

Intergovernmental Executive Committee Charter

COMMITTEE PURPOSE, BACKGROUND, AND OBJECTIVES

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

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

Objectives:

- Create a forum to serve as an exchange of information and to facilitate coordination pertaining to the management of natural resources, cultural resources, cultural practices, and recreational resources, as well as other range related concerns.
- Seek to identify, promote protection, minimize potential impacts, and appropriately manage the natural resources, cultural resources, cultural practices, and recreational resources within the existing and potentially expanded boundaries of the FRTC.
- Balance stewardship practices with the continuing military readiness activities on the FRTC to provide flexible, realistic, and effective training for U.S. and allied defense forces.
- Integrate the variety of expertise from all members into a comprehensive approach to collaboratively evaluate management practices in sustaining natural resources, cultural resources, cultural practices, and recreational resources within the FRTC.
- Enhance and promote public awareness, appreciation, and responsible use of the FRTC, and build public trust on the Navy's ability to effectively manage the land, resource, and airspace issues.
- Ensure any FRTC expansion is responsive to the needs and concerns of all stakeholders.
- Demonstrate the effective use of public funds and agency resources by collaborative management, streamlining procedures, integration of planning tools, and eliminating duplication of operations.
- Encourage public and NGO participation in facilitating two-way dialogue during periodic IEC meetings.
- Promote unrestricted access to the IEC meetings to the public at the greatest extent possible and provide meeting materials according to Nevada's open meeting law.
- Facilitate information exchange and coordinate the concerns of the stakeholders to safely access portions of the FRTC for natural resources, cultural resources, cultural practices, and recreational resources needs.

SCOPE

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

ORGANIZATION / ROLES AND RESPONSIBILITIES

IEC Organization:

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

Roles:

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

Navy – possesses ultimate authority and responsibility for the management of land and interest in the land within the FRTC for the purpose of conducting military operations in support of National Security objectives under Public Law 116-283, 3 Jan 2020, Title XXVIII, Subtitle E, Sec. 2844.

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

Bureau of Land Management (BLM) – has oversight responsibilities regarding the management of the FRTC under the Federal Land Policy and Management Act (FLPMA).

Nevada Department of Conservation and Natural Resources (NDCNR) – has primary jurisdiction to protect, manage, and enhance Nevada’s natural, cultural, and recreational resources, comprising the following 8 divisions and 3 stand-alone programs: Nevada Division of Environmental Protection, Nevada Division of Forestry, Nevada Division of Natural Heritage, Nevada Division of Outdoor Recreation, Nevada Division of State Lands, Nevada Division of State Parks, Nevada Division of Water Resources, Nevada Office of Historic Preservation, Nevada Conservation Districts Program, Nevada Off-Highway Vehicles Program, and Nevada Sagebrush Ecosystem Program.

Nevada Department of Wildlife (NDOW) – has the responsibility to protect, conserve, manage and restore wildlife and its habitat for the aesthetic, scientific educational, recreational, and economic benefits to citizens of Nevada and the United States, except preempted by federal law.

County Governments – provide a host of critical governmental services to its citizens and Navy alike. Counties also have special expertise and knowledge of local customs, cultures, and economies. County governments that have been identified in legislation are: Churchill, Lyon, Mineral, Nye, and Pershing. Eureka and Lander were not included in the legislation; however, committee members should expect their interest and subsequent participation.

Native American Tribes within Nevada – are federally-recognized sovereign nations with many diverse roles and responsibilities. Included among them is intergovernmental relations with federal, state and local governments; to preserve and protect the Indian cultural resources, and values and heritage which includes protection of access to cultural sites; to secure and promote the general welfare and education of their individual tribal members and their full employment and exercise of all the privileges of citizenship in the United States; and to enlighten the public with respect to tribal affairs and promote a better understanding between each tribe and their fellow citizens of the State of Nevada and of the United States.

