



Resolution No. 09-2005-247

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

(Request for BIA Action on Lofer South Timber Sale Agreement and Addendum)

WHEREAS, on July 20, 2005, by Resolution No. 07-2005-204, the Tribal Council approved the Agreement between FATCO and the White Mountain Apache Tribe as proposed and requested by the U.S. Department of Interior, subject to execution of an Addendum by the Bureau of Indian Affairs (the "BIA"), as proposed by the Tribe; and

WHEREAS, the Agreement and Addendum were transmitted to the BIA on August 5, 2005, and as of this date both documents remain unexecuted by the Secretary of the U.S. Department of Interior; and

WHEREAS, under the Agreement, the BIA proposes that the Annual Allowable Cut (the "AAC") for the Lofer South Timber Sale scheduled for 2005 and 2006 be compressed into 2005, increasing the harvest schedule to 5,960 board feet per acre, nearly twice the removal volume of prior sales in prior years; and

WHEREAS, an increase in the harvest schedule may be adversely impacted by weather conditions, which may limit the ability to winter deck harvested trees; and

WHEREAS, the Lofer South Timber Sale may not occur efficiently without an expedited approval and execution of the Agreement and Addendum by the Secretary; and

WHEREAS, the Tribe and FATCO are facing a winter deck crisis unless the BIA immediately responds to Resolution No. 07-2005-204, the Agreement and Addendum; and

WHEREAS, to address the urgent situation described herein, the Tribal Council concludes that an immediate meeting be scheduled with the Area Director of the Western Region and the Regional Forester, to discuss timber sales preparation and scheduling, and the Lofer Sale Agreement and Addendum.

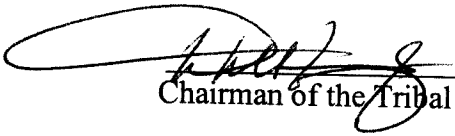
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Secretary for the U.S. Department of Interior is hereby respectfully requested to approve and execute the Agreement for the Lofer South Timber Sale, between FATCO and the White Mountain Apache Tribe as proposed and requested by the U.S. Department of Interior, subject to execution of an Addendum by the Bureau of Indian Affairs (the "BIA"), as proposed by the Tribe.

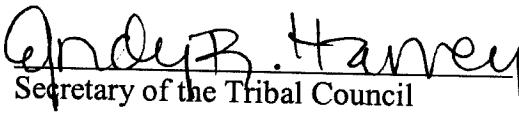
BE IT FURTHER RESOLVED by the Tribal Council that it requests that BIA schedule a meeting no later than Thursday, September 1, 2005, between FATCO, the White

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Mountain Apache Tribe, the BIA Western Regional Area Director, and the Regional Forester.

The foregoing resolution was on September 13, 2005, duly adopted by a vote of SIX for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (c), (f), (g), (h), (i), (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