

**TO RESCIND CB-90-21 AND APPROVE THE CREATION OF THE CHOCTAW NATION OF OKLAHOMA  
TRIBAL CONSERVATION DISTRICT**

**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

**A COUNCIL BILL**

**TO RESCIND** CB-90-21, a Council Bill approving the creation of the Choctaw Nation Tribal Conservation District.

**TO APPROVE** a Council Bill that creates the Choctaw Nation of Oklahoma Tribal Conservation District and includes language that ensures approval by the United States Department of Agriculture.

**WHEREAS**, in CB-90-21, the Tribal Council of the Choctaw Nation of Oklahoma (the "Council") determined it was in the best interest of the Choctaw Nation to create the Choctaw Nation of Oklahoma Tribal Conservation District. See Exhibit A;

**WHEREAS**, the United States Department of Agriculture (the "USDA") asked that certain language from CB-90-21 be removed to ensure approval by the Secretary of the USDA;

**WHEREAS**, pursuant to Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma, the Tribal Council shall enact legislation, rules and regulations not inconsistent with this Constitution for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation.

**WHEREAS**, pursuant to Article IX, Section 6 of the Constitution, the Tribal Council shall make decisions pertaining to the acquisition, leasing, disposition, and management of tribal property;

**WHEREAS**, in accordance with Article VII, Section 1 of the Constitution, the Chief shall perform all duties pertaining to the Office of the Chief Executive. He shall sign official papers on behalf of the Nation;

**WHEREAS**, The Tribal Council recognizes the importance of addressing Food, Agriculture and Natural Resource needs within the Choctaw Nation of Oklahoma through the utilization of the USDA programs and other federal programs and technical assistance. The Tribal Council further acknowledges the need to increase opportunities for Native American farmers and ranchers to own, operate and retain farms and ranches, care for Mother Earth, and strengthen the Circle of Life;

**WHEREAS**, technical and cost-share assistance provided by the USDA is most effectively provided through a Tribal Conservation District's leadership and Long-Range Natural Resource Plan (the "District");

**WHEREAS**, the primary objective for the creation of the District is for the utilization, protection, conservation, and restoration of Tribal lands (trust and fee) for the benefit of the Tribe and tribal members; and

**WHEREAS**, creating the District can increase lease-value on trust and fee lands by a minimum of 100% in 3 to 5 years.

**THEREFORE BE IT ENACTED** by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval of the mutual agreement with the United States Department of Agriculture as attached and marked as Exhibit A.

**BE IT FURTHER ENACTED** the Choctaw Nation of Oklahoma Tribal Conservation District will be directed by the Land Management Department and operate pursuant to all policies and procedures of the Choctaw Nation of Oklahoma.

**BE IT FURTHER ENACTED** by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval to hereby establish the Choctaw Nation of Oklahoma Tribal Conservation District.

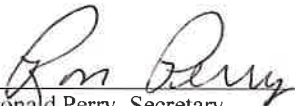
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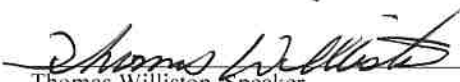
**BE IT FURTHER ENACTED** and approved by the Tribal Council that the Choctaw Nation of Oklahoma Tribal District have the authority to enter into cooperative working agreements with the United States Department of Agriculture agencies and others, with the Tribal Council approval, to carry out the Tribal Districts Long-Range Natural Resource Plan.

**BE IT FURTHER ENACTED** that the duties the District will perform include but are not limited to: conservation planning, meeting with land managers on tribal and fee lands within the reservation for conservation planning, farm bill contracting and administration, farm bill programs, tribal workgroup coordination, outreach conservation planning, program applications, enhanced leasing, coordination on renewal of lease agreements, creating conservation plans, and increasing lease revenue.

