



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

(Approving the Private Lands Agreement between the White Mountain Apache Tribe and the U.S. Fish and Wildlife Service on the Fire Box Creek Stream Habitat Restoration Project)

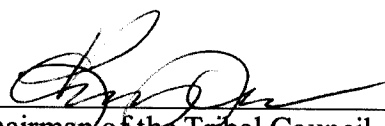
- WHEREAS,** the Tribal Council has the authority to represent the Tribe and act in pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, all matters that concern the welfare of the Tribe; and
- WHEREAS,** pursuant to Article IV, Section 1(f), the Tribal Council has further authority to protect and preserve wildlife, plant life, forests, natural resources and water rights of the tribe; and
- WHEREAS,** the U.S. Fish and Wildlife Service ("Service") has proposed a Private Lands Agreement with the White Mountain Apache Tribe ("Tribe") for a wildlife habitat development and management plan known as the Firebox Creek Stream Habitat Restoration Project as attached and incorporated by this reference; and
- WHEREAS,** there is a persistence of low population of Apache trout in the Firebox Creek area of the East Fork White River due to low waters and lack of cover; and
- WHEREAS,** the U.S. Fish and Wildlife Service has explained that studies show that adding large woody debris to a stream can create cover and enhance and create pool habitat for fish while providing refuge during low water periods; and
- WHEREAS,** the U.S. Fish and Wildlife Service proposes to provide funding so the Tribe can hire contractors to build the Firebox Creek Stream Habitat under the guidance of the Service and WMAT WORD staff; and
- WHEREAS,** the Legal Department has reviewed the Agreement; and
- WHEREAS,** the Tribal Council finds that the population of the Apache trout has been decreasing in the Fire Box Creek area of the East Fork White River and habitat restoration is necessary and the Agreement is in the best interest of the Tribe and wildlife preservation.
- WHEREAS,** the Tribal Council finds that work on this project should be under the supervision of WORD; and
- WHEREAS,** the Tribal Council finds that it is in the best interest of the Tribe and promotes continuity for tribal members who started work on this project under WORD to continue their work through the duration of the project as funds allow; and
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that:

Resolution No. 06-2008-129

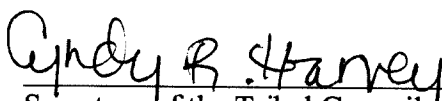
1. That the Private Lands Agreement between the U.S. Fish and Wildlife Service and the White Mountain Apache Tribe on the Fire Box Creek Stream Habitat Restoration Project is hereby approved.
2. That the Firebox Creek Stream Habitat Restoration Project Plan shall be supervised by WORD.
3. That in the event the funds are received, a budget for the expenditure is hereby authorized, subject to the terms and conditions of the grant and review thereof by the Tribe's Legal Department, and appropriations by the Tribal Council as may be available.
4. That WORD is directed that the same tribal members who started work on this project for WORD are to continue working for the duration of the project as funded.

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 23, 2008, duly adopted by a vote of SEVEN 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), (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