

MINUTES
Special Meeting
SUMMIT LAKE PAIUTE COUNCIL
Saturday, February 18, 2012
Primary Administrative Office, Sparks, Nevada

CALL TO ORDER. At 8:03 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 he had sent Council Members a draft Resolution, Disbarment of Individuals Who Served On The Council From 2003-May 20, 2006 From Engaging In Business Of The Summit Lake Paiute Tribe.

MOTION: Chairman Barlese introduced a motion to approve this Resolution. Council Member Jerry Barr seconded the motion.

Council Member Randi DeSoto read the Resolution aloud. Chairman Barlese stated the information in the Resolution came from information the Bureau of Indian Affairs (BIA) had provided the Summit Lake Paiute Tribe (SLPT) regarding the deferred revenue situation. It started off at more than \$1 million. Chairman Barlese asked if the rest of the Council had any corrections to the draft Resolution. Chairman Barlese pointed out changes he made to this draft Resolution from the version sent to Council several weeks ago. Council Member Jerry Barr asked for clarification of the period covered by the deferred revenue which is stated in the Resolution as 2003 to May 20, 2006. Council agreed to change the period covered to include Council members who served from 2000 through May 20, 2006. The former Council members are Robyn Burdette, Robert Sam, Lucille Sam, Grayson Huit and Lorraine Watson. Council Member DeSoto asked if these individuals were still Tribal Members to which Chairman Barlese responded yes. He stated there was some discussion about disenrolling these people but that never occurred.

Vote called. Vote: 4 For, 0 Against, 0 Abstaining. Resolution SL-01-2012 is enacted.

Chairman Barlese described the steps needed to revise the Election Ordinance per Part VIII, Section 3 of SLPT's Administrative Procedure Manual. There must be a Resolution introduced describing the purpose of the amendment. Once the Resolution is enacted, eligible voters must be notified within ten days that the Ordinance is being amended. There is a 60 day Tribal Member comment period. Chairman Barlese stated the Election Ordinance was amended January 16, 2010. Part of the amendment contains ambiguous language related to federal government issuance of Findings and Determinations documents. The January 16, 2010 amendment states that candidates are ineligible for Council who "...never during prior service as a member of the Summit Lake Paiute Council had the federal government issue a Findings and Determinations document for one or more years during the candidate's previous term on the Council..." Findings and Determination is used by auditors to describe and summarize audit findings. Chairman Barlese stated Findings and Determinations may be misinterpreted because it is on every audit report.

MOTION: Chairman Warner Barlese introduced a motion to amend Section 3.02.020 of the Election Ordinance, Eligibility to Hold Office to remove the statement "...never during prior service as a member of the

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Summit Lake Paiute Council had the federal government issue a Findings and Determinations document for one or more years during the candidate's previous term on the Council..." Council Member Jerry Barr seconded the motion. Vote called. 4 For, 0 Against, 0 Abstaining. The change to the Election Ordinance is approved removing reference to Findings and Determinations. An announcement of the amendment to the Election Ordinance will be mailed to eligible voters. Eligible voters have 60 days in which to comment on the amendment.

Chairman Barlese reported he had received training from Tribal Data Resources to operate the enrollment card machine. The Progeny software was updated during this training.

REPORTS – VICE-CHAIRMAN ERNIE BARLESE

Vice-Chairman Barlese had nothing to report.

REPORTS – SECRETARY/TREASURER JERRI LYNN BARLESE

Secretary/Treasurer Barlese reported the CTGP narrative report was submitted to the BIA. She also participated in a Council Administrator (CA) meeting on February 2, 2012.

REPORTS – COUNCIL MEMBER RANDI DESOTO

Council Member DeSoto reported on updates to the website she authorized: posting the Maintenance Worker II job description, the Request for Proposal for auditors, and posting the agenda for today's meeting. She reported she also attended the Tribal Data Resources training and now knows how to issue enrollment cards. She will be training Secretary/Treasurer Barlese on how to issue cards.

Council Member DeSoto reported she attended the February 2, 2012 CA meeting. There is one issue with the K-12 program. The member raising concerns will be here to speak to Council at today's meeting.

REPORTS – COUNCIL MEMBER JERRY BARR

Council Member Barr reported he attended the Tribal Data Resources training on the enrollment card machine. He will also be attending the *Amending and Revising Tribal Constitutions Today* training March 29-30, 2012 in Reno and attending *Tribal Enrollment Today* training in Las Vegas, April 18-19, 2012. Chairman Barlese asked Council to let him know as soon as possible if they will also attend these trainings. He will then text message all Council members and Finance on who will be attending.

BREAK. Consensus of Council was to take a break at 8:58 a.m.

CALL TO ORDER. At 9:10 a.m., the Council Meeting was called to order by Council Chairman Warner Barlese.

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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 – FINANCE DIRECTOR, FRANCES WINN

Ms. Winn handed out flash drives containing contract and grant budgets. Ms. Winn gave Council a report showing the status of 2011 Council Meeting minutes. The November 19, 2011, December 17, 2011 and December 27, 2011 minutes were provided to Council for approval today. These minutes were also available for Council at the January 21, 2012 meeting but no action was taken.