**CERTIFICATION**

*I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on November 13, 2021. I further certify that the foregoing Council Bill CB- 44 -22 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.*

  
\_\_\_\_\_  
Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
\_\_\_\_\_  
Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
\_\_\_\_\_  
Gary Batton, Chief  
Choctaw Nation of Oklahoma

Date 11-19-21

**TO RESCIND CB-90-21 AND APPROVE THE CREATION OF THE CHOCTAW NATION OF OKLAHOMA TRIBAL CONSERVATION DISTRICT**

**Purpose/Need of Council Bill:** This bill rescinds CB-90-21, a bill that created the Choctaw Nation of Oklahoma Conservation District. After passage, the Nation was contacted by the USDA and told that the clause stating the USDA would pay \$25,000 towards the District's manager would not be approved by USDA leadership. This bill rescinds CB-90-21 and approves the creation of the CNO Tribal Conservation District but does not include the language that the USDA had concerns with. All other language of CB-90-21 remains the same and the intent of the bill is the same as CB-90-21. The primary objective of the Tribal Conservation District (TCD) is to support tribal efforts to provide for the utilization, protection, conservation and restoration of within the boundaries of the Choctaw reservation, in partnership efforts with USDA and NRCS. Tribal Conservation District will provide a local voice in leadership efforts to address natural resources needs and concerns by providing assistance to Choctaw land owners in the conservation and wise use of land and natural resources. They also provide leadership for intra-tribal coordination between tribal governments, tribal natural resource managers and coordinate assistance from NRCS and other federal, state, local and private sources. **A Tribal Conservation District (TCD)** provides an entity for US Department of Agriculture (USDA) and the Tribe to work together. USDA needs the tribal districts' local leadership to help guide them in bringing the needed programs to the community.

**Title of the Council Bill: TO RESCIND CB-90-21 AND APPROVE THE CREATION OF THE CHOCTAW NATION OF OKLAHOMA TRIBAL CONSERVATION DISTRICT**

**Agency:** Land & Title, Integrated Services

**Budget:** NA

**Match Required:** NA.

**Request by Project Director:** Donna Loper, Executive Director of Land & Title, Kelly McKaughan SEO

CB- 90 -21

**A BILL TO APPROVE THE CREATION OF THE CHOCTAW NATION OF OKLAHOMA TRIBAL  
CONSERVATION DISTRICT**

**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

**RONALD PERRY INTRODUCED THE FOLLOWING BILL**

**A COUNCIL BILL**

**TO APPROVE** the creation of the Choctaw Nation of Oklahoma Tribal Conservation District.

**WHEREAS**, pursuant to Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma, the Tribal Council shall enact legislation, rules and regulations not inconsistent with this Constitution for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation.

**WHEREAS**, pursuant to Article IX, Section 6 of the Constitution, the Tribal Council shall make decisions pertaining to the acquisition, leasing, disposition, and management of tribal property;

**WHEREAS**, in accordance with Article VII, Section 1 of the Constitution, the Chief shall perform all duties pertaining to the Office of the Chief Executive. He shall sign official papers on behalf of the Nation;

**WHEREAS**, The Tribal Council recognizes the importance of addressing Food, Agriculture and Natural Resource needs within the Choctaw Nation of Oklahoma through the utilization of the United States Department of Agriculture (USDA) programs and other federal programs and technical assistance and to increase Native American farmers and ranchers opportunities to own, operate and retain farms and ranches, care for Mother Earth, and strengthen the Circle of Life;

**WHEREAS**, technical and cost-share assistance provided by the USDA is most effectively provided through a Tribal Conservation District's leadership and Long-Range Natural Resource Plan (the "District");

**WHEREAS**, the primary objective for the creation of the District is for the utilization, protection, conservation, and restoration of Tribal lands (trust and fee) for the benefit of the Tribe and tribal members;

**WHEREAS** the Natural Resource Conservation Service (NCRS) will contribute \$25,000 per year towards the salary of the District's manager;

**WHEREAS** creating the District secures additional funding sources through the National Association of Conservation Districts; and

**WHEREAS** creating the District can increase lease-value on trust and fee lands by a minimum of 100% in 3 to 5 years.

**THEREFORE BE IT ENACTED** by the Tribal Council that this Bill be cited as approval of the mutual agreement with United States Department of Agriculture as attached and marked as Exhibit A.

**BE IT FURTHER ENACTED** the Choctaw Nation of Oklahoma Tribal Conservation District will be directed by the Land Management Department and operate pursuant to all policies and procedures of the Choctaw Nation of Oklahoma.

**BE IT FURTHER ENACTED** by the Tribal Council of the Choctaw Nation of Oklahoma, that this Bill be cited as approval to hereby establish the Choctaw Nation of Oklahoma Tribal Conservation District.

