



**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

(Amending Land Restoration Code and Appointing Members to a Separate Stand Alone Board to Serve on the White Mountain Apache Conservation District)

WHEREAS, in 1997, the Tribal Council passed Resolution No.12-97-365, adopting the White Mountain Apache Land Restoration Code and in 1999 the Tribal Council appointed a seven member board to serve as the Land Restoration Board as well as the White Mountain Apache Conservation District Board; and

WHEREAS, Chapter 5 of the Land Restoration Code outlines the Conservation District's responsibilities; and

WHEREAS, in 2000, the USDA Natural Resources Conservation Service, the White Mountain Apache Tribe, and the White Mountain Apache Natural Resources Conservation District signed a Mutual Assistance Agreement establishing a partnership for conservation of the Tribe's natural resources; and

WHEREAS, staff changes took place in 2004 in which the Director of Planning and Resource Conservation was named as the primary point of contact for all NRCS agreements and appointed as the Conservation District Officer and NRCS State Technical Committee member; and

WHEREAS, poor leadership and coordination since 2004 has resulted in a loss of at least \$200,000 per year in NRCS funding; and

WHEREAS, the Land Operations Department administers a Public Law 93-638 (25 U.S.C. 450 et seq.) contract with the U.S. Department of Interior for Agriculture, including the responsibility for delivering rangeland and cropland assistance, similar to NRCS programs; and

WHEREAS, the Land Operations Department has come before the Tribal Council on this day recommending the establishment of a separate and stand-alone board to serve on the White Mountain Apache Conservation District by amending the Land Restoration Code; and

WHEREAS, the Tribal Council finds that the Districts should nominate candidates to serve on a voluntary basis on the White Mountain Apache Natural Resources Conservation

District Board, based on their interest and expertise in the natural resources of the local area; and

WHEREAS, the Tribal Council further finds that any proposed amendment to the Land Restoration Code should be consistent with Article XV, Section 2 of the Tribe's Constitution.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. The Tribal Council approves amending the Land Restoration Code by striking Chapter 5 in its entirety. Pursuant to Article XV, Section 2, of the Tribe's Constitution, this proposed amendment to the Code shall be published in each of the districts for ten days. Upon completion of the posting, the Tribal Council Secretary shall provide notice to the Tribal Council of said posting and any comments received, so that the Tribal Council can take final action by enacting an amendment striking Chapter 5.
2. The Tribal Council directs the Districts to nominate candidates to serve on a voluntary basis on the White Mountain Apache Natural Resources Conservation District Board, based on their interest and expertise in the natural resources of the local area.
3. The newly appointed Conservation District Board will meet and develop a plan to present to the Tribal Council within 90 days; and
4. The purpose of the Conservation District Board is to provide advice to NRCS concerning: 1) the implementation of Farm Bill programs, 2) the conditions of the natural resources, 3) the local application evaluation process, including application ranking criteria and application periods, and 4) identifying the educational training needs of local agricultural producers.
5. This resolution supersedes all previously approved resolutions.
6. The Tribal Chairman, or in his absence the Vice Chairwoman, is further authorized to negotiate and sign all documents necessary to effectuate the intent of this Resolution.

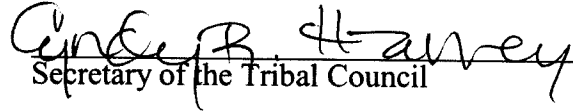
The foregoing resolution was on March 15, 2007, duly adopted by a vote of FIVE for and FOUR against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (i), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the

Resolution No. 03-2007-103

Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

**Ordinance No. 231, Amending the Land Restoration Code by Striking Chapter Five
in its entirety**

CHAPTER FIVE

CONSERVATION BOARD

SECTION 5.1 ADMINISTRATION OF CONSERVATION DISTRICT

~~———— In the event the Tribe establishes a Natural Resources Conservation District, the Tribal Restoration Board shall also serve as the Board of the Tribe's Natural Resources Conservation District. The Board shall be known as the "Conservation and Restoration Board" when acting in this capacity. The Conservation District Officer shall update the Conservation and Restoration Board on activities, and shall fulfill the same reporting and oversight functions for the Tribe's Natural Resources Conservation activities as the Restoration Projects Coordinator does for the Restoration Fund.~~

SECTION 5.2 GUIDELINES FOR CONSERVATION PROJECTS

~~———— The Board shall follow the same process outlined in Chapter 4 of this code in selecting projects. All Conservation District Projects shall meet the same minimum criteria set forth in Section 4.1.B and C of this Code. Conservation projects shall receive priority when they meet objectives specified in Tribal Council approved management plans.~~

SECTION 5.3 CONSERVATION DISTRICT ADMINISTRATION

~~———— The Board shall forward budget requests to the Tribal Council to appropriate funds for membership dues, field trips, meetings, office expenditures, and other activities directly associated with the administration of the Conservation District.~~