



# WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance  
Over the Fort Apache Indian Reservation*

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## **Resolution No. 03-2014-23**

### **(Approving the Memorandum of Understanding between the Environmental Protection Office and WMATCO, LLC Concerning Air Quality and Emissions Standards)**

**WHEREAS,** in September, 2013, the Tribal Council gave final authorization for the management and financing plan to renovate the former FATCO sawmill and resume commercial logging and lumber production; and

**WHEREAS,** since that date, the Tribe's newly formed and wholly owned company, WMATCO, LLC, has been completing renovations to the sawmill and is ready to begin sawmill production; and

**WHEREAS,** WMATCO has submitted a permit application to the Environmental Protection Agency, Region 9 for the emissions which will occur from the boiler operations and other activities at the sawmill site; and

**WHEREAS,** WMATCO has also worked under the collaboration with and direction of the Tribe's Environmental Protection Office to establish procedures and safeguards in the operation of the sawmill for the protection of human health and the environment; and

**WHEREAS,** for that purpose, the Environmental Protection Office and WMATCO have developed the Memorandum of Understanding, attached hereto, which outlines the respective duties and obligations of each party; and

**WHEREAS,** the Environmental Protection Office and WMATCO have briefed the Tribal Council on the purpose and objectives of the proposed Memorandum of Understanding, and request Tribal Council approval.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Memorandum of Understanding between the Tribe's Environmental Protection Office and WMATCO, LLC concerning air quality and emissions standards at the WMATCO sawmill.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

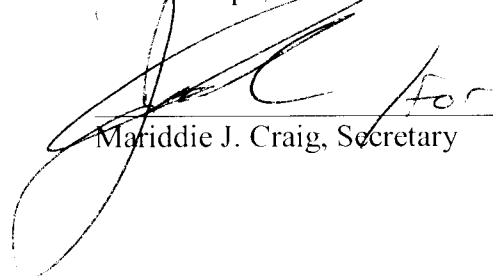
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign.

The foregoing resolution was on **MARCH 5, 2014** duly adopted by a vote of **SIX** for and **ZERO** against and **ONE** abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (f), (h), (i), (s), (t) and (u) of the Tribal Constitution, 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).

  
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Ronnie Lupe, Chairman

3/7/14  
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Date

  
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Mariddie J. Craig, Secretary

3/7/14  
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Date