



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

(Approving Application for the ADEQ/Water Quality Improvement Grant Program)

- WHEREAS,** pursuant to Article IV, Section 1(a) 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
- WHEREAS,** the Tribe possesses water and other natural resources which are valuable tribal assets in need of protection and preservation; and
- WHEREAS,** the Tribe's Division of Natural Resources (hereinafter the "Division") has developed a range of environmental management programs including the Environmental Code, Natural Resources Code, Water Quality Protection Standards and Ordinance, and a Watershed Restoration Strategic Plan, and Wetlands Conservation Plan; and
- WHEREAS,** the Division has determined that lands and waters within the Fort Apache Indian Reservation have been degraded by the 2002 Rodeo-Chediski Fire and subsequent flooding damage, leading to increased erosion among other problems, and that it is necessary to mitigate nonpoint source pollution by rehabilitation, restoration, and maintenance of the established beneficial uses of water to address the health and well being of Reservation community members; and
- WHEREAS,** the Division of Planning/Community Development office recognizes that the Tribe's Hydrology/Water Resources, Watershed Management, Forestry, and Land Operations Programs have identified a priority restoration project, entitled the "*White Mountain Apache Tribe's Water Quality Improvement Grant Program*," for the headwaters and other key sites that include Cibecue Canyon, Willow and Salt Creeks, watersheds severely burned by the Rodeo-Chediski Fire (northwest area of Reservation), and the Day School Wash area located on or near the eastern part of the west-end community of Cibecue; and
- WHEREAS,** the Division this day recommends that the Tribe submit a grant proposal for FY 2008 funding through cost reimbursement and matching funds totaling \$400,000 that includes \$160,000 from the Land Restoration Fund in the amount of \$120,000, and \$40,000 of in-kind contributions from Division departments for the project and requested funding of \$240,000 to the Arizona Department of Environmental Quality; and
- WHEREAS,** the Tribal Council finds that the project identified herein to be in the best interest of the Tribe and the community of Cibecue, and that the grant application should be submitted to ADEQ in furtherance of the project; and
- WHEREAS,** the Division of Natural Resources has advised that the application is due by February 12, 2007, which requires review by the Tribal Council outside of its regularly scheduled meeting; and
- WHEREAS,** given the urgency of the application deadline, the Tribal Council further finds that the grant application needs to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS,** the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council

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personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.


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

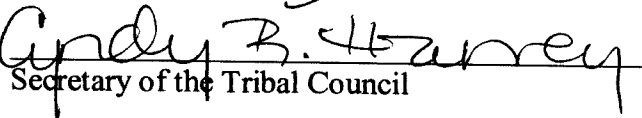
1. The WMAT Water Quality Improvement Grant Program is hereby approved as a water project for the White Mountain Apache Tribe.
2. The Tribe's Planning & Community Development office and the Division of Natural Resources are hereby authorized to submit a grant proposal for FY 2008 funding of \$240,000 to the Arizona Department of Environmental Quality for the project identified herein.
3. Matching funds in the amount of \$120,000 are hereby requested from the Land Restoration Committee to be appropriated from the Land Restoration Fund, and the amount of in-kind contributions (\$40,000) will be provided by the Forestry, Land Operations, Hydrology/Water Resources, and Watershed Program, departments of the Division. The amounts within the matching funds contributions could be revised upwards or lowered as deemed necessary.
4. A budget for expenditure through cost reimbursement is hereby approved for such purpose, subject to: (1) appropriation and approval of funds as may be made available by the Land Restoration Committee; (2) the terms and conditions of the grant; and (3) to a review by the Tribe's Legal Department.
5. The Executive Director of the Division of Natural Resources is hereby authorized to manage the Arizona Department of Environmental Quality's Water Quality Improvement grant on behalf of the Tribe.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature would mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

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 February, 8, 2008, 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), (f), (h), (j), (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

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Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 02-2008-31 initiated the 8th day of January 2008.

**Presented Personally by Tribal Council
Secretary (TCS)-Indicated by Initials**

Ronnie Lupe
Tribal Chairman
Date Signed

TCS Initials

Margaret Baha Walker
Margaret Baha-Walker
Vice Chairwoman
2/11/08
Date Signed
cm TCS Initials

Arnold Beach, Sr.
District I Council Member
Date Signed

TCS Initials

Evangelina Gatewood
Evangelina Gatewood
District I Council Member
Date Signed
cm TCS Initials

Lafe Altaha
District II Council Member
Date Signed

TCS Initials

Victoria Brewer
Victoria Brewer
District II Council Member
2/11/08
Date Signed
cm TCS Initials

Alvin DeClay, Sr.
District III Council Member
Date Signed

TCS Initials

Kirk Massey Sr.
Kirk Massey, Sr.
District III Council Member
2/11/08
Date Signed
cm TCS Initials

Noland Clay
Noland Clay
District IV Council Member
2/8/08
Date Signed
cm TCS Initials

Wayne Colefay Jr.
Wayne Colefay, Jr.
District IV Council Member
2/8/08
Date Signed
cm TCS Initials

Reno Johnson, Sr.
District IV Council Member
Date Signed

TCS Initials

ATTEST:

Cyndy R. Harvey
Cyndy R. Harvey, Tribal Council Secretary
2.12.08
Date Signed