

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

**(Request for Funding from United States Department of Agriculture
Natural Resources Conservation Service)**

- WHEREAS,** Section 216, Public Law 81-516 (33 U.S.C. §701b-1), Section 403-405 of Title IV of the Agricultural Credit Act of 1978, Public Law 95-334 (16 USC §2203-2205), and Section 382, Title III of the 1996 Farm Bill (Public Law 104-127), as amended provides authority to the Natural Resources Conservation Service (“NRCS”) for delivering technical and financial assistance to communities ravaged by natural disasters through its Emergency Watershed Protection (“EWP”) program; and
- WHEREAS,** examples of natural disasters include floods, fires, windstorms and drought; and
- WHEREAS,** the Carrizo Creek watershed has been severely impacted by intense runoff resulting from precipitation events on and after December 29, 2004; and
- WHEREAS,** the Carrizo Creek watershed was first impacted by the Rodeo-Chediski fire in 2002, however accelerated runoff and sedimentation from recent precipitation events have further caused damage to the Limestone Creek road crossing within this watershed; and
- WHEREAS,** damage has occurred to the stream segments both upstream and downstream of a road that provides access to cropland, rangeland, and ceremonial grounds; and
- WHEREAS,** another precipitation event of this magnitude could potentially result in failure of the existing structures and threaten life and property downstream; and
- WHEREAS,** the Burned Area Emergency Stabilization and Rehabilitation (“BAER”) program has received funding from the Bureau of Indian Affairs (“BIA”) through a contract under Public Law 93-638 for stabilization projects that Land Operations is assisting in implementing; and
- WHEREAS,** approximately \$61,194 has been obligated by the BIA for stabilization treatments to be completed at Limestone Creek road crossing; and
- WHEREAS,** the BAER Program and Land Operations feel that these funds could be used as cost-share funding with any available NRCS technical and financial assistance to

Resolution No. 07-2005-191

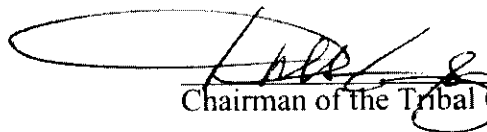
develop and implement a more comprehensive watershed protection measure at the Limestone Creek road crossing; and

WHEREAS, the Tribal Council was advised on July 13, 2005 of the opportunities currently available to match existing funding by requesting technical and financial assistance under the EWP program.

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

1. The Tribal Council authorizes an application to NRCS for technical and financial assistance under the EWP program.
2. The Tribal Council authorizes the Legal Department, Land Operations, and the BAER program to work with NRCS to develop an agreement for implementing an EWP project at the Limestone Creek road crossing.
3. The Tribe authorizes funding received from the BIA to be used as match for this EWP project, up to 25% of the total costs for implementation.
4. The Tribe further authorizes receipt and expenditure of any NRCS EWP funds received according to the budget included in the application.
5. The Tribal Chairman or, in his absence, the Vice Chairman, is further authorized to negotiate and sign all documents necessary to effectuate the intent of this resolution.

The foregoing resolution was on JULY 13, 2005 duly adopted by a vote of FIVE 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), (b), (c), (i), (k), (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