



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

(Public Law 93-638 Contract for Environmental Compliance Documentation and Safety of Dams Modification to Davis Dam on the Fort Apache Indian Reservation)

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) 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 Safety of Dams (SOD) Program under the Land Operations Department provides for protection of life and property downstream of high and significant hazard classified dams by improving the overall structural integrity of these dams; and
- WHEREAS,** the Western Regional Office Division of Natural Resources of the U.S. Department of Interior Bureau of Indian Affairs (BIA) has notified the Tribe that funding is available to prepare the environmental compliance documentation for upcoming SOD modifications to Davis (Hawley Lake) Dam on the Fort Apache Indian Reservation; and
- WHEREAS,** the BIA anticipates that funding to complete the SOD modifications could be available as early as Fiscal Year 2012 to construct a comprehensive seepage collection and monitoring system, abandonment in place of the existing outlet works, installation of a siphon to provide reservoir evacuation capability, and removal of the existing abandoned siphon; and
- WHEREAS,** the Fiscal Year 2011, funding in the amount of \$30,000.00 is available to prepare the environmental compliance documentation which will likely be an Environmental Assessment (EA), which is a public document that provides sufficient analysis for determining whether a proposed action may or will have a significant impact on the quality of the human environment; and
- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe funds that addressing Safety of Dams identified deficiencies and improving the overall structural integrity of Davis Dam is of paramount importance for the improved protection of life, property and downstream hazards and will help to further public safety objectives and the enhancement of the Tribe's natural resources.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that an application to enter into a P.L. 93-638 contract for completing the environmental compliance documentation for upcoming SOD modifications to Davis Dam is hereby authorized, with details included in a formal application to the Bureau of Indian Affairs, Fort Apache Agency.

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BE IT FURTHER RESOLVED that the Tribal Council of the White Mountain Apache Tribe hereby authorizes a P.L. 93-638 contract for completing subsequent SOD modifications to Davis Dam, with details corresponding to the Final Design prepared by the BIA.

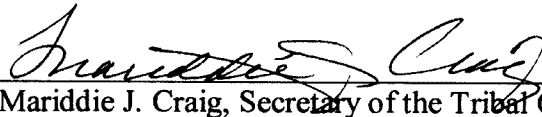
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **MARCH 16, 2011** 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), (f), (i), (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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council