

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

WHEREAS, the Tribal Council by previous Resolution No. 83-144 granted a request by Paschal Johnson for authority to take 200,000 cubic yards of cinders for private purposes off the reservation, and

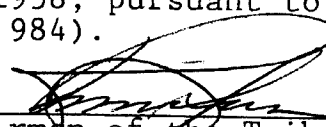
WHEREAS, said Resolution did not establish royalty rates, what parties would be held accountable for Federal regulations regarding cinder pit clean-up and bonding responsibilities; and use of tribal equipment and personnel, scaling report responsibility, and disclosure of all appropriate signatories for a Bureau of Indian Affairs digging permit and performance bond, and an environmental impact statement on the proposed site by removal of 200,000 cubic yards of cinders, and

WHEREAS, based on the foregoing, the Tribal Council concludes it would be in the best interest of the people of the White Mountain Apache Tribe and a mandate of the constitutional responsibility of the Tribal Council to preserve natural resources for the good of all tribal people and to enhance all potential tribal employment, tribal royalties, and to retain profits on the reservation; by rescinding its prior Resolution granting approval to Paschal Johnson for removal of 200,000 cubic yards, until further study is completed by the Tribal Council.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby rescinds Resolution No. 83-144, effective immediately and directs that the Tribal Attorney's office advise Mr. Paschal Johnson of this rescission immediately.

BE IT FURTHER RESOLVED by the Tribal Council that it requests a study meeting with Paschal Johnson to discuss the details of the digging permit, tribal employment, royalties, environmental impact, restoration of the dig site and bonding responsibilities and that no digging or removal of cinders shall commence before this meeting and a new resolution passed reference cinder removal.

The foregoing resolution was on May 10, 1983 duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council

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