

Pyramid Lake Paiute Tribal Council

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RESOLUTION NO.: PL 03-18

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs; and

WHEREAS, the Pyramid Lake Paiute Tribal Council (“Tribal Council”), pursuant to Article VI. Section 1(a) of the Constitution and By-Laws of the Tribe, has the authority to enter into negotiations with the federal, state, and local governments on behalf of the Tribe; and

WHEREAS, on November 16, 1990, the United States Congress enacted Public Law 101-618, Title II, the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (“Act”); and

WHEREAS, Section 208(a)(3)(A) of the Act provides that the principle and interests amounts for the Pyramid Lake Paiute Economic Development Fund shall be made available to the Pyramid Lake Paiute Tribe (“Tribe”) for tribal economic development only in accordance with a plan developed in consultation with the Secretary of the Interior (“Secretary”); and

WHEREAS, The Act provides that objectives of the plan shall be to develop long term profit making opportunities for the Tribe and its members, to create optimum employment opportunities for tribal members and to establish a high quality recreation area at Pyramid Lake using the unique natural and cultural resources of the Pyramid Lake Indian Reservation; and

WHEREAS, after a full public planning process and after working in consultation with the Secretary, the Tribal Council adopted the Pyramid Lake Economic Development Plan (“EDP”) Volume #1 and Volume #2 by Resolution PL 33-11 on March 18, 2011; and

WHEREAS, on November 4, 2016 the Tribal Council formally submitted its request to the federal government to distribute economic stimulus payments pursuant to Option

B of the EDP Volume #2 and the Economic Stimulus Payment Distribution Plan (Resolution PL 74-16); and

WHEREAS, on December 9, 2016 the Bureau of Indian Affairs (“BIA”) sent a letter to the Tribe formally denying the request to distribute economic stimulus payments; and

WHEREAS, after the Tribe filed an appeal with the Interior Board of Indian Appeals (IBIA Docket 17-036) a mediation occurred on August 17, 2017 from which settlement terms are agreed upon to amend the EDP to include language that satisfies the BIA’s legal interpretation of Section 208 of the Act; and

WHEREAS, after a full public planning process, the EDP is amended to satisfy the terms of the mediation settlement agreement between the Tribe and the BIA; and

WHEREAS, on December 28, 2017 the Tribal Economic Development Committee approved the EDP amendment as a recommendation the Tribal Council adoption.

NOW, THEREFORE, BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council the governing body for the Pyramid Lake Tribe hereby adopts the amended Pyramid Lake Economic Development Plan Volume #2.

BE IT FINALLY RESOLVED, that the Tribal Chairman or his designee is authorized to take the necessary steps and actions, including negotiations to effectuate the terms of this resolution.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom constituting a quorum were present at a meeting duly held on the 17th day of January, 2018 was adopted by the affirmative vote of five (5) FOR and zero (0) AGAINST, with two (2) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.



Brenda A. Henry, Tribal Secretary
Pyramid Lake Paiute Tribal Council