

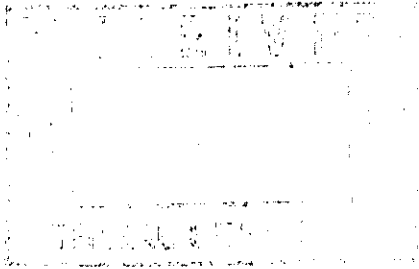
**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

- WHEREAS**, Public Law 103-202, the Indian Dams Safety Act of 1994, obligates the Bureau of Indian Affairs to rehabilitate high or significant hazard dams on reservations; and
- WHEREAS**, ten dams within the boundaries of the Fort Apache Reservation have been determined to be either a high or significant hazard; and
- WHEREAS**, BIA has established a five step program (inspections, deficiency verification analysis (DVA), conceptual design, final design, and construction) to determine the condition of dams on Indian lands; and
- WHEREAS**, the inspection step of the program has been completed; and
- WHEREAS**, during the inspections of the ten dams, dams safety deficiencies have been found; and
- WHEREAS**, the Bureau is now ready to embark on the next step of the program, the DVA, for the following five reservation dams: Bog Tank, Shush Be Tou, Shush Be Zahze, Davis (Hawley) Lake, and Horseshoe Cienega; and
- WHEREAS**, the DVA work was offered to the Tribe and they declined to contract to complete the work; and
- WHEREAS**, the Bureau has contracted with the Bureau of Reclamation to complete the DVA; and
- WHEREAS**, the DVA requires a substantial amount of field work, including surveying and drilling; and
- WHEREAS**, the required environmental compliance is part of the DVA tasks and will be obtained prior to the start of the field work; and
- WHEREAS**, Reclamation has scheduled the work to be completed by the end of calendar year 2002; and
- WHEREAS**, the Bureau will coordinate with Tribal staff from the Land Operations Office throughout the Dam Safety program.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby concurs on the importance of the ongoing Dam Safety program within the

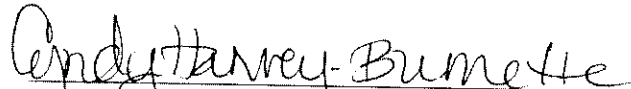
**Resolution No. 07-2002-165**

Reservation and grants access and permission for Bureau and Reclamation staff to complete the required surveying and field exploration program for the following five dams: Bog Tank, Shush Be Tou, Shush Be Zahze, Davis (Hawley) Lake, and Horseshoe Cienega.

The foregoing resolution was on July 11, 2002 duly adopted by a vote of TEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (c), (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).



  
Chairman of the Tribal Council

  
Secretary of the Tribal Council