Ms. Winn discussed lack of communication between Council and Administration. Secretary/Treasurer Barlese stated she had spoken to Ms. Winn about enrollment prior to today's meeting. Discussion followed regarding the process for drafting Resolutions with regard to enrollment changes. Chairman Barlese stated an email should be sent to Council Member Barr because he is the Council enrollment liaison. Chairman Barlese stated he is not being informed of Tribal Member requests for enrollment/disenrollment action. The CA's should be keeping the entire Council informed about these requests. Chairman Barlese stated he would then text back to all Council what action was taken. Ms. Winn stated Council should establish an internal process for these issues and then apprise Administration what they need to do. Council Member Barr stated he mailed one enrollment application this month. He also knows of one person who was approved for enrollment by Council in 2011. Secretary/Treasurer Barlese needs to compose a Resolution to present to Council to finalize her enrollment. Ms. Winn stated she has told the CA's at each of their meetings that they need to be keeping the other two Council members informed on issues the CA's are dealing with. Ms. Winn stated there are training sessions available for effective communication. She stated as of today, Administration will be sending communication to Council Members only through their SLPT email address. Chairman Barlese stated he will be using the SLPT email for all Council members. All Council should be checking their SLPT email.

Ms. Winn stated when letters come to Administration from Tribal Members, such as the letter that came in from a Tribal Member who wants to be on the Election Committee, a letter needs to be sent back from SLPT acknowledging receipt of their letter. This is just good business.

She gave Council a sample ballot for the May 19, 2012 election and asked for their review and comments.

She reported she hopes to receive Higher Education funding from BIA by mid-March. She will email Council Member DeSoto once the BIA funds are received.

Ms. Winn gave Council a copy of a US Bank form to update SLPT's banking account information. Council needs to fill the forms out because Ron Johnny is still listed as a contact on the account. They need to consider this a priority since it impacts money SLPT has in the bank.

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Ms. Winn discussed disposing of the 25-30 boxes of Ruby Pipeline documents in the Primary Administrative Office. Chairman Barlese stated he will contact the pro bono attorney to see what should be done with the documents. Ms. Winn stated Finance/Administration cannot be involved in reviewing these documents because we are not paid from Ruby funds. Council will need to take charge of this project.

Ms. Winn reported on the status of HUD grants. She said an Environmental Review must be done before any HUD funds can be expended. She will forward a request to Ms. Cristal Quinn asking for copies of exempt memorandums on housing management and planning services. If Council wants, Administration can provide copies of individual Indian Housing Plans (IHP). Chairman Barlese stated Council needs to discuss how to utilize the HUD funds at the March 17, 2012 Council meeting. Another option would be to give the money back to HUD. Ms. Winn suggested a conference call be held with Ms. Quinn. Discussion followed regarding goals stated in the IHPs. Mr. Cowan asked Chairman Barlese if he has seen schematics for the projects proposed by SLPT in the IHPs. Mr. Cowan recommended Council contact Ms. Quinn and request schematics. Ms. Winn will contact Ms. Quinn to see what dates she is available for a conference call with SLPT, and email Council and Mr. Cowan the dates so a conference call can be arranged. Ms. Winn suggested Council have a preplanning meeting to develop discussion points for the conference call. She will send Mr. Cowan an email on questions she's already developed on HUD.

Ms. Winn stated Ms. Marie Ortesi, EPA has stated the Tuesday, January 21, 2012 conference call between SLPT and EPA will be the last. Ms. Winn asked Council to draft questions they want to discuss during the conference call.

Ms. Winn reported she wants to send Ms. Nelson and Ms. Shalone Jimmy to Tribal Records Management training March 22-23, 2012 in Albuquerque, New Mexico. She stated that any documents seven years or older will go to document destruction. She asked Council what they want to do with the boxes of cassette tapes and floppy disks of old Council meetings. The cost for converting these media to electronic format would be considerable. She encouraged Council to attend the *Amending and Revising Tribal Constitutions Today* training March 29-30, 2012 in Reno and attending *Tribal Enrollment Today* training in Las Vegas, April 18-19, 2012.

BREAK. Consensus of Council was to take a break at 10:09 a.m.

CALL TO ORDER. At 10:20 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; Barbara Nelson, Administrative Coordinator/Finance Assistant.

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

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BLM WINNEMUCCA DISTRICT GOVERNMENT-TO-GOVERNMENT CONSULTATION

Mr. Hall discussed issues from the last meeting including:

- Burning Man Memorandum of Understanding (MOU)—Chairman Barlese asked Mr. Cowan if he would be commenting on the MOU to which Mr. Cowan replied no. Chairman Barlese told Mr. Hall Council would provide comments by February 21, 2012.
- Solar Development MOU—Mr. Hall asked Council to identify sacred sites near the proposed solar development projects.
- Black Rock Spring Diversion Project by Desert Research Institute—Mr. Hall asked for SLPT's comments by the end of February. Mr. Cowan asked Mr. Hall to provide him with the final cultural report on this project. SLPT will comment once the cultural report is available. Mr. Rolando Mendez is trying to finalize this project by the end of February.

