



Resolution No. 08-2006-286

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

(Approving application for U.S.D.A. Rural Development grant funds for the purpose of constructing a pre-settling pond for the water treatment plant as part of the North Fork drinking water system for the Greater Whiteriver Area)

WHEREAS, the Miner Flat well field, which is the primary drinking water system for the Greater Whiteriver area, including the communities of Canyon Day, East Fork, and Cedar Creek, continues rapidly to lose its capacity to yield water since its initial development in the late 1990's; and

WHEREAS, other known sources of groundwater on the Fort Apache Indian Reservation are very limited, are subject to long-term productivity declines, and are cost prohibitive for delivery to the majority of the Tribal population which lies south of the Miner Flat well field; and

WHEREAS, the water that flows freely as base flow in the North Fork of the White River represents the most reliable long-term source of water for the Tribal population which is in imminent danger of having insufficient drinking water as soon as this summer; and

WHEREAS, the Tribal Council has approved the development of a system to divert, treat, and deliver water from the North Fork of the White River for the potable water needs of the Greater Whiteriver area, including East Fork and Canyon Day, as well as Cedar Creek, Carrizo, and possibly other communities in the future; and

WHEREAS, the Tribe and I.H.S. have secured \$6.69 million federal funding for the development of this new drinking water system which meets the cost estimate for the minimum required infrastructure as provided by I.H.S. in 2005; and

WHEREAS, the U.S. Department of Agriculture – Rural Development program has grant funds for tribal water-related projects are available under 7 CFR § 1777; and

WHEREAS, these Rural Development funds are awarded on a competitive first-come, first served basis; and

WHEREAS, I.H.S. engineers recommend the construction of a pre-settling pond of at least 60 cubic yards adjacent to the new surface water treatment plant in order to minimize problems with high-turbidity and very low streamflow conditions in the North Fork of the White River which could force the shutdown of the surface water treatment plant and a short-term return to total reliance on the failing Miner Flat well field in emergency conditions; and

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WHEREAS, the I.H.S. estimates the cost for construction of such a pre-settling pond, including necessary pipeline, to be \$1.7 million; and

WHEREAS, the I.H.S. has already applied for an additional \$700,000 in SDS funding which, in combination with \$1 million from Rural Development, would fully fund the construction of the proposed pre-settling pond; and

WHEREAS, the Tribe and I.H.S. have exhausted other avenues for recruiting federal funds for completion of this very important drinking water projects; and

WHEREAS, the Tribe's current dire financial situation, compounded by Rural Development's requirement that they accept over \$1.24 million in loans in order to receive \$3.44 million in grant funds for the construction of the vital surface water diversion and treatment plant, is such that the Tribe cannot bear the burden of any additional loans.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Tribal staff from the Natural Resources Division, Hydrology and Water Resources Program, and other Tribal departments, in coordination with consulting hydrologist, Dr. Laurel Lacher and the U.S. Indian Health Service, are hereby authorized to develop and submit an application for \$1,000,000 in grant funds to Rural Development under the Native American Grants/Water and Disposal Grants and Loans program (7 CFR 1777) for FY2006 in order to construct a pre-settling pond for the drinking water treatment system on the North Fork of the White River.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence the Vice-Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on August 25, 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), (h), (i), (j), (k), (l), (o), (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