

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

WHEREAS, the Tribal Council of the White Mountain Apache Tribe, in past resolutions and actions, has directed tribal programs and staff to adopt plans and management strategies which will serve to protect and conserve the vast and critically important natural resources of the Fort Apache Indian Reservation; and

WHEREAS, great strides have been made in adding tribal natural resources and environmental staff, in developing programs, and in establishing tribal policies and laws to protect and conserve natural resources; and

WHEREAS, despite these strides made by the Tribe in recent years, there continue to be negative impacts to the natural resources of the reservation, primarily due to a lack of planning, coordination and forethought prior to undertaking some projects; and

WHEREAS, the latest direction in terms of natural resources management coming from the Tribal Council is the endorsement of the development of a Tribal Ecosystem Management Code, which will strive to embody all tribal principals, policies, objectives and goals for managing the natural resources of the reservation; and

WHEREAS, a key factor in ensuring that projects undertaken on the reservation are coordinated, well planned and consistent with tribal principals, goals, and objectives, and are both environmentally and economically acceptable the organized tribal review of plans and projects prior to their initiation.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the establishment of a Tribal Plan and Project Review process to provide the mechanism for full tribal control over natural resources related project planning and management decisions and to ensure that decisions are integrated and coordinated fully within the expressed policies and directives of the Tribal Council.

BE IT FURTHER RESOLVED by the Tribal Council that for a six-month trial period of the Tribal Plan and Project Review process, that the Tribal Environmental Planner will serve as the coordinator and primary organizer for the process, and that the Environmental Planner is to provide progress report to the Council at the end of this period.

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BE IT FURTHER RESOLVED by the Tribal Council that the Council's goal is to bring all plans and projects affecting the natural resources of the reservation under the Tribal Plan and Project Review process, but that this will likely occur gradually and will be highly dependent on guidance provided on the process, on efficiency of the process, on participation and acceptance by affected entities, and on support by the Council and tribal program and enterprise managers in gaining the participation of all entities.

BE IT FURTHER RESOLVED by the Tribal Council that it is a requirement that Tribal Plan and Project Review fully incorporate cultural considerations for proposed plans and projects through input by the Elders Advisory Committee and tribal and BIA cultural, historical and archeological staff.

BE IT FURTHER RESOLVED by the Tribal Council that the Tribal Plan and Project Review is to occur at four (4) separate reviewing levels, each of which has the authority to either approve the plan or project as presented, to request alterations and resubmittal at the same review level, or to send the plan or project to the next highest level of review based on complexity and need for broader, multidisciplinary review.

BE IT FURTHER RESOLVED by the Tribal Council that the four (4) reviewing levels will be as follows: 1) the Tribal Environmental Planner will serve as coordinator and clearinghouse for all plan and project submittals and will have approval authority for the least complex submittals, 2) a Plan and Project Review Panel will serve as the next level of review for submittals of a more complex nature requiring broader input, 3) the Tribal Natural Resources Committee will serve as the next level of review, primarily for the plans and projects for which the Environmental Planner and the Chairman of the Natural Resources Committee concur are to be reviewed by the Committee, and 4) the Tribal Council will serve as the highest level of review for the most complex plan and project submittals.

BE IT FURTHER RESOLVED by the Tribal Council that the Plan and Project Review Panel will meet at minimum once a month but that more frequent meetings will occur, as needed, and that Panel members who miss more than two (2) consecutive meetings face automatic removal from the Panel without appeal.

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BE IT FURTHER RESOLVED by the Tribal Council that the Plan and Review Panel will consist of tribal staff only, will be facilitated by the Tribal Environmental Planner, and will be comprised of: 1) the Tribal Land Officer, 2) the Tribal Forester, 3) the Tribal Sensitive Species Coordinator, 4) the Tribal Treasurer, and 5) the Tribal Director of Cultural Resources, or their designees, and that the Panel will include in its review and decision making, as needed, other tribal, BIA, IHS and outside staff including but not limited to biologists, foresters, hydrologists, FATCO and other industry representatives, other cultural advisors, planners, attorneys, range and farm managers, engineers, soil conservationists, and so forth.

BE IT FURTHER RESOLVED by the Tribal Council that all existing and future tribal committees and work groups are to interface with, participate in, and will submit proposed plans and projects to the Plan and Project Review process in the same manner that individual entities participate.

BE IT FURTHER RESOLVED by the Tribal Council that operating procedures for the Plan and Project Review Panel will be developed with input from the panel and others as part of the development of the larger Tribal Ecosystem Management Code.

BE IT FURTHER RESOLVED by the Tribal Council that Tribal Plan and Project Review is to begin immediately with the goal of complete implementation and participation within one-year.

The foregoing resolution was on August 08, 1996, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by the White Mountain Apache Tribe, Constitution, including Article IV, Section 1 (a), (i), (f), (h), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED

OCT 28 1996

FORT APACHE INDIAN AGEN
WHITERIVER, ARIZONA


Chairman of the Tribal Council


Secretary of the Tribal Council