Mr. Hall discussed new projects in the BLM Winnemucca District. An Environmental Impact Statement (EIS) has been issued for the Hycroft Mine. A summary of the EIS was provided along with a map of the affected area. Hycroft wants to extend the mine over the next fifteen years into BLM land. The mine is currently on private land. Mr. Hall discussed activities Hycroft will be conducting, a summary of which is attached to these minutes. Mr. Seidlitz offered to take Council on a site visit to the location. He stated the potential exists for hiring approximately 500 people. There are 11 sites with a prehistoric component in the project area that may be impacted by the project. Mr. Cowan asked to receive a copy of the mitigation report for the prehistoric sites which Mr. Hall will provide once available.

Mr. Alan Bollschweiler, District Manager, BLM Surprise Valley District entered the meeting at 11:20 a.m.

Mr. Hall discussed the Far Western Archaeological Post Construction Treatment Plan requiring Ruby Pipeline to return the area where the pipeline was built to its original condition. Mr. Cowan asked to get the contact name for the lead person on the project which Mr. Hall will provide. Far Western will identify in their Treatment Plan sites where obsidian will be collected. They will also have to report back to BLM to ensure the National Environmental Policy Act (NEPA) process is followed on the Treatment Plan and on paleo sites. Mr. Hall stated Far Western will use the same process to analyze basalt as with obsidian. Council Member Barr asked if cultural monitors will be present when Far Western begins drilling. Chairman Barlese also stated BLM SLPT monitors should be present. Mr. Hall stated Chairman Barlese should include this in SLPT's comments to Far Western, the Federal Energy Regulatory Commission (FERC) and BLM on the Treatment Plan, and provide a list of SLPT monitors. Comments are due February 27, 2012. Chairman Barlese stated he would try to meet this deadline. Once Far Western submits their field work plan to BLM their field work can begin.

Chairman Barlese stated that once again, as with the entire Ruby Pipeline project, BLM is supposed to be the lead agency but SLPT is being told to go to FERC. Mr. Cowan asked for a copy of FERC's Post Construction Treatment Plan MOU which Mr. Hall stated he would send. Mr. Seidlitz asked for a list of monitors. Chairman Barlese asked if the BLM Surprise Valley District would be going through the same process as the Winnemucca District on the Post Construction Treatment Plan. He also asked Mr. Bollschweiler if Surprise Valley has consulted with the Fort Bidwell Paiute Tribe. Mr. Bollschweiler stated he will check his records on the last consultation with Fort Bidwell. Mr. Cowan asked if Surprise Valley is only allowing surface work to which Mr. Bollschweiler responded yes.

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Mr. Hall stated the Post Construction Treatment Plan was part of the original Ruby Pipeline plan. He reported Ruby is starting Monday, February 20, 2012 to open the trench again at mile markers 509 and 510 to put in a new trench for an anode bed, 24 inches wide. Mr. Hall stated this was covered in the original EIS thus, in FERC's eyes, it's not a new project. Chairman Barlese disputed this and views it as a new project for which FERC should be required to repeat the process from the beginning. Mr. Hall stated the crew building the anode bed is now in Cedarville. The crew has three pickup trucks going down the Cedarville Road on the Reservation, staying in Winnemucca while building the anode bed and returning back the same route. Chairman Barlese stated he recommends the workers stay on paved roads off the Reservation because of the work SLPT has performed to maintain the Reservation roads.

Mr. Seidlitz stated Ruby will be putting in sagebrush seedlings on the Right of Way. Mr. Cowan stated SLPT has an established noxious weed program and SLPT cannot now have a new source of potential noxious weed invasion. He asked for BLM to work cooperatively with SLPT on this. Chairman Barlese again asked both Winnemucca District and Surprise Valley District to allow SLPT monitors to be present.

Discussion followed regarding the Coordinated Road Maintenance MOU. Mr. Seidlitz stated BLM is responsible for road maintenance from the Humboldt/Pershing County Line to Soldier Meadows. He stated Humboldt County is responsible for road maintenance for the road north of Soldier Meadows to the south boundary of the Reservation. Mr. Cowan stated the MOU does not address this in detail. Humboldt County is maintaining they don't have responsibility for the road north of Soldier Meadows. Mr. Cowan stated it was his understanding that BLM would be responsible for road maintenance to the south boundary of the Reservation. There will be an annual meeting between BLM and Humboldt County to discuss road maintenance for the upcoming year. Mr. Cowan asked that SLPT be included in that annual meeting. Mr. Hall agreed to talk to Mr. Mendez regarding notifying Mr. Cowan of the date of the meeting. SLPT is actively looking for support for road maintenance including rerouting the west road on the Reservation and for rerouting Hells Canyon. The Humboldt County Roads Department has stated it is a waste of time and resources to maintain the road from Soldier Meadows to the south boundary of the Reservation; however, SLPT is advocating the road needs to be fixed. SLPT solicited bids for engineering services to scope the feasibility and cost estimate to reroute Hells Canyon and the road west of Summit Lake. SLPT will then have to go to congressional delegates in an effort to seek funding.

