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A. All gifts of land or other interest in property shall be approved by Tribal Council by majority vote.

B. Prior to acceptance of any gift of land or other interest in property, Tribal Council shall require an initial environmental review, known as a phase I assessment. In the event that the initial review reveals a potential problem, the Tribe may require an environmental audit.

C. A Phase I assessment typically includes an preliminary environmental impact statement, analysis of land use and cover of land that identifies such items as plant life, buildings, utility easements, etc., the current zoning of the property, recommendations for potential use, and other additional information specific to the land

D. Prior to acceptance of an gift of land or other interest in property, Tribal Council shall determine if there are any covenants, conditions, restrictions, reservations, easements, encumbrances or other limitations associated with the property

SECTION VI. CRITERIA FOR ACCEPTANCE OF GIFTS OF LAND OR INTERESTS IN LAND

A. Through the approval of a land acquisition plan or as amended, Tribal Council shall prioritize and rank various land acquisition goals to determine the benefits of the land or interest in land to the Tribe and its Tribal Citizens.

B. Such items shall be considered in determining the benefit to the Tribe and its Tribal Citizens:

- 1.** Cost, including insurance, property taxes, mortgages, notes, and maintenance expenses associated with the property
- 2.** Cultural importance
- 3.** Tribal image with consideration toward culture, political, historical considerations
- 4.** Housing

- 1 **5.** Jobs
- 2 **6.** Schools/Education
- 3 **7.** Health Care
- 4 **8.** Treaty Rights
- 5 **9.** Community inclusion
- 6 **10.** Natural Resources.

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9 **SECTION VII. SEVERABILITY**

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11 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for
12 any reason, held invalid or unconstitutional by any court of competent jurisdiction, such
13 portion shall be deemed a separate, distinct and independent provision and such holding
14 shall not affect the validity of the remaining portions thereof.

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17 **SECTION VII. EFFECTIVE DATE**

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19 Effective upon signature of the Executive or thirty (30) days from Tribal Council
20 approval which ever comes first or if the Executive vetoes the legislation, then upon
21 Tribal Council override of the veto.

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24 **SECTION IX. OTHER RELATED STATUTES**

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26 See Waganakising Odawak Statute 2009-007“Land Use Statute”, or as may be
27 amended.

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CERTIFICATION