

RESOLUTION NO. 175 -22
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

**A Resolution Approving the Assignment of a Parcel of Land to the Nation's
Environmental Protection Department for Development and Operation of a Tree and
Plant Nursery**

- WHEREAS:** The Yavapai-Apache Tribal Council ("Council") is authorized to represent the Yavapai-Apache Nation ("Nation") and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation ("Constitution") as provided by Article V(a) of the Constitution; and
- WHEREAS:** The Council is authorized to enact laws, ordinances and resolutions incidental to the exercise of its legislative powers as provided by Article V (v) of the Constitution; and
- WHEREAS:** The Council is authorized to regulate the use and disposition of all land within the Nation's jurisdiction, as provided by Article V (e) of the Constitution; and
- WHEREAS:** The Nation's Environmental Protection Department ("EPD") is responsible for protecting the environment and natural resources of the Nation; and
- WHEREAS:** On behalf of the Nation, the EPD is working to restore the riparian habitat of the Verde River along the stretches of the river that flow through the Nation's lands by permanently removing invasive plant species, such as Tamarisk and Tree of Heaven, and replanting the treated areas with native species of trees and plants; and
- WHEREAS:** In support of the Nation's riparian restoration work EPD is recommending that the Nation develop a tree and plant nursery ("Nursery") wherein the Nation can grow native species of trees and plants for replanting within the treated riparian areas of the Nation's lands, including native species of trees and plants such as Cottonwood, Willow, nut and fruit trees, Wild Spinach, Devil's Claw, and other culturally significant plants; and
- WHEREAS:** The Environmental Protection Department (EPD), in cooperation with the Nation's Agricultural Resources Department, has identified a parcel of land within the Nation's Cloverleaf Farm and Ranch for use in establishing the Nursery (see aerial map attached as **Exhibit A** to this resolution) and has requested that the Council assign the parcel to the EPD for use in developing the Nursery as a means of assisting the Nation's work of riparian restoration along the Verde River; and
- WHEREAS:** The Council has determined that assignment of the parcel of land to the EPD, as identified on the aerial map attached to this resolution as **Exhibit A**, is in the best interest of the Nation.

NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby assigns to the EPD the parcel of farm land at the Nation's Cloverleaf Farm and Ranch, as identified in **Exhibit A** attached to this resolution, which Exhibit A is hereby incorporated into this resolution by reference, for development and use as a tree and plant Nursery in support of the Nation's work of riparian habitat restoration along the Verde River.

BE IT FURTHER RESOLVED that the Council authorizes the EPD to use water taken from the effluent pond located adjacent to the Nursery site to irrigate the Nursery trees and plants, and EPD shall develop an irrigation infrastructure plan for review and approval by the Council.

BE IT FURTHER RESOLVED that the Environmental Protection Department is hereby directed to work cooperatively with the Nation's Agricultural Resources Department, to manage access to the Nursery and in development of the irrigation system serving the Nursery to ensure that operation of the Nursery does not conflict with the farm plan of the Agricultural Resources Department.

BE IT FINALLY RESOLVED that the Vice Chairwoman is hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on September 29 2022, by a vote of 7 7 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.


Tanya Lewis, Vice Chairwoman

ATTEST:


Karla Reimer, Council Secretary


Approved as to Form:

Office of the Attorney General

EXHIBIT A

**Yavapai-Apache Nation
Environmental Protection Department**

**Assignment of A Parcel of Farm-Land at Cloverleaf Farm and
Ranch for Development of a Tree and Plant Nursery**

September 29, 2022

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100 m

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