



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Fish Barrier Construction in Big Bonito Creek, Flash Creek, and Squaw Creek for the Protection of Apache Trout)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(f) that the Tribal Council (“Council”) shall exercise the power, “To protect and preserve the wildlife, plant life, natural resources and water rights of the Tribe, and to regulate hunting and fishing on the Reservation”; and

WHEREAS, The Game & Fish Department, this day, requests approval to construct fish barriers in Big Bonito Creek, Flash Creek, and Squaw Creek; and

WHEREAS, The purpose of the fish barriers is to protect Apache Trout populations in those streams from negative interactions with brown trout; and

WHEREAS, The fish barriers will be designed to keep brown trout from moving upstream, and to be durable and withstand large runoff events (See attached information sheet, incorporated herein by reference); and

WHEREAS, The Tribal Council finds it in the best interest of the Tribe to approve and support the construction of fish barriers for the protection of Apache Trout in Big Bonito Creek, Flash Creek, and Squaw Creek.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and supports the construction of fish barriers for the protection of Apache Trout from brown trout in Big Bonito Creek, Flash Creek, and Squaw Creek.



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.

Resolution No. 02-2021-40

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, 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 **FEBRUARY 23, 2021** duly adopted by a vote of **ELEVEN** vote for, **ZERO** against, and **ZERO** 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).

	<u>2.24.21</u>		<u>2/24/2021</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date