

Pyramid Lake Paiute Tribal Council

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RESOLUTION NO.: PL 086-21

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 possesses attributes of sovereignty over both the members and territory.
- WHEREAS,** the Pyramid Lake Paiute Tribe, pursuant to Article VI, Section 1 of the Constitution and By-laws of the Pyramid Lake Paiute Tribe, authorized the Pyramid Lake Tribal Council to act on behalf of the Pyramid Lake Tribe, and to promulgate ordinances to safeguard the peace and safety of residents of the Reservation and to establish courts for the adjudication of claims and disputes; and
- WHEREAS,** Article VI, Section 1(c) authorizes the Tribal Council to approve any sale, disposition, lease or encumbrance of tribal lands consistent with Federal law; and
- WHEREAS,** Article VI, Section 1(m) authorizes the Tribal Council to adopt resolutions regulating the procedure of the Tribal Council and of other tribal agencies and tribal officials of the reservation; and
- WHEREAS,** Article VII, Section 1 authorizes that Tribal lands may be leased or otherwise used by the Tribe; and
- WHEREAS,** Article VII, Section 1 authorizes the Tribal Council to lease tribal lands for such periods of time as permitted by law; and
- WHEREAS,** pursuant to these powers, the Tribal Council has created a Law & Order Code and other laws and ordinances to govern the conduct of people within the Tribe's Reservation; and
- WHEREAS,** on February 5, 2021, the Tribal Council adopted Resolution No. PL 016-21 which adopted Title 3 Chapter 18 Trust Lands Business Leasing Ordinance of the Law and Order Code ("Leasing Ordinance") to implement leasing and environmental review process for the leasing of tribal lands pursuant to the H.E.A.R.T.H. Act, codified at 25 U.S.C. 415(h); and

- WHEREAS,** pursuant to the Bureau of Indian Affairs Department Manual, which implements the approval of tribal leasing ordinances and regulations under the HEARTH Act, the Tribe submitted the Leasing Ordinance to the BIA for approval; and
- WHEREAS,** BIA Realty staff and attorneys have required additional changes and revisions to the Leasing Ordinance ("Revised Leasing Ordinance") to comply with the HEARTH Act and BIA guidelines; and
- WHEREAS,** the Chairwoman and outside counsel have negotiated final changes and revisions to the Revised Leasing Ordinance, which is attached and incorporated herein, with the BIA realty staff and attorneys; and
- WHEREAS,** the Tribal Council has determined that the revisions requested and required by the BIA are not sufficiently substantive to require the changes to be reviewed by the Law and Order Committee or re-issued for public comment.

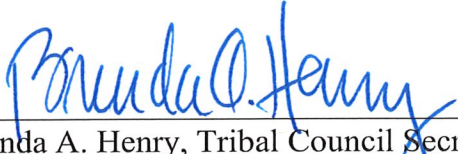
NOW, THEREFORE BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council hereby approves the revisions and changes to the Pyramid Lake Paiute Revised Tribal Lands Leasing Ordinance, which is attached and incorporated herein; and

BE IT FURTHER RESOLVED, that the Tribal Chairperson or designee is hereby authorized to effectuate any and all administrative actions necessary for implementation of this resolution; and

BE IT FINALLY RESOLVED, nothing in this resolution shall be construed as a waiver of the sovereign immunity of the Pyramid Lake Paiute Tribe.

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 ten members, of whom nine (9) constituting a quorum were present at a meeting duly held on the 16th day of July 2021, was adopted by the affirmative vote of eight (8) 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 Council Secretary
Pyramid Lake Paiute Tribal Council