

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

(Banning the Use of Bear Bait)

WHEREAS, pursuant to the Constitution of the White Mountain Apache Tribe, Article IV, Section 1(a), the Tribal Council has the authority to act in all matters that concern the welfare of the Tribe and to make decisions not inconsistent with or contrary to the Constitution; and

WHEREAS, pursuant to Article IV, Section 1(f), the Tribal Council has further authority to protect and preserve the wildlife, plant life, forests, natural resources and water rights of the Tribe, and to regulate hunting and fishing on the reservation; and

WHEREAS, pursuant to the White Mountain Apache Tribe's Game and Fish Code, Section 2.1(D), the Wildlife and Outdoor Recreation Department ("WORD") has the authority to establish hunting and fishing regulations, and prescribe the manner and methods which may be used in taking wildlife, subject to the approval of the Tribal Council; and

WHEREAS, WORD has published, "Hunting Guidelines and Policy for Bear and Lion Outfitters," which under Section III(B) does allow for certain types of bait hunting methods; and

WHEREAS, Vernal Gatewood, a community member, did approach the Tribal Council with information and photographic documentation concerning the use of bear bait; and

WHEREAS, according to Mr. Gatewood, certain bear bait has been used by guides permitted by WORD, which while not proscribed by WORD's Guidelines, may violate environmental standards and bear habitat, including the use of large quantities of peanut oil and grease, processed human food such as sardines, and dog food, which were deposited into the ground directly, or left in drums and card board boxes; and

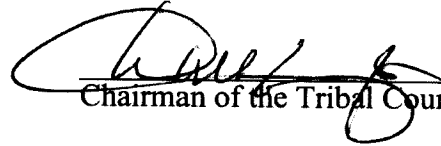
WHEREAS, the Tribal Council finds that naturally occurring baits or food items allowed under Section III(B)(3) of WORD's Guidelines are consistent with the environment and bear habitat, but that the use of oils, grease, processed human foods and dog food are not and such bait should be prohibited.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that WORD is hereby directed to ban the use of oils, grease, processed human foods and dog food as bear bait, and to amend its Hunting Guidelines and Policy for Bear and Lion Outfitters accordingly.

The foregoing resolution was on JULY 6, 2005 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), (f), (h), (i), (t) and (u) of the Constitution of the Tribe, ratified by the

Resolution No. 07-2005-180

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