



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

(Approving the 2% Annual Planning Grant for the Tribal Transportation Committee)

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, Congress authorized funding for highway safety programs, transit programs and other purposes pursuant to the "Safe Accountable, Flexible Efficient Transportation Equity Act: A Legacy for Users or "Safety-Lu" on January 5, 2005 placing the administration of the Indian Reservation Roads (IRR) Program under both the Federal Lands Highways Administration and the Bureau of Indian Affairs according to final rules set forth in 25 U.S.C. Part 170 for Indian Tribes; and

WHEREAS, pursuant to Article IV, Section 1(b), the Tribal Council has an interest in obtaining funding for projects on Fort Apache Reservation to improve highways, bridges, roads, byways and trails and other inter-modal initiatives for the benefit of members of the White Mountain Apache Tribe; and

WHEREAS, the Tribal Council has authorized a WMAT Transportation Committee and the Tribal Council finds that this committee should be permitted to interact, meet and represent the Tribe in transportation matters with outside agencies which include the Bureau of Indian Affairs, the Federal Highway Administration, the Federal Emergency Management Agency, HUD, Federal Aviation Agency, Arizona Department of Transportation and the Apache/Navajo County Transportation Departments as well as other transportation groups, associations and committees regarding transportation policies, procedures and funding related but not limited to 25 CFR 170 et seq. as to primary rules, regulations and funding initiatives; and

WHEREAS, the WMAT Transportation Committee recommends that the Tribal Council request that the BIA Western Regional Office of the Indian Self Determination review and award any available FY 2007 and FY 2008 2% Annual Transportation Planning Grant, Population Adjustment Factor funds to the Tribe which will provide administrative support and allow capacity building for the WMAT Transportation Committee to attend regularly scheduled monthly meetings, Tribal Council reviews, and support tribal transit planning activities which may include FAA planning and development of FAIR airport facilities in Whiteriver and Cibecue, IRR Roads Inventory updates, prioritization of FIAR TIP, monitoring of BIA projects, support for ADOT activities for improving State Routes 73, 260, 6-0, 473 and 273 to monitor projects, attendance at NACOG, WMRTC, ITCA, BIA, FTA as well as national transportation conferences which concern the IRR and re-authorization issues; and

WHEREAS, the WMAT Transportation Committee recommends that the Tribal Council make a request for P.L. 93-638 funding from the Bureau of Indian Affairs regarding the 2%

Transportation Planning Funds and Population Adjustment Factor grant funds in the amount of \$107,704.00 which includes: (1) A request for 05-07 funds in the amount of \$66,000 and \$66,704 from the FY 2008 for the 2% Transportation Funds Allocation (2) A request for 05-07 funds for the Population Adjustment Factor in the amount of \$13,128 and \$27,806 for FY 2008 allocation; and

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WHEREAS, the Tribal Council finds that the request for 2% Transportation Planning Funds and Population Adjustment Factor grant funds in the amount of \$107,704.00 from the BIA should be authorized; and

WHEREAS, the Legal Department has reviewed the Narrative and Budget which are herein incorporated by reference; and

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the application for 2% Transportation Planning Funds and Population Adjustment Funds from the BIA should be authorized.

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

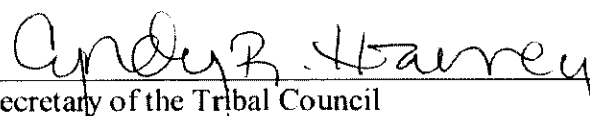
1. That the P.L. 93-638 grant application for 2% Transportation Planning Funds and Population Adjustment Factor Grant Funds are hereby approved.
2. That in the event the funds are received, a budget for the expenditure is hereby authorized, subject to the terms and conditions of the grant and review thereof by the Tribe's Legal Department, and appropriations by the Tribal Council as may be available.
3. That the WMAT Transportation Committee is approved to interact with, meet and represent the Tribe in transportation matters with outside agencies which include BIA, FHA, FEMA, HUD, FAA, ADOT and the Apache/Navajo County Department of Transportation and other associations and committees regarding Policies, procedures, and funding issues, including but not limited to 25 CFR 170 et seq. rules and regulations.
4. That Richard Palmer, the WMAT Transportation Program Director, is authorized to manage the 2% Transportation Planning Funds and Population Adjustment Factor grant funding if and when the grant is approved by the BIA.

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 August 22, 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), (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