



Resolution No. 01-2006-13

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

(Requesting Public Law 93-638 Subpart J Construction Contract for Safety of Dams)

WHEREAS, the primary goal of the White Mountain Apache Tribe Safety of Dams Program continues to be the protection of life and property of residents on the Fort Apache Indian Reservation who reside downstream of high hazard classified dams by improving the overall structural integrity of these dams; and

WHEREAS, the Western Regional Office Division of Natural Resources of the U.S. Department of Interior Bureau of Indian Affairs ("BIA") has notified the Tribe that Fiscal Year 2006 funding is available to begin the construction of Safety of Dams (SOD) modifications to Horseshoe Cienega Dam; and

WHEREAS, FY 2006 funding in the amount of \$3 million is available; and

WHEREAS, alternatives identified through engineering studies completed by the Bureau of Reclamation and BIA include: 1) installation of a siphon to allow reservoir evacuation, 2) grouting the existing outlet works, and 3) installation of a toe drain and filter blanket on the downstream faces; and

WHEREAS, the Tribal Council of the White Mountain Apache Tribe, in addition to powers vested in the Tribe by virtue of its inherent sovereignty and by existing laws, has the duty and authority under Article IV, Section 1(f) of its Tribal Constitution to protect and preserve the wildlife, plant life, forests, natural resources, and water rights of the Tribe; and

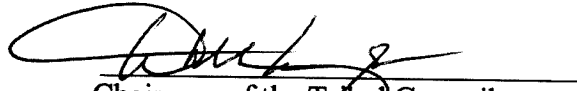
WHEREAS, addressing Safety of Dams identified deficiencies and improving the overall structural integrity of high hazard dams on the lands of the Tribe is of paramount importance for the improved protection of life, property and other downstream hazards and will help to further public safety objectives and the enhancement of the natural resources of the Tribe.

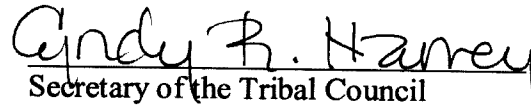
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. A construction contract with the BIA pursuant to a P.L. 93-638 Subpart J is hereby requested to complete Safety of Dams modifications to Horseshoe Cienega Dam.
2. 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.

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The foregoing resolution was on January 5, 2006, duly adopted by a vote of EIGHT 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), (f), (j), (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