Mr. Seidlitz asked if the Tribe received notification from BIA of roads maintenance funding. Mr. Cowan stated SLPT's LRTP included a proposal for these road reroutes and it would be a demonstration of partnering for BIA, BLM, SLPT and Humboldt County to work together to get the Hells Canyon road fixed. Both Humboldt County and BLM supported SLPT's LRTP. Mr. Seidlitz stated the BLM portion of the MOU shows BLM is only responsible for the road from the Humboldt/Pershing County Line to Soldier Meadows.

Mr. Seidlitz asked if the Tribe has sent BLM a request for a Right of Way to reroute the road. Mr. Cowan requested BLM provide SLPT guidance on the Right of Way application process. Chairman Barlese suggested rerouting the road to intersect with the Cedarville Road. Mr. Seidlitz stated creating a road in a wilderness area is not allowed.

Mr. Cowan discussed SLPT's Treatment as a State application (TAS). Mr. Cowan asked BLM to describe their issues with the TAS application. He stated it was brought to his attention BLM has an issue with a map of the Reservation boundaries. Mr. Seidlitz stated there were inconsistencies with the map. Mr. Cowan replied these maps came from BLM and this issue could have easily been resolved if BLM had consulted with SLPT. The TAS application has already gone through a public comment period.

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Mr. Hall stated there are private allotments off the Reservation. BLM land staff went to Humboldt County to determine the owners and boundaries for these allotments. Mr. Hall stated Humboldt County registered these allotments as fee simple status which mandates the land owners pay taxes. The BIA got involved because the Indian allotment status was removed. Mr. Cowan stated these are fractionated pieces of land with many individuals having a piece of ownership on the allotments.

Mr. Cowan reiterated it would have been a simple process for BLM to advise SLPT that BLM had concerns with the TAS application. However, now the TAS issues have been elevated to BLM and BIA solicitors. SLPT will likely now have to go to public comment again. Mr. Cowan stated the definition of tribal trust land needs to be reviewed. Mr. Hall stated this is why BLM felt their solicitor needed to be involved. Mr. Cowan stated the BIA solicitor should have been involved prior to the BLM solicitor. BLM circumvented the BIA Western Nevada Agency Realty office by going directly to the BIA Phoenix Area office.

Mr. Seidlitz stated a meeting needs to be held with EPA, BLM, BIA and SLPT. Mr. Cowan requested the meeting be coordinated as soon as possible. Mr. Hall stated there were also inconsistencies with the mileage for Snow Creek and Mahogany Creek. Mr. Seidlitz asked how the TAS application would affect BLM. Mr. Cowan responded the purpose is for SLPT to have authority to manage water quality standards on tribal lands. Mr. Seidlitz stated the meeting could be scheduled between today and March 9, 2012.

Mr. Seidlitz informed the Council that Kinder Morgan, which is an individual and a corporation, is interested in purchasing Ruby Pipeline.

This government-to-government consultation ended at 12:00 p.m.

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

CALL TO ORDER. At 12:35 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. Alan Bollschweiler, District Manager, BLM Surprise Valley District; Julie Rodman, Archaeologist, BLM Surprise Valley District.

BLM SURPRISE VALLEY DISTRICT GOVERNMENT-TO-GOVERNMENT CONSULTATION

Mr. Bollschweiler reported the California State BLM Director Jim Kenna, who is new in the position, visited Surprise Valley District and discussed three items: sustainability, seeking public interest, and building a common purpose.

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Mr. Bollschweiler reported Ruby Pipeline is installing anode beds in Surprise Valley. Ms. Rodman stated she reviewed their work sites and they did not impact cultural sites.

Mr. Bollschweiler reported the Barrel Springs Tribal Cultural Property designation is in progress.

The Surprise Valley District is working to purchase three parcels from Estill Ranch. The project will be completed in 2012. BLM has not yet heard back from the owners.

Mr. Bollschweiler and Ms. Rodman discussed the following projects.

Restoration and Habitat Improvement

- Continuing to implement a noxious weed program. Mr. Cowan stated Kent Bloomer, SLPT Resource Technician, contacted Surprise Valley noxious weed staff to combine training efforts.
- The horse gather was successful and 1,334 horses were gathered. The objective of the gather is to reach and maintain Appropriate Management Level.
- Boulder and Buzz fire reseeding project entails reseeding bitterbrush and sage brush seedlings.
- NE Warner Fuels Reduction will entail hand and mechanical thinning to remove invasive juniper from 1,611 acres.

Wildlife Improvement

- Bighorn augmentation – 29 bighorn sheep were trapped and relocated to the Surprise Valley field office.
- Wildlife guzzlers – this project would install 5-10 water catchment devices to provide water for wildlife. Surprise Valley will be working with the Nevada Department of Wildlife on this project.

Gravel Pit Permit Removal

- Hays Canyon gravel pit renewal for Modoc County – permits have lapsed. Surprise Valley is working with Modoc County for solutions to provide the gravel they need.

Sage Grouse Resource Management Plan Amendment

- The amendment is intended to ensure adequate habitat exists for sage grouse leks.

