

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

WHEREAS, the Tribal Council of the White Mountain Apache Tribe adopted Resolution No. 03-91-79, which stated in part the following:

"BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Bureau of Indian Affairs may recommence prescribed broadcast burning on the Fort Apache Indian Reservation, on the condition that it implement the first 34 actions listed in the attachment to Resolution No. 01-91-23 and until such time that funds are provided to the Tribe for piling and burning, with the exception of the Lone Pine North Timber Sale, which will include piling and burning, non-burning, broadcast burning and skidding tree top stems to landings for utilization by Tribal members or the public as a test of practicality and cost for said methods of logging slash disposal.

BE IT FURTHER RESOLVED by the Tribal Council that a tribal employee shall be appointed by the Tribal Council Chairman with authority to monitor BIA burning practices, to veto any BIA burning actions prior to commencement or direction or plan and to halt any burning in violation of any of the first 34 actions set forth in Tribal Council Resolution No. 01-91-23.

BE IT FURTHER RESOLVED by the Tribal Council that the Tribal Natural Resources Committee will review the revised Five Year Burn Plan prepared by the Bureau of Indian Affairs before making a recommendation to the Tribal Council regarding its acceptability for implementation."

and

WHEREAS, the Natural Resources Committee has found that the Five Year Burn Plan has incorporated the first 34 actions listed in the attachment to Resolution No. 01-91-23 and recommended its acceptability for implementation, and

WHEREAS, the Tribal Council has again reviewed the Bureau's prepared Five Year Burn Plan and is willing to approve the same on the condition that certain provisions and terms identified herein be modified as set forth in the Be It Resolved paragraphs of this Resolution.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Five Year Burn Plan previously approved by the Natural Resources Committee provided that the following changes are made in the Plan:

- (1) Revise provision Burn Objectives 6A to read: "Area of complete mortality larger than 1/32 acre should be limited to one-tenth of one percent of the operable and commercial timbered areas burned".
- (2) Revise provision Burn Objectives 6B to read: "In commercial forest areas, maintain 500 - 2,000 trees per acre. This number will vary by tree size, but 500 trees per acre is considered the minimum in pole and sawtimber size trees. In sapling stands, 2,000 trees per acre should be reserved".
- (3) Revise provision Burn Objective 6D to read: "Protect regeneration in old burns, in the planted sites, and in stands not stocked with poles and saplings. They are considered protected if there is at least one tree every 9 feet. Guideline 'A' above also applies to these areas.
- (4) Revise provision 13. Smoke Management, A. Guidelines, Smoke Severity 1., Corrective Action 6., to read: "Continue ignition only with approval of both the F.M.O. and Tribal Resources Monitor".
- (5) Revise provision 13. Smoke Management, A. Guidelines, Smoke Severity 2., Corrective Action 5., to read: "Implement any limitations set on the block by the F.M.O. and approved by the Tribal Resources Monitor".
- (6) Revise provision 13. Smoke Management A. Guidelines, Smoke Severity 3, Correction Action 3., to read: "Implement any limitations set by the F.M.O. and approved by the Tribal Resources Monitor".

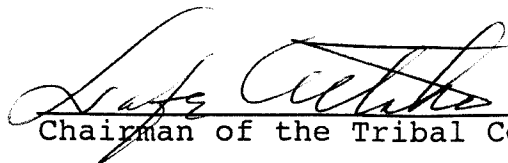
- (7) Add to the end of the provision 12. Daily Requirements, Fire Management Officer and Prescribed Fire Manager the following sentence: "The Tribal Resources Monitor is empowered to veto any BIA burning actions prior to commencement or direction or plan and to halt any burning in violation of any of the first 34 actions set forth in Tribal Council Resolution No. 01-91-23. Any veto may be communicated verbally by the Tribal Resources Monitor to the F.M.O. for compliance as soon as possible. Such veto shall be individually documented in writing and exchanged by both parties within 24 hours".

BE IT FURTHER RESOLVED that the Tribal Council of the White Mountain Apache Tribe that hereby approves the Five Year Burn Plan provided that the Plan distinctly and unequivocally includes the veto provisions required in Resolution No. 03-91-79, and as outlined herein.

BE IT FURTHER RESOLVED by the Tribal Council that approval of the Five Year Burn Plan does not preclude additional modification to the Plan during the period of its implementation.

The foregoing resolution was on October 22, 1991, duly adopted by a vote of FIVE for and ONE against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (a) (b) (f) (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).

(Acting)


Chairman of the Tribal Council

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(Acting)


Secretary of the Tribal Council

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FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA