



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

(Demanding Consultation with the U.S. Department of Interior, Bureau of Indian Affairs and the Immediate Suspension of the Removal of the Fire Dispatch Center from Whiteriver, Arizona to Show Low, Arizona)

WHEREAS, pursuant to Article IV, Sections 1(a) and 1(f) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe, and act to protect and preserve the wildlife, plant life, forests, natural resources and water rights of the Tribe; and

WHEREAS, on May 3, 2007, the Tribal Council came to understand that the Fort Apache Agency (the "Agency"), Bureau of Indian Affairs of the U.S. Department of Interior, proposed to move parts of its Fire Management operations to Show Low, Arizona, namely the Fire Dispatch Center; and

WHEREAS, on May 7, 2007, the Chairman of the Tribal Council did send a letter to the Superintendent of the Fort Apache Agency, expressing the Tribe's concerns over the proposed moving of Fire Management and confirming the Tribal Council's interest in a written report, outlining the benefits and costs of the move; and

WHEREAS, on May 31, 2007, the Superintendent did report in person to the Tribal Council on the Agency's Fire Management operations, and verbally informed the Tribal Council that the U.S. Department of Interior, in response to national budget cuts, would cut costs by reducing Fire Management operations based at the Agency in favor of the establishment of centers placed in regional zones, which further require the removal of the Agency's Fire Dispatch Center from Whiteriver, Arizona, to Show Low, Arizona; and

WHEREAS, the decision of the Secretary of the U.S. Department of Interior to transfer the Dispatch Center to Show Low, Arizona, was made without consultation with the Tribal Council and its Agency Superintendent did not provide a written report despite the request made by the Chairman of the Tribal Council; instead, the removal was presented as already planned, in process and a foregone conclusion; and

WHEREAS, Executive Order 13175 of the U.S. President (November 6, 2000), requires federal agencies, including the U.S. Department of Interior, to provide "an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications," which are defined as having "substantial direct effects" on an Indian tribe; and

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- WHEREAS**, the proposed removal of the Fire Dispatch Center has critical “tribal implications” for effective forest fire suppression on the Reservation that may have “substantial, direct effects” on the White Mountain Apache Tribe and its natural resources and economy; and
- WHEREAS**, the Fort Apache Indian Reservation (the “Reservation” or “FAIR”) contains one of the largest timber land bases in Indian Country and, given the trust responsibility of the United States for the protection of all natural resources within the Reservation boundaries, the Tribal Council finds that Reservation should receive its proportionate share of government appropriations for forest protection; and
- WHEREAS**, without any substantive information from the Agency, the Tribal Council can only surmise that the Department of Interior’s proposed removal of the Fire Dispatch Center is an ill advised cost savings measure that is disproportionate to and in disregard of the amount of natural resources contained within the Reservation boundaries, and thus threatens to adversely affect the Tribe’s natural resources, the forest and the economy of the Tribe; and
- WHEREAS**, given the trust responsibility of the United States, and pursuant to U.S. Presidential Executive Order No. 13175, the Secretary of the U.S. Department of Interior has a duty to provide meaningful consultation with the Tribe; and
- WHEREAS**, meaningful consultation can only occur through the issuance of a written report by the Secretary of the U.S. Department of Interior on the planned removal of the Dispatch Center and how it will affect the Tribe’s natural resources and the Tribe, and by providing the Tribe with an opportunity to comment on whether the move is in the best interests of the Tribe’s natural resources and the forest, and that consultation has not occurred; and
- WHEREAS**, as part of the consultation process, the Secretary of the U.S. Department of Interior, by and through the Bureau of Indian Affairs’ Regional Forester and Fort Apache Agency Superintendent, should provide a detailed, written report (the “Report”) to the Tribal Council as regards to the Bureau’s planned move of its Fire Management operations to Show Low, Arizona, that addresses the following issues:
- the number of Agency employees and members of the Tribe that will be affected;
 - the impact on dispatch and communications protocols as it relates to fire suppression on the FAIR;
 - the amount of overall funding that the Agency may lose for Fire Management and an explanation as to how the move fits within overall cost savings measures by the U.S. Department of Interior versus Tribal and Agency priorities for forest fire protection and suppression efforts;
 - the impact of decreased funding on the operation and maintenance of the Whiteriver Airport and other airport operations;

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- the impact on air operations and Southwest Fire Fighter (“SWFF”) crew readiness and response times to fires on the FAIR, and the overall impact on the SWFF crew funding;
- the impact and effectiveness of the ROSS and IQCS programs that maintains resource availability regarding employee data and qualifications, as required for Fire Management operations;
- how the move will affect access to the National Interagency Coordination Center (NICC) and the daily Situation Reports (SIT) to monitor and advocate tribal resources for fires at local, regional, and national levels;
- how will the new center identify and protect cultural sites;
- whether the new location will effectively utilize the Southwest Coordination Center (SWCC) to allow for proper crew rotations and availability during the fire season;
- how the move will impact the San Carlos program, which has already been adversely impacted by a similar redeployment of resources;
- overall cost-benefit analysis of the move, along with alternatives discussed including tribal input into the decision-making process; and

WHEREAS, the Tribal Council finds that the Secretary of the U.S. Department of Interior should immediately suspend its planned move of Fire Management operations to Show Low, Arizona, until such time as meaningful, substantive consultations with the Tribe can occur.

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

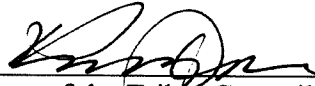
1. Demand is hereby made of the Secretary of the U.S. Department of Interior to provide meaningful consultation with the White Mountain Apache Tribe, consistent with U.S. Presidential Order No. 13175, as to any measures planned by the Fort Apache Agency’s Fire Management operations and their impact on the natural resources within the Fort Apache Indian Reservation and the Tribe, including the planned removal of the Fort Apache Agency’s Fire Dispatch Center out of Whiteriver, Arizona, to Show Low, Arizona, and that said consultation should include an opportunity for the Tribe to comment, and that any comments of the Tribe be considered and incorporated into any final decision that may be made by the Agency.
2. Further demand is hereby made of the Secretary of the U.S. Department of Interior to immediately suspend the planned move of the Fire Dispatch Center to Show Low, Arizona, until such consultation occurs.

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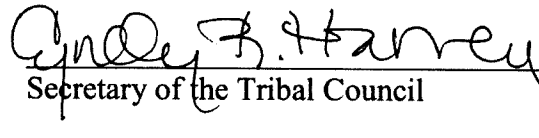
3. The Superintendent of the Fort Apache Agency and the Bureau's Regional Forester are hereby requested to provide the detailed, written Report referenced above to the Tribal Council within thirty days of the date of this Resolution.

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 document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JUNE 6, 2007** duly adopted by a vote of **NINE** 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), (h), (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