Range Improvement

- Allotment permit renewals – the Horse Lake and Massacre Lake allotments are due for renewal this year.
- Installing a fence on Bunch reservoir.
- Nut Mountain Springs – fencing springs and installing water troughs outside the spring area to improve the spring condition. Mr. Cowan suggested removing the cattle and allow the spring to flow.
- Smiling Dog fence – the fence is designed to protect the spring from cattle grazing.
- Pinto Springs fence – designed to protect the riparian and cultural resources.
- Denio pit reservoirs – this project involves the construction of four pit reservoirs to better distribute grazing impacts through the allotment.
- TNR permit – temporary use of five fenced meadows for the FY 2012/2013 grazing seasons.

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Energy Applications

- Wind energy – several applications have been received to install temporary sensors to measure wind speeds.

Mining

- Duck Flat exploration – a notice of intent to conduct exploratory trenching has been received.
- 49 Mountain – several notices have been received to initiate mining exploration in the 49 Mountain area.

Recreation

- Boulder Reservoir – a project has been initiated to improve the fishery at Boulder reservoir by dredging the reservoir and develop enhanced camping facilities. The shoreline will not be changed.
- Student Conservation Association – A student crew volunteered for 10 days and completed restoration projects including fence repair, trash removal, and installing signs of road closures.
- Devine Spring – A project has been initiated to develop enhanced camping opportunities in the Devine Spring area.

Fire and Fuels

- 2011 wildfire season – Annie and Clark fires.
- Vya fuels reduction complex – This large project is designed to identify and select areas with juniper encroachment for fuels reduction activities.
- Home Camp fuels reduction – The proposed project would utilize a mixture of hand clearing and pile burning to remove invasive juniper from five areas near Home Camp.

Archaeological Resource Protection Act Violations

- Rock Creek – modern graffiti has been documented at the Rock Creek petroglyph site. Law enforcement officials were contacted. Ms. Rodman stated BLM will be checking this area often. Mr. Cowan asked when BLM would be making a site visit to the area. Ms. Rodman responded it would be after the ground dries.

Summer Employment

- Seasonal employment for youth and students, particularly students seeking a degree. Mr. Cowan mentioned there is a high Native American student population at Humboldt State University. Another source to find students is the Native American Fish and Wildlife Society. Ms. Rodman stated Surprise Valley is updating their website and may put a link for seasonal workers.

Mr. Bollschweiler asked how often SLPT wants to consult with Surprise Valley. Chairman Barlese stated SLPT is interested in significant projects, particularly those that are controversial. BLM will update their talking point list and send it to SLPT. SLPT will review it and determine whether consultation is needed.

This government-to-government consultation concluded at 2:50 p.m.

BREAK. Consensus of Council was to take a lunch break at 2:50 p.m.

CALL TO ORDER. At 3:00 p.m., the Council Meeting was called to order by Council Chairman Warner Barlese.

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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. Brian Amme, Project Director, BLM Greater Sage Grouse Planning Strategy; Delgadina Gonzalez, Tribal Member.

BLM NEVADA STATE GREATER SAGE GROUSE PLANNING STRATEGY

Mr. Amme gave a slide show on this project. BLM is asking Tribes to be Cooperating Agencies on the project. BLM is trying to give states and Tribes a higher level of consultation than counties. Mr. Cowan stated SLPT would be interested in participating; however, it is a drain on resources to participate in government-to-government consultation. He asked Mr. Amme to elevate to BLM upper management the need to allocate resources for Tribal consultation.

Handouts were provided which have been given to people attending scoping meetings. Scoping meetings were held in Tonopah, Ely, Elko, Reno, Winnemucca, Alturas and Susanville. There was good attendance at these meetings. Mr. Cowan asked what issues were brought up by the attendees—were they in favor or were they uncomfortable or intimidated by potential restrictions on use of public lands. Mr. Amme replied it was a mix of people. Some people are uncomfortable about additional restrictions that may be imposed. Mr. Cowan asked if livestock grazing plays a prominent role. Mr. Amme stated it was his personal opinion no. Mr. Cowan stated in the last three decades there has been a significant decrease in sage grouse population. Wildfires and projects such as Ruby Pipeline certainly affect habitat. Mr. Cowan stated the Reservation used to support a very robust population of sage grouse. Mr. Amme stated hunting does come up at meetings as a source of decline but the Nevada Department of Wildlife still allows hunting.

The project began in February 2010 when FWS issued a "warranted but precluded" finding making the sage grouse a candidate for listing as an endangered species. A final listing decision will be issued in 2015. Threats to sage grouse habitat include invasive species, infrastructure, wildfires, energy development and agriculture. Insufficient regulatory mechanisms on federal lands have not been effective at addressing threats. BLM hopes to amend land use plans by 2014. The project is comprised of regional and sub-regional teams. Regional teams will respond to national policy while the sub-regional teams will provide a finer level of ensuring local ecological variances are taken into account. They are trying to be consistent between all sub-regional teams but there will be a lot of politics since they're working with five different agencies and five different governors. Mr. Amme is the lead on Nevada and California regions. They are on the ground floor right now getting the scoping done and trying to get people involved. The teams include FWS, State Wildlife Agencies and Forest Service personnel. Tribal, state and county agencies have been asked to be involved. An Instruction Memorandum (IM) has been developed which is the planning strategy. Mr. Cowan asked to receive a copy of the IM which Mr. Amme will provide. Habitat maps are available but some areas are not yet complete. A Notice of Intent was published on December 9, 2011 which initiated the scoping process.

