0 Abstaining. Council Chairwoman Randi DeSoto refrained from voting.

8/18/2012

Date


Elizabeth DeLaLuz, Secretary/Treasurer
Summit Lake Paiute Council