



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Permanently Closing Stago Pits One and Two)

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 matters that concern the welfare of the tribe...”; and

WHEREAS, Decades ago, the Tribe established a dump site at Stago Pit 1; and

WHEREAS, The Tribe has since established a different landfill site, and discontinued use of the Stago Pit 1; and

WHEREAS, Illegal and unauthorized dumping of trash and organic matter at the pit has continued, which has created an environmental, public health and fire hazard; and

WHEREAS, The conditions at the pit recently contributed to a wildfire that endangered numerous homes; and

WHEREAS, Stago Pit 2, across the highway from Stago Pit 1, has been used by the Tribe and Tribal members as a quarry from which soil and rock have been extracted; and

WHEREAS, Stago Pit 2 has become a public safety and environmental hazard; and

WHEREAS, The Council finds that the permanent closure of Stago Pit 1 to all dumping, and Stago Pit 2 to all quarrying, is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Stago Pit 1 is hereby permanently closed to all dumping of garbage and unauthorized organic matter, and that Stago Pit 2 is, likewise, permanently closed to all further quarrying and removal of soil and rock.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe’s Solid Waste Department is instructed to fence off the entrances to the pits, and not to permit any more dumping or quarrying at these locations.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that any persons found to be dumping or assisting dumping at these sites may be held liable under the Tribe’s illegal dumping law and other relevant environmental protection laws and regulations.

Resolution No. 06-2021-113

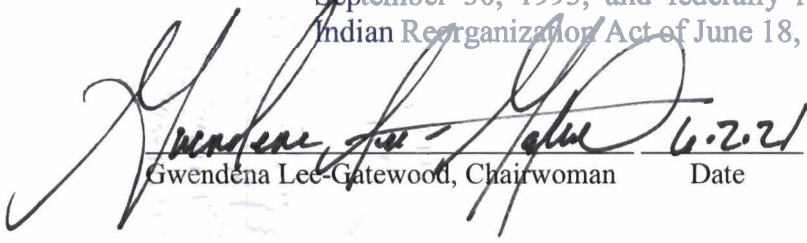
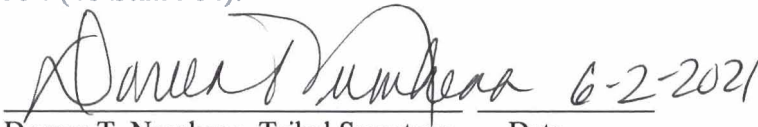
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe's Environmental Protection Office and Public Works Department shall work together to develop a plan to remediate both sites and mitigate the risks posed by them to the environment and the public.

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 JUNE 2, 2021 duly adopted by a vote of SIX for, ZERO against, and THREE 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>6-2-21</u>		<u>6-2-2021</u>
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date