Senate and Congressional staffs – support and advocate the Nevada public and U.S. national interests.

Responsibilities:

IEC – General

- Determine a schedule to meet with committee members regularly and track progress on outstanding actions.
- Provide updated presentations regarding the management of natural resources, cultural resources, cultural practices, and recreational resources.
- Create major milestones and realistic timelines for actions between meetings.
- Develop a meeting format.
- Develop and coordinate responses to Requests for Information (RFI) and Requests for Action (RFA) from stakeholders. RFI and RFA may include, but are not limited to, giving presentations, bringing in subject matter experts, or offering recommendations during meetings.

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

IEC Coordinator

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

IEC Liaisons

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

Chair

- Announce the public IEC meetings.
- Preside over the meetings in an orderly fashion and comply with this charter.
- Collaborate with IEC Coordinator/Liaisons on agenda items.

Vice-Chair

- Address and/or track agenda items during the meeting.
- Record action items as they are addressed during the meetings and announce those items at the end of the meeting.
- In the Chair's absence, preside over the meetings in an orderly fashion and comply with this charter. In such instances, the Vice-Chair may appoint a temporary Vice-Chair to fulfill the above responsibilities for that meeting.

Navy

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

BLM

- Provide status on collaborative efforts with the Navy related to land management transitional plans.
- Provide information in response to reasonable requests regarding past, current, or future FRTC operations.
- Address and/or clarify FLPMA guidance and other legal land management restrictions.
- Collaborate with the Navy Liaison on RFI and RFA.
- Represent BLM management and interests by assigning the Carson City District Office Director to the IEC. In the absence of the director, an alternate member with decision-making authorization may be substituted.

BIA

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

Nevada Department of Conservation and Natural Resources

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

Nevada Department of Wildlife

- Provide information and expertise on wildlife and habitat values, threats, and management strategies associated with existing or potential withdrawn lands, airspace, and training activities.
- Identify impacts and management solutions to avoid, minimize, and mitigate impacts on wildlife and habitat resources associated with existing or potential withdrawn lands, airspace, and training activities.

- Collaborate with the IEC and assist in efforts to follow through on management options to ensure success.
- Represent the State of Nevada specific to wildlife interests by assigning the Nevada Department of Wildlife Director to the IEC. In the absence of the director, an alternate member with decision-making authorization may be substituted.

County Governments

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

Native American Tribes

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

APPROACH

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

Periodic meetings

- Periodic meetings may be conducted every four (4) months at a minimum.
- Each meeting will have an agenda and presided by the Chair. In general, the agenda will include, but will not be limited to: roll call, a summary of the previous meeting, various updates on projects/initiatives, determine day and location of next meeting, public comment period(s), and an open discussion on potential or existing issues.
- After each meeting, minutes will be published and forwarded to the IEC membership.
- To the extent possible, the meetings of the Intergovernmental Executive Committee shall be open to the public and meeting materials be made available to the public according to Nevada's open meeting law.

Chair and Vice-Chair election

- Chair and Vice-Chair will be elected biennially.

Personnel transitions

- Half the IEC members nominated by member agencies will be initially appointed to two (2)-year terms as determined by the Chair and Vice-Chair.
- The other half will be appointed to four (4)-year terms as determined by the Chair and Vice-Chair.
- Each subsequent appointment to an IEC member will be four (4) years.
- IEC Members will be eligible for reappointment by their respective organizations.
- Personnel changes are a normal occurrence in most organizations. Any IEC members who are expected to transfer or be reassigned to different positions should notify the IEC Liaisons via email or phone. When this notification occurs, please ensure your relief is available for the next meeting with contact information readily available.
- Each entity will submit a participation letter to the Committee yearly regarding who their primary and alternate will be for attendance at the meetings. Both the primary and alternate may attend the meetings, but if both attend, only one vote will count per entity. The alternate must have the same rights, privileges, and responsibilities as the primary appointed member in regard to their entity/group.