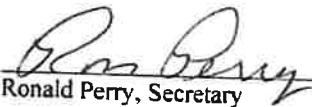
**A BILL TO APPROVE THE CREATION OF THE CHOCTAW NATION OF OKLAHOMA TRIBAL CONSERVATION DISTRICT**

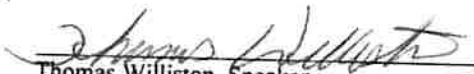
**BE IT FURTHER ENACTED** and approved by the Tribal Council that the Choctaw Nation of Oklahoma Tribal District have the authority to enter into cooperative working agreements with the United States Department of Agriculture agencies and others, with the Tribal Council approval, to carry out the Tribal Districts Long-Range Natural Resource Plan.

**BE IT FURTHER ENACTED** the duties the District will perform include but are not limited to: conservation planning, meeting with land managers on tribal and fee lands within the reservation for conservation planning, farm bill contracting and administration, farm bill programs, tribal workgroup coordination, outreach conservation planning, program applications, enhanced leasing, coordination on renewal of lease agreements, creating conservation plans, and increasing lease revenue.

**CERTIFICATION**

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on July 10, 2021. I further certify that the foregoing Council Bill CB- 90 -21 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.

  
Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
Gary Batton, Chief  
Choctaw Nation of Oklahoma

Date 8 20 21

**A BILL TO APPROVE THE CREATION OF THE CHOCTAW NATION OF OKLAHOMA TRIBAL  
CONSERVATION DISTRICT**

**Purpose/Need of Council Bill:** This bill approves the creation of the Choctaw Nation Tribal Conservation District. The primary objective of the Tribal Conservation District (TCD) is to support tribal efforts to provide for the utilization, protection, conservation and restoration of within the boundaries of the Choctaw reservation, in partnership efforts with USDA and NRCS. Tribal Conservation District will provide a local voice in leadership efforts to address natural resources needs and concerns by providing assistance to Choctaw land owners in the conservation and wise use of land and natural resources. They also provide leadership for intra-tribal coordination between tribal governments, tribal natural resource managers and coordinate assistance from NRCS and other federal, state, local and private sources. A Tribal Conservation District (TCD) provides an entity for US Department of Agriculture (USDA) and the Tribe to work together. USDA needs the tribal districts local leadership to help guide them in bringing the needed programs to the community.

**Title of Council Bill:** A BILL TO APPROVE THE CREATION OF THE CHOCTAW NATION OF  
OKLAHOMA TRIBAL CONSERVATION DISTRICT

**Agency:** Land & Title, Integrated Services

**Budget:** N/A

**Match Required:** N/A

**Request by Project Director:** Jack Hicks, Director of Land Management, Donna Loper, Executive Director of Land & Title, Kelly McKaughan, SEO, Integrated Services

**MEMORANDUM OF UNDERSTANDING**

**Between the**

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**The**

**CHOCTAW NATION OF OKLAHOMA**

**And the**

**CHOCTAW NATION OF OKLAHOMA TRIBAL CONSERVATION DISTRICT**

**For their Cooperation in the Implementation of the Common Objectives and Goals of USDA**

This Memorandum of Understanding (MOU) is between the United States Department of Agriculture (USDA), the Choctaw Nation of Oklahoma, and the Choctaw Nation of Oklahoma Tribal Conservation District.

The authority of the District to enter into this agreement is provided in Tribal Council Resolution No. \_\_\_\_\_.

The USDA enters into this agreement pursuant to Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, dated November 6, 2000; Memorandum of Understanding between the United States Department of the Interior and the United States Department of Agriculture and their various agencies, relative to planning and implementing community development and natural resources management and conservation programs on Indian lands, dated December 6, 2006.

**STATEMENT OF PURPOSE**

The parties have the common objective of helping people to utilize and manage tribal resources in accordance with their capabilities and needs for protection and improvement. Each party is independent, has its respective responsibilities, yet recognizes the need to coordinate as partners for the successful delivery of all USDA programs.

**IT IS UNDERSTOOD THAT:**

Broad based community development and conservation programs delivered through the cooperation of the USDA and the Tribe is vital to the protection of the natural resources, economic stability and well-being of this country.

