

Pyramid Lake Paiute Tribal Council

*Post Office Box 256
Nixon, Nevada 89424
Telephone: (775) 574-1000
Fax (775) 574-1054*

RESOLUTION NO.: PL 92-18

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 agreements 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 205 of the Act directed the United States to negotiate an operating agreement for the Truckee River and the Truckee River reservoirs; and

WHEREAS, on November 18, 2015, the Truckee River Operating Agreement (“TROA”), which was negotiated pursuant to Section 205 of the Act, went into effect; and

WHEREAS, Section 2.C.2(f) of TROA provides for the establishment of a Habitat Restoration Fund for implementation of fish habitat restoration and maintenance projects by the Tribe, the State of California and the State of Nevada; and

WHEREAS, the TROA Habitat Restoration Fund totals approximately \$50,000.00 per year for a period of 30 years, such that each of the Tribe, Nevada and California are entitled to one-third of the total amount from the fund over the thirty-year period; and

WHEREAS, the Tribe agrees with the State of California and the State of Nevada that it is advantageous to combine the distributions from the fund to each party into 3 or 4 year combined distributions in order to increase the amounts of each distribution; and

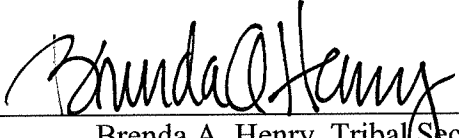
WHEREAS, the Tribe, the State of California and the State of Nevada have agreed to combine and stagger the distribution of funds from the TROA Habitat Restoration Fund according to the distribution scheduled agreed to in a MEMORANDUM OF UNDERSTANDING FOR THE ACCOUNTING AND DISTRIBUTION OF TRUCKEE RIVER OPERATING AGREEMENT HABITAT RESTORATION FUNDING (“MOU”), a copy of which is attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council, the governing body for the Pyramid Lake Tribe, hereby approves of the MEMORANDUM OF UNDERSTANDING FOR THE ACCOUNTING AND DISTRIBUTION OF TRUCKEE RIVER OPERATING AGREEMENT HABITAT RESTORATION FUNDING.

BE IT FINALLY RESOLVED, that the Tribal Chairman is authorized to take the necessary steps and actions, including signing the Memorandum of Understanding, 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 eight (8) constituting a quorum were present at a meeting duly held on the 15th day of August, 2018 was adopted by the affirmative vote of seven (7) FOR and zero (0) AGAINST, with zero (0) 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