Mr. Cowan asked if SLPT decides to get involved, what has the Tribe missed out on. Mr. Amme replied SLPT can still be involved in the scoping process which ends March 23, 2012. A report will be issued 60 days afterwards. A contractor is handling the logistics of obtaining public comments. A draft EIS will be issued December 2012. Final EIS will be published

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December 2013. A Record of Decision will be signed May 2014. These dates are all estimates however. Mr. Cowan asked if SLPT becomes a Cooperating Agency will they be provided an MOU to sign. Mr. Amme replied the MOU's are being drafted now.

Consultation ended at 3:45 p.m.

Mr. Cowan asked Council if they thought SLPT should participate as a Cooperating Agency and they all agreed SLPT should. Mr. Cowan stated he would take responsibility to send an invitation to BLM to discuss the MOU, once available. He reminded Council there are no funds to be paid a stipend for participating in the process. If SLPT's Tribal Wildlife Grant on sage grouse is funded, Mr. Bloomer will probably be charged with taking the lead.

MOTION: Council Member Jerry Barr introduced a motion for an agenda change to speak to a Tribal Member. Council Member Randi DeSoto seconded the motion. Vote called. Vote: 3 For, 0 Against, 1 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted.

TRIBAL MEMBER DELGADINA GONZALEZ

Ms. Gonzalez expressed her dissatisfaction with a decision on why her son was denied K-12 services for graduation-related expenses. She stated she called BIA about the situation. BIA informed her SLPT needs to adhere to the guidelines mailed in a flyer to Tribal Members at the start of the program. There was not a cap on funds per student in the flyer. Chairman Barlese stated Council Member Barr has been charged with taking the lead on the program with direction from Council. Ms. Gonzalez stated she has submitted her concerns twice about her son being denied. She was advised by staff to submit her request for everything the child needs that would be covered by the K-12 program. She stated she requested a class ring, yearbook, pictures, a school sports uniform and other fees for high school. Council Member Barr stated a check had been cut for the yearbook. The only item he denied was the class ring. He stated the reason the request for the class ring was denied was the percentage of funds that had already been spent on her son. Ms. Gonzalez asked why stipulations on the program weren't clearly defined.

Chairman Barlese asked Ms. Gonzalez to resubmit the list of items that haven't been paid. Ms. Nelson was asked to have Ms. Winn run a report on everything that's been paid on Ms. Gonzalez' son versus what else needs to be purchased. Chairman Barlese stated once that information is available, Council will make a decision. Ms. Gonzalez asked how long it will take Council to reach a final decision. Chairman Barlese asked Ms. Gonzalez to send him a reminder by noon on Tuesday, February 21, 2012. Council Member Barr stated he will talk to Ms. Gonzalez by Thursday on the Council decision. Council Member DeSoto asked how much funds are left in the program. Council Member Barr stated there is \$4,500 left. Ms. Gonzalez pointed out her son is a senior so expenses will be greater than for a kindergarten student. Ms. Gonzalez stated that if a program like this is going to be offered to Tribal Members, stipulations, if any, must be clearly defined. Council Member Barr stated the flyer didn't state that SLPT would pay for everything.

MOTION: Council Member Randi DeSoto introduced a motion to go into Executive Session for ten minutes to discuss this issue further. Council Member Jerry Barr seconded the motion. Vote called. Vote: 3 For, 0 Against, 1 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted. Executive Session began at 4:15 p.m. and concluded at 4:30 p.m.

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Council Chairman stated a decision was made to change the person in charge of the K-12 program to Council Member DeSoto since Council Member Barr requested to be removed from this responsibility. Council Member DeSoto accepted. Vote called. Vote: 3 For, 0 Against, 1 Abstaining.

REPORTS – WILLIAM COWAN, NATURAL RESOURCES DEPARTMENT DIRECTOR

Mr. Cowan provided an oral and written report. Topics included:

- Video produced by the FWS regarding benefits and services provided through the Intergovernmental Personnel Act agreement,
- Chairman and Director meeting with the FWS Nevada State Supervisor,
- Chairman and Director meeting with members of Senator Reid's staff and faculty of the University of Nevada Reno (UNR),
- Fish hatchery cyclical maintenance fund, the Endangered Species fund, and technical assistance related to National Environmental Policy Act,
- Fish hatchery cyclical maintenance proposal,
- Director contacting the Branch Chief of Fisheries, Wildlife and Recreation for the BIA Central Office in Washington, DC to discuss the BIA Endangered Species fund, and mechanisms to increase base funding of the Tribe's 638 Fisheries contract,
- Maintenance Worker II position,
- 2012 noxious weed proposal fully funded at \$42,715,
- Fish and Wildlife Biologist position,
- Fish and Wildlife Biologist and Director meeting with BLM Winnemucca District staff to discuss Reservation boundary fence,
- Draft grazing ordinance to deal with trespass livestock and feral horses being submitted to BIA,
- Outreach to EPA, BLM and BIA to resolve concerns related to the Treatment as a Statehood (TAS) application,
- Preliminary results of the food web study and networking water flow and water quality instruments deployed on the Reservation,
- Nevada Pesticide Application training, and
- Upcoming meetings and events.

