

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

- WHEREAS, the Tribal Council, on June 1, 1987, passed Resolution No. 06-87-184 authorizing the harvest of timber in the Maverick Block area; and
- WHEREAS, the Bureau of Indian Affairs has requested clarification of said resolution in respect to the marking and harvesting guidelines set forth in said resolution; and
- WHEREAS, the Tribal Chairman, in a letter dated June 24, 1987, attached hereto and incorporated by reference, clarified the meaning of Resolution No. 06-87-184 to the Superintendent of the Fort Apache Indian Agency, said letter being the result of lengthy discussions between members of the Tribal Council, Tribal consultants and BIA representatives; and
- WHEREAS, the Tribal Council has requested the Bureau of Indian Affairs to endorse and accept the clarification set forth in the Tribal Chairman's letter of June 24, 1987 which is well within the discretion of the Bureau, and in fact, constitutes in the opinion of the Tribal Council, an obligation of the Bureau in the performance of its trust obligations to the Tribe; and
- WHEREAS, the contents and guidelines set forth in the June 24, 1987 letter to Superintendent Bradley is for the protection of the Tribe's forests and will clarify with greater specificity and accuracy the volume of high risk trees in the Maverick Sale Area and the appropriate harvest; and
- WHEREAS, the Tribal Council concludes that if the BIA Forestry Department at the local agency and Phoenix Area Office is unwilling to accept the June 24, 1987 explanation of Resolution No. 06-87-184, that the Tribal Council hereby authorizes the Tribal Chairman, or his authorized delegate, consultants or attorneys, to meet with Mr. Cutsworth, the Central Office Forester, and petition him for relief in view of the dire financial consequences that the Tribe will suffer if assistance and cooperation from the BIA is not forthcoming; and
- WHEREAS, the Tribal Council further concludes that in order to obtain appropriate advice as to future BIA proposed timber sales that the Tribe should have on its staff a professional forester to be paid from 10% administrative fees or from an amended tribal budget item; and

WHEREAS, time is of the essence in respect to BIA approval of Resolution No. 06-87-184 as clarified by the Tribal Chairman's letter of June 24, 1987, in that logging operations must cease by June 26th unless relief is granted in the form outlined by the foregoing resolution and Tribal Chairman's letter.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the clarification of Resolution No. 06-87-184 as set forth in the June 24, 1987 letter from Chairman Johnson to Superintendent Russell Bradley, attached to this resolution and incorporated by reference herein.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs that in the event the local BIA Forestry Department it hereby directs that and Phoenix Area Office Forestry Supervisor rejects or otherwise fails to approve resolution 06-87-184 as clarified by the Chairman's letter dated June 24, 1987, that the Tribal Chairman meet and confer with BIA Central Officer Forester, Mr. Cutsworth, for the purpose of obtaining his assistance so that appropriate harvesting can take place in the Maverick block area and other areas of the reservation.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes the Chairman to utilize 10% administrative fee monies or to amend the Tribal Budget in order to advertise and hire a tribal forester for the purpose of obtaining advice and counsel from said forester in respect to future BIA proposed timber sales and forestry matters generally.

The foregoing resolution was on June 24, 1987, duly adopted by a vote of SEVEN for and ZERO 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 Bylaws 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

JUN 24 1987