



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Temporary Opening for Tribal Member Fishing and Antler Hunting on Memorial Day Weekend)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power, “To represent the Tribe and act in all manners that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution,”; and
- WHEREAS,** The Tribe declared an Emergency Declaration due to COVID-19 on March 12, 2020 and established a set of guidelines and restrictions by means of Tribal Resolutions to help mitigate the spread of COVID-19 on the reservation; and
- WHEREAS,** One of the measures to mitigate the spread of COVID-19 on the Fort Apache Indian Reservation (“FAIR”), included enacting Resolutions No. 03-2020-65, which closed the forests on the Fort Apache Indian Reservation; and
- WHEREAS,** The Council recognizes the difficulties of being under a Stay-at-Home Order for an extended period and desire to temporarily lift certain restrictions to permit Tribal members to enjoy certain activities over the Memorial Day weekend while still maintaining social distancing requirements and taking the necessary precautionary measures to prevent the spread of COVID-19; and
- WHEREAS,** The Council understands that opening up the forest for the limited purpose of fishing at the lakes would allow Tribal members who have been living under the Tribe’s Stay-at-Home Order an opportunity to enjoy the outdoors; and
- WHEREAS,** The Council also understands that opening up the forest for the limited purpose of antler hunting would give participating Tribal members an opportunity for economic gain while still maintaining social distancing requirements; and
- WHEREAS,** The Council finds that temporarily opening the forest for the limited purposes of fishing at the lakes and antler hunting during Memorial Day weekend, while still adhering to the precautionary measures of social distancing, wearing of face masks, washing of hands, and all other measures previously set forth, is in the best interest of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby temporarily opens the forest to Tribal members for the limited purposes of fishing at the lakes and

Resolution No. 05-2020-106

antler hunting during the **Memorial Day weekend beginning on Saturday, May, 23, 2020 until Monday, May 25, 2020, between the hours of 7 a.m. and 7 p.m. on each of those days.**

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby permits non-Tribal members who are married to Tribal members to enjoy fishing activities with their spouse and/or children during the 2020 Memorial Day weekend, subject to all restrictions herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Game and Fish Department to waive the requirements for fishing permits for Tribal members and non-Tribal member spouses in accordance with this resolution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that beginning May 25, 2020 at 7:01 p.m., Resolution No. 03-2020-65 which closes the forest shall continue to remain in full force and effect.

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 any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

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 the Chairwoman, or in her 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 **MAY 22, 2020** duly adopted by a vote of **NINE** for, **ONE** against, and **ONE** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

 5/22/20  5/22/20
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date