Discussion Topics

Noxious weed policy – Mr. Cowan handed out an updated policy for Council review which provided clear language with regard to items prohibited from entering the Reservation. He stated hay or crop products must be inspected by industry standards prior to being allowed on the Reservation.

MOTION: Council Member Jerry Barr introduced a motion to approve Resolution, SL-02-2012, Approval of a Noxious Weed Policy for the Summit Lake Paiute Tribe. Council Vice-Chairman Ernie Barlese seconded the motion. Vote called. Vote: 3 For, 0 Against, 1 Abstaining. Council Chairman Warner Barlese refrained from voting and declared the motion enacted. Resolution SL-02-2012 is approved.

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Noxious weed sign – FWS Public Affairs Program gave SLPT a different iteration of the sign. Mr. Cowan asked Council for input.

CONSENSUS: Consensus of Council was to move forward with the sign.

Sage Grouse MOU – Mr. Cowan recommends SLPT participate in the Greater Sage Grouse Planning Strategy. Mr. Bloomer will be the lead.

MOTION: Motion was introduced by Council Member Jerry Barr for Council Chairman Warner Barlese to sign the Sage Grouse MOU. Seconded by Council Member Randi DeSoto. Vote called. Majority of Council approved this motion.

Bid Selection Committee – Mr. Cowan stated he needs one Council Member to participate on the bid selection committee for consulting services relative to the LRTP. Council Member Jerry Barr offered to be the Council designate.

Strategy to Manage Fish Run – Mr. Cowan stated, with Ms. Youmans leaving and Mr. Mark Hicks not returning, the NRD will be in a training mode for new staff. UNR has offered through American Fisheries Chapter to volunteer time to help manage the fish run. Trout Unlimited is also interested in helping SLPT. Trout Unlimited is a national organization of volunteers with a passion for preserving and restoring wild fisheries. They have clout with the Congressional Natural Resource Committee for Appropriations and defining policy with FWS and state agencies. They may be able to assist SLPT in receiving more funding and support with respect to SLPT's fishery.

Mr. Cowan stated if Council supports the PIT tag study, Mr. Cowan will resubmit the population viability application next year as a Tribal Wildlife Grant (TWG). Mr. Cowan described how a PIT tag works. The PIT tag study will allow SLPT to understand the Lahontan cutthroat trout's (LCT) ability to spawn, how many times they return to spawn, and surviving spawning events. If you recapture LCT again you can learn how quickly they are growing. Mr. Cowan stated SLPT could potentially comprise a group from Trout Unlimited, university students, and Council if they want to volunteer, to help catch fish for tagging tag before the fish run and after the ice melt off the lake. Trout Unlimited has donated \$5,000 to UNR which can be used to purchase PIT tags. Mr. Cowan outreached to FWS to see if they have PIT scanners SLPT can borrow. Mr. Cowan feels PIT tagging is important. It would be a long term project. SLPT may want to consider attaching a dollar amount as a donation from volunteers who will be helping to catch and release fish. This may be a potential revenue source for SLPT. Mr. Cowan stated the downfall to letting non-members help with this process is that word will spread about Summit Lake and unauthorized fishing may occur. SLPT would have to stress to volunteers this project is not something that needs to be communicated to the public.

UNR researchers have a trap net device they are willing to loan SLPT for the food web study rather than SLPT using gill nets. Mr. Cowan drew a diagram of a trap net device and stated it has been used at Summit Lake without much success because it was used in the summer. He stated LCT has never been sampled after ice breakup. Mr. Cowan is proposing to get a group of 10 to 15 fishermen to catch and release fish after ice breakup. Chairman Barlese stated he felt more comfortable to keep this project in-house. Mr. Cowan asked for a decision on moving forward with PIT tagging. Council Member Barr felt using UNR rather than Trout Unlimited is a better option. Mr. Cowan will be training Mr. Bloomer and the Fish and Wildlife Biologist to inject PIT tags. He stated if tribal members catch tagged fish they would be encouraged to release them. If a fish is caught with a full complement of fins, that fish would not have a PIT tag. Consensus of Council was for Mr. Cowan to proceed on the

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PIT tag project. Mr. Cowan stated he still needs to consult with FWS on this project since researchers involved may have to get SLPT's recovery permit revised.

Mr. Cowan discussed strategies to employ the Maintenance Worker II if the selected applicant is not qualified to operate heavy equipment. Mr. Cowan stated he may need to fill this position as soon as possible since projects exist that need to be done but do not involve someone certified to operate heavy equipment. One option would be to subcontract with someone to get the work done. Another option would be to hire the employee and then send him to certification training later. Mr. Cowan stated FWS required pre-certification training online and then hands on training. This training takes approximately a week. OSHA training requires a 40 hour course. Mr. Cowan is considering contracting with Mr. Hicks to operate heavy equipment on weekends.

