

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

**WHEREAS,** Tribal Forester Paul Declay advises the Tribal Council that the Tribal Forestry Department is concerned about the amount of wood that is removed improperly from the reservation during the evening hours when the Forestry personnel are not able to monitor the activity; and

**WHEREAS,** a solution to this problem would be to amend the Miscellaneous Wood Products Chapter of the Natural Resources Code to limit the hauling of miscellaneous forest products off the reservation to certain daylight hours only; and

**WHEREAS,** the Tribal Council has reviewed the proposed amendment to the Code and concurs that the amendment should be posted for public comment pursuant to the Tribal Constitution.


**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Council Secretary to post the proposed amendment to the Miscellaneous Wood Products Chapter of the Natural Resources Code in each District for ten days as required by the Constitution.

The foregoing resolution was on January 07, 1998, duly adopted by a vote of eight 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 Tribal Constitution, including Article IV, Sections 1 (a), (f), (i), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on 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).

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JAN 20 1998

WHITE MOUNTAIN APACHE TRIBE  
FORT APACHE INDIAN RESERVATION

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council

**PROPOSED ORDINANCE  
OF THE WHITE MOUNTAIN APACHE TRIBE  
OF THE FORT APACHE INDIAN RESERVATION**

**BE IT ENACTED** by the Tribal Council of the White Mountain Apache Tribe that Section 1.5 of the Miscellaneous Wood Products Chapter of the White Mountain Apache Natural Resources Code is hereby amended as follows:

**SECTION 1.5      TRANSPORTING FOREST PRODUCTS: BILL OF SALE**

A.      Hauling miscellaneous forest products on the reservation without a bill of sale or timber cutting permit is prohibited, except under section 1.15 of this chapter.

B.      There shall be no hauling of any miscellaneous forest products off the reservation during the hours of 5:00 p.m. to 8:00 a.m.

C.      The bill of sale shall contain a description by local landmarks of where the forest products were cut, the volume or amount and species purchased, description of the vehicle transporting the products, names, address and signatures of both purchaser and seller. The bill of sale or timber cutting permit must be carried by the person in charge of transporting forest products on the reservation and must be exhibited to any officer of the law, Tribal Game and Fish Department Officer, Woodlands Enforcement officer or Bureau of Indian Affairs personnel, upon request.

D.      Miscellaneous forest products transported on the reservation without a bill of sale or timber cutting permit, except as provided for in section 1.16, Free use Cutting Without Permit, shall be subject to confiscation by the Tribal Police, Tribal Game and Fish Officers, and Tribal Woodland Enforcement Officers. Forest products species not identified on a timber cutting permit will be considered illegal and subject to confiscation. Confiscated products shall be impounded at a designated compound. Forest products will be distributed to the four elderly rest homes on the reservation, to disabled persons, and/or sold by the Bureau of Indian Affairs, the proceeds of which will be transferred to the Tribe after disposition of any citation issued for violations. Any violation of this section shall be punished as an offense pursuant to applicable provisions of this ordinance.