



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(Approving the U.S. Indian Health Service's Planning
Project No. PH 21-V91 for Funding at \$147,000.00)**

WHEREAS, The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation (F.A.I.R) provides, at Article IV, Section 1(b) that the Tribal Council ("Council") shall exercise the power "To negotiate, make and perform contracts and agreements of every description, not inconsistent with Federal law or [the] constitution, with...the United States..."; and

WHEREAS, The U.S. Indian Health Service ("IHS") has begun planning for evaluating the installation of a drinking water system booster station on the F.A.I.R. for planning project PH 21-V91, which will provide the Tribe an engineering analysis and design for construction/upgrades of the Canyon Day Booster Station to ensure a reliable source of drinking water to the Cedar Creek Community, to be funded by the Environmental Protection Agency in the amount of \$147,000.00 through the Drinking Water Tribal Set-Aside ("DWTS") Program; and

WHEREAS, To accomplish the proposed planning, IHS requires the Tribe to grant IHS permission to enter and cross Tribal land to conduct site investigations, surveys, engineering studies, and other tests, and to make all information available on water sources, water production, abandoned wells, land status, and other pertinent information necessary to complete planning, as well as obtaining necessary archaeological clearances and reports; and

WHEREAS, The Tribal Council finds that approving the IHS planning project PH 21-V91 will help the Tribe safeguard its water resources, and 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 IHS planning project PH21-V91 is hereby approved.

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.

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

Resolution No. 10-2021-206

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.

The foregoing resolution, on **OCTOBER 6, 2021** was duly adopted by a vote of **ELEVEN** 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).

 10/25/2021  10-25-2021
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date