The parties reaffirm the relationship between the USDA and the Tribe. The Secretary of Agriculture intends to continue, within the terms of the various statutes administered by the USDA, to carry out broad programs of assistance encompassing technical, research, educational, and financial assistance to landowners and users. The parties also recognize and encourage a commitment from the Tribe in aiding the administration, coordination, financing, and delivery of

all USDA programs related to community development and natural resources management and conservation programs.

This agreement is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by any party against the United States or the Choctaw Nation of Oklahoma, their agencies, officers, or any person.

The Department of Agriculture, Choctaw Nation of Oklahoma and Choctaw Nation of Oklahoma Tribal Conservation District, and their respective agencies and offices will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

Nothing in this MOU shall obligate either the Department of Agriculture, Choctaw Nation of Oklahoma or Choctaw Nation of Oklahoma Tribal Conservation District to obligate or transfer any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the Department of Agriculture and Choctaw Nation of Oklahoma or Choctaw Nation of Oklahoma Tribal Conservation District will require execution of separate agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable tribal statutes and regulations.

This MOU takes effect upon the signature of the Department of Agriculture, Choctaw Nation of Oklahoma and Choctaw Nation of Oklahoma Tribal Conservation District and shall remain in effect for 5 years from the date of execution. This MOU may be extended or amended only by the agreement of all parties in writing. Any party may terminate this MOU with a 60-day written notice to the others.

This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.

The parties will encourage other community development and natural resources related agencies to develop similar agreements.

Nothing contained in this Agreement shall be construed to waive the sovereign rights or defenses of the Choctaw Nation of Oklahoma, its elected officials, directors, officers, employees or agents.



**United States Department of Agriculture**

**By:** \_\_\_\_\_

**Secretary of Agriculture**

**Date:** \_\_\_\_\_

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**Choctaw Nation of Oklahoma**

**By:** \_\_\_\_\_

**Chief of the Choctaw Nation of Oklahoma**

**Date:** \_\_\_\_\_

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**Choctaw Nation of Oklahoma Tribal Conservation District**

**By:** \_\_\_\_\_

**Choctaw Nation of Oklahoma Tribal Conservation District Representative**

**Date:** \_\_\_\_\_

**MEMORANDUM OF UNDERSTANDING**

**Between the**

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**The**

**CHOCTAW NATION OF OKLAHOMA**

**And the**

**CHOCTAW NATION OF OKLAHOMA TRIBAL CONSERVATION DISTRICT**

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**STATEMENT OF PURPOSE**

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Broad based community development and conservation programs delivered through the cooperation of the USDA and the Tribe is vital to the protection of the natural resources, economic stability and well-being of this country.

The parties reaffirm the relationship between the USDA and the Tribe. The Secretary of Agriculture intends to continue, within the terms of the various statutes administered by the USDA, to carry out broad programs of assistance encompassing technical, research, educational, and financial assistance to landowners and users. The parties also recognize and encourage a commitment from the Tribe in aiding the administration, coordination, financing, and delivery of

## EXHIBIT B

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Nothing in this MOU shall obligate either the Department of Agriculture, Choctaw Nation of Oklahoma or Choctaw Nation of Oklahoma Tribal Conservation District to obligate or transfer any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the Department of Agriculture and Choctaw Nation of Oklahoma or Choctaw Nation of Oklahoma Tribal Conservation District will require execution of separate agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable tribal statutes and regulations.

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The parties will encourage other community development and natural resources related agencies to develop similar agreements.

Nothing contained in this Agreement shall be construed to waive the sovereign rights or defenses of the Choctaw Nation of Oklahoma, its elected officials, directors, officers, employees or agents.

**United States Department of Agriculture**

**By:** \_\_\_\_\_

**Secretary of Agriculture**

**Date:** \_\_\_\_\_

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**Choctaw Nation of Oklahoma**

**By:** \_\_\_\_\_

**Chief of the Choctaw Nation of Oklahoma**

**Date:** \_\_\_\_\_

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**Choctaw Nation of Oklahoma Tribal Conservation District**

**By:** \_\_\_\_\_

**Choctaw Nation of Oklahoma Tribal Conservation District Representative**

**Date:** \_\_\_\_\_