Mr. Cowan stated he may need to mobilize the noxious weed crew earlier this season due to weather. He has advised Mr. Bloomer he may need to network with Pyramid Lake Paiute Tribe and Washoe Tribe and consider establishing a noxious weed circuit. Mr. Bloomer is also outreaching to BLM.

Mr. Cowan discussed the Connecting People With Nature event. He is proposing June 30- July 1, 2012 and asked for commitment from the Council to help. The FWS State Supervisor expressed interest to participate. UNR can provide information on the food web study. Mr. Cowan stated he needs volunteers to set up camp. He may also contract with Ms. Youmans in the event she's left SLPT employment. Council Members Barr and DeSoto volunteered to help.

Mr. Cowan reminded Council of the EPA conference call scheduled for February 21, 2012. Discussion followed regarding the cost since the conference call will be set up through the AT&T conference call operator. The call will be recorded. Council Chairman Barlese, Council Vice-Chairman Barlese, Council Secretary/Treasurer Barlese, Council Members Barr and DeSoto will all participate as well as Mr. Cowan and Ms. Winn.

Mr. Cowan recommended not disposing of Ruby materials but to retain one copy to store at the One Mile Spring building. It would have to be a weekend project for the Council to review the materials. Mr. Cowan stated there is a lot of important cultural and natural resource information in the documents.

Mr. Cowan asked that the Action Item list from each Council meeting be generated as soon as possible after meetings.

Mr. Cowan received an email from UNR to discuss hydrology changes in the Summit Lake Basin in the face of global warming. UNR wants to look at snow pack data for Summit Lake, Independence Lake and Heenan Lake. UNR is requesting a letter of support to use data that has been collected. Consensus of Council is to authorize Mr. Cowan to draft a letter of support and present to Chairman Barlese for signature.

OLD BUSINESS

- Resolution regarding new Tribal Member – tabled to March meeting
- Resolution regarding one Tribal Member's request to relinquish enrollment – tabled to March meeting. Council Member Barr will send a letter to the member advising her request will be acted upon at the March meeting
- Resolution approving Noxious Weed Policy – Done
- Programmatic Agreement, Solar Energy Development – Done

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- Draft Environmental Impact Statement, Solar Energy Development - Done

Discussion followed regarding the draft Grazing Ordinance which Mr. Cowan asked the Council to review. Any livestock (domestic horses, sheep, cows, and pigs) will be required to have a grazing permit. NRD wants to identify what animals are not owned by Tribal Members. Those animals would then be considered trespass. Council can impose or waive a fee. BIA will be responsible for regulating allotment management. BIA has received the draft Ordinance. The Grazing Ordinance needs to be approved before the end of September 2012, when the EPA Non-Point Source grant expires.

NEW BUSINESS

Council discussed US Bank forms removing a terminated employee from the account. Council Chairman Barlese will be the Contact and First Administrator. There will be no Second Administrator.

Resolution SL-01-2012 was enacted disbaring certain Tribal Members from participating in Tribal government. Chairman Barlese will draft a letter to send to Robert Sam who has asked to be on the Election Committee.

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The November 19, 2011, December 17, 2011 and December 27, 2011 Council meeting minutes were tabled to discuss at the March 17, 2012 meeting. Council was provided a copy of these draft minutes which they also received at the January 21, 2012 meeting.

AGENDA – MARCH 17, 2012 COUNCIL MEETING

Items for next meeting's agenda include:

- Enrollment Resolutions
- Minutes
- Government-to-Government Consultation
- US Bank Forms

Council Secretary/Treasurer Barlese stated she believes it is a conflict of interest for Council Member DeSoto to administer the K-12 program. Chairman Barlese disagreed. Because so many Tribal Members are related, it would be impossible for there not to be a conflict of interest regardless of who was taking the lead on the K-12 program.

The time for the March 17, 2012 meeting will be determined at a later date.

ADJOURNMENT

MOTION: Council Vice-Chairman Ernie Barlese introduced a motion to adjourn. 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. The meeting adjourned at 6:45 p.m.

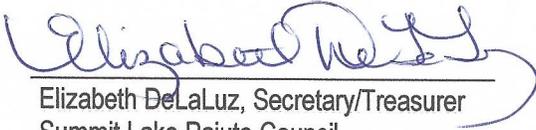
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CERTIFICATION

I, Elizabeth DeLaLuz, Secretary/Treasurer of the Summit Lake Paiute Council, hereby state and affirm that the above Minutes of the February 18, 2012 Special Meeting of the Summit Lake Paiute Council were approved by the Council during a duly called meeting of the Council on June 16, 2012, by a vote of 4 For, 0 Against, and 0 Abstaining. Council Chairwoman Randi DeSoto refrained from voting.

June 16, 2012

Date


Elizabeth DeLaLuz, Secretary/Treasurer
Summit Lake Paiute Council