

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

**(Authorizing Joinder of Claim of the White Mountain Apache Tribe as Co-Plaintiff with the Navajo Nation and the Sierra Club Against U.S. Forest Service for Issuance of the Snowbowl Special Use Permit)**

- WHEREAS,** *Dsil Ligai Sian Nahokos*, known by all Apaches as the White Mountain Seated North, but commonly referred to as the San Francisco Peaks located in the Coronado National Forest, is of utmost spiritual and cultural significance to the White Mountain Apache, Tonoto Apache, San Carlos Apache, Yavapai Apache and other Indian Tribes; and
- WHEREAS,** in February, 2004, the U.S. Forest Service released a Draft Environmental Impact Statement as part of the process required for issuance of a Special Use Permit to the Arizona Snowbowl Resort for development of the Snowbowl ski area on the San Francisco Peaks; and
- WHEREAS,** subsequently, in March and June, in a series of letters to Nora B. Rasure, the Forest Supervisor for the Coconino National Forest, Chairman Massey did express a number of objections to the draft EIS and a proposed Memorandum of Agreement; and
- WHEREAS,** in December, 2004, the Tribal Council did pass Resolution No. 12-2004-284, which authorized the Chairman to Execute a Heritage Resource Memorandum of Understanding with the U.S. Forest Service; and
- WHEREAS,** then, in February, 2005, the U.S. Forest Service issued its Final EIS, and a Record of Decision, identifying Alternative Two, as the alternative for the project's Special Use Permit, which contemplates clearing trees and habitat, construction of infrastructure and converting sewage water treated at a facility into snow, in order to increase the skiable acreage at the Snowbowl Ski Resort by 47 percent; and
- WHEREAS,** the proposed Special Use Permit will result in serious and continuing harms to American Indian people, communities and spiritual traditions, as well as to the plants, animals, minerals and ecologies at the site; and
- WHEREAS,** *Dsil Ligai Sian Nahokos* is a source of goodness and purity, and all efforts to make it into a destination will disturb the natural order of things and damage all those beings and processes dependent on this order; and
- WHEREAS,** on April 25, 2005, Chairman Massey objected to both the Final EIS and proposed MOA, especially because it appears to contradict the Heritage Resource MOU; and
- WHEREAS,** on June 17, 2005, the Navajo Nation and the Sierra Club filed a Complaint in the U.S. District Court (*Navajo Nation and Sierra Club v. U.S. Forest Service*, CV 05-1824-PCT-PGR-PHX) for declaratory and injunctive relief against the U.S. Forest Service issuance of the Special Use Permit; and

**WHEREAS**, the attorney for the Navajo Nation, Howard Shanker, on behalf of his client, contacted the Legal Department of the White Mountain Apache Tribe seeking whether the Tribe was interested in becoming a co-Plaintiff with the Navajo Nation; and

**WHEREAS**, Mr. Shanker did represent that there exists a deadline of June 22, 2005, for serving the Complaint and adding co-Plaintiffs, because the developer of the Snowbowl Ski Resort plans on begin clearing trees shortly thereafter; and

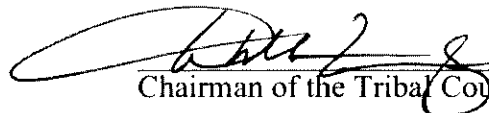
**WHEREAS**, the Tribal Council finds that the issues raised in the Navajo Nation Complaint are of great and equal concern to the White Mountain Apache Tribe and the continuance of Apache spiritual and cultural uses of *Dsil Ligai Sian Nahokos*; and

**WHEREAS**, the Tribal Council further finds that declaratory and injunctive relief from the Special Use Permit and the expansion of the Snowbowl ski area is in the best interests of the White Mountain Apache Tribe.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that:

1. The Special Use Permit of the U.S. Forest Service for the expansion of the Snowbowl Ski Area, located on *Dsil Ligai Sian Nahokos*, stands against Apache spiritual and cultural practices and beliefs, and runs counter to the best interests of the White Mountain Apache Tribe and other Indian Tribes.
2. The White Mountain Apache Tribe supports the case of *Navajo Nation and Sierra Club v. U.S. Forest Service*, CV 05-1824-PCT-PGR-PHX (June 17, 2005).
3. A joinder of the White Mountain Apache Tribe as co-Plaintiff with the Navajo Nation and the Sierra Club in their Complaint against the U.S. Forest Service for issuance of the Snowbowl Special Use Permit and the expansion of the Snowbowl ski area is hereby authorized.
4. The Legal Department is authorized to represent the White Mountain Apache Tribe in seeking declaratory and injunctive relief from the U.S. Forest Service's Special Use Permit and the expansion of the Snowbowl ski area, and to work together with the attorney for Navajo Nation and the Sierra Club.

The foregoing resolution was on JUNE 20, 2005 duly adopted by a vote of FOUR for and ONE against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a ), (d), (f ), (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