

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

(Amendment of Resolution No. 07-2005-180 Banning the Use of Bear Bait)

- 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,** pursuant to Article IV, Section 1(f), the Tribal Council has further authority to protect and preserve the wildlife, plant life, forests, natural resources and water rights of the Tribe, and to regulate hunting and fishing on the reservation; and
- WHEREAS,** pursuant to the White Mountain Apache Tribe's Game and Fish Code, Section 2.1(D), the Wildlife and Outdoor Recreation Department ("WORD") has the authority to establish hunting and fishing regulations, and prescribe the manner and methods which may be used in taking wildlife, subject to the approval of the Tribal Council; and
- WHEREAS,** WORD has published, "Hunting Guidelines and Policy for Bear and Lion Outfitters," which under Section III(B) does allow for certain types of bait hunting methods; and
- WHEREAS,** pursuant to Resolution 07-2005-180, the Tribal Council banned the use of oils, grease, processed human foods and dog food as bear bait after a complaint was made by Vernal Gatewood regarding a non-tribal member who was using motor oil as bear bait; and
- WHEREAS,** on February 13, 2008, tribal member, Marty Gatewood, owner of 9 Claws Outfitters, explained to the Tribal Council that Resolution 07-2005-180 was intended to ban only the use of motor oil as bear bait, but should not have included a ban on the use of dog food, can sardines, syrup and honey; and
- WHEREAS,** the Wildlife & Outdoor Recreation Department has reviewed Marty Gatewood's proposal to amend the bear baiting regulations to allow the use of dog food, canned sardines, pancake syrup and honey and agrees with the attached memo which is hereby incorporated by reference; and
- WHEREAS,** the Tribal Council finds that Resolution 07-2005-180 should be amended and WORD should also amend the bear baiting regulations to allow the use of dog food, can sardines, syrup and honey; and

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

1. That Resolution 07-2005-180 is hereby amended to allow the use of dog food, canned sardines, pancake syrup and honey as bear bait.

Resolution No. 02-2008 -32

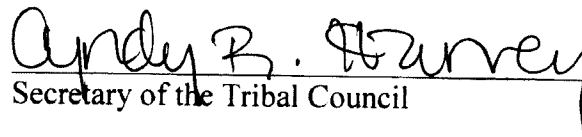
2. That WORD shall amend its Hunting Guidelines and Policy regulations to allow the use of dog food, canned sardines, pancake syrup and honey as bear bait, however the use of motor oil as bear bait remains prohibited.

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 February 13, 2008 duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (f), (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

9 CLAWS OUTFITTERS
P.O BOX 1223
WHITERIVER, ARIZONA
(928) 205-1191

9 Claws Outfitters
Marty Gatewood

Memo

To: WMAT Chairman Ronnie Lupe
WMAT Vice Chairwoman Margaret Baha-Walker
WMAT Tribal Council
Reno Johnson Sr.
Wayne Colelay Jr.
Nolan Clay
Alvin Declay Sr.
Kurt Massey
Lafe Altaha
Victoria Brewer
Arnold Beach Jr.
Evangeline Gatewood

From: Marty Gatewood, 9 Claws Outfitters

CC: Alex Ritchie, WMAT Tribal Attorney

Date: February 11, 2008

Re: Use of Bear Bait on Ft. Apache Indian Reservation

Dear members of Tribal Council,

This is a request to re-do resolution #07-2008-108. The original complaint on this resolution was motor oil, not dog food or other processed items. A non-member outfitter was reported on for using motor oil at bait site. Resolution 07-2005-108 has made it difficult for me to operate my hunting business. The non-member outfitters as I have found out, are taking care of businesses that will provide them with legal bait, which leaves me with next to nothing for bait. (Example: Malapai Meat Packing ; contract with non-member outfitters, Bashas; the same.)

Nine Claws Outfitters provide income to the White Mountain Apache Tribe, not only thru license and tag fee, also Hon-Dah Resort thru lodging and meals. Also I have referred my clients to the Trophy Elk Hunt on the Ft. Apache Reservation, and some have returned as clients on this high dollar elk hunt.

I would request only the following items be reinstated as use for bait :

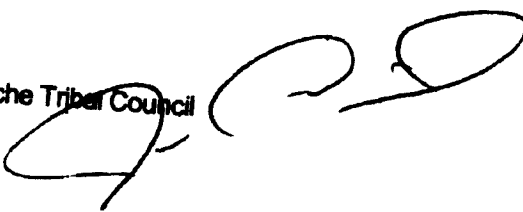
- o Dog Food
- o Can Sardines
- o Syrup and Honey
- o All Store bought Items

I sincerely appreciate your time on this matter.

Thank you,

Memo

To: White Mountain Apache Tribal Council
From: John Caid, Director
CC: Marty Gatewood; File
Date: 2/11/2008
Re: Use of other bear baits



The Wildlife and Outdoor Recreation Division agrees with Mr. Gatewood's proposal to amend the bear baiting regulations to also allow the use of dog food, canned sardines, pancake syrup, and honey for baiting bears.