



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Imposing Directives to Address the Carrizo Water Emergency)

- 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,** On 22, January 2020, at the request of Council and in response to persistent water shortages and contaminations in the community of Carrizo, former-Chairwoman Lee-Gatewood declared that, “...a State of Emergency exists for the community of Carrizo, Arizona on the Fort Apache Indian Reservation, to persist until the situation is abated and the people of Carrizo, again, have reliable access to uncontaminated, safe and clean water in their community, and [she] declares the State of Emergency lifted; and
- WHEREAS,** The situation in Carrizo has continued to worsen, such that potable water is having to be delivered by truck on a weekly basis; and
- WHEREAS,** The Council wishes to alleviate the immediate needs of the residents, while supporting the Tribe’s trustee, Indian Health Services’ (“IHS”) efforts and expediting a permanent solution that will be compatible with the Tribe’s Rural Water System design; and
- WHEREAS,** It has been proposed that a water pipeline be constructed to extend the Tribe’s water infrastructure the thirteen miles from Cedar Creek to Carrizo, (the “Cedar Creek to Carrizo Pipeline Project” or the “Pipeline Project”) and it the Council finds that this is the only permanent solution, and that an estimated \$13 million in funds be sought and identified; and
- WHEREAS,** IHS, this day, advised the Council that they are committed to resolving these issues, that they are waiting on two new wells to come online, that they are working on a project to clean out the existing utility lines; and
- WHEREAS,** IHS also advised that if the Tribe so requests, it can initiate planning to begin necessary surveys, clearances and feasibility studies for the Pipeline Project, but that the limiting factor for such a project would be lack of funds; and
- WHEREAS,** The Tribe is grateful for those government entities, churches, and others, who have donated water during this community’s time of need; and

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WHEREAS, The Council recognizes that the Tribe has much expertise and many resources that can be mobilized to help find immediate solutions and work towards initiation of the Pipeline Project; and

WHEREAS, Council finds that reaffirming that the State of Emergency in Carrizo persists, and that imposing the following directives will help address it the water shortage and quality problems in the near and long-terms, and is in the best interests of the Tribe and its members:

1. The Tribal Treasurer shall immediately identify Tribal Funds that can be made available for a cost-share agreement between the Tribe and Indian Health Services for the planning phase, including necessary surveys, clearances, and feasibility analyses, for the Carrizo Pipeline Project;
2. The Tribal Treasurer shall work with the Tribe's Planning Director to seek and identify sufficient funds for the Carrizo Pipeline Project;
3. The Tribe and Tribal Departments shall continue to work with officials from the county, state, and federal governments, and from the faith-based and non-profit communities to make necessary water deliveries to the Carrizo;
4. A Carrizo Water Working-Group, headed by the Tribe's Planning Director and comprised of the following Tribal employees shall began meeting not less than weekly, and coordinating efforts to fund, plan and construct the Cedar Creek to Carrizo Pipeline Project:
 - Tribal Engineer;
 - Tribal Utility Authority Director;
 - Water Resources Director;
 - Land Operations Manager;
 - Tribal Historic Preservation Officer;
 - Environmental Protection Office Director;
 - Property Manager;
 - Treasurer;
 - Hon-Dah Resort Casino General Manager;
 - Forestry Director;
 - Water Resources Field Supervisor; and
 - Tribal Contractor, Louie Zospah; and
5. The Carrizo Water Working-Group shall address Council monthly to discuss their progress and concerns with the Project.

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BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe's State of Emergency Declaration for the water crisis in Carrizo is reaffirmed and still remains active.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. The Tribal Treasurer shall immediately identify Tribal Funds that can be made available for a cost-share agreement between the Tribe and Indian Health Services for the planning phase, including necessary surveys, clearances, and feasibility analyses, for the Carrizo Pipeline Project;
2. The Tribal Treasurer shall work with the Tribe's Planning Director to seek and identify sufficient funds for the Carrizo Pipeline Project;
3. The Tribe and Tribal Departments shall continue to work with officials from the county, state, and federal governments, and from the faith-based and non-profit communities to make necessary water deliveries to the Carrizo;
4. A Carrizo Water Working-Group, headed by the Tribe's Planning Director and comprised of the following Tribal employees shall began meeting not less than weekly, and coordinating efforts to fund, plan and construct the Cedar Creek to Carrizo Pipeline Project:
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 - Environmental Protection Office Director;
 - Property Manager;
 - Treasurer;
 - Hon-Dah Resort Casino General Manager;
 - Forestry Director;
 - Water Resources Field Supervisor; and
 - Tribal Contractor, Louie Zospah; and
5. The Carrizo Water Working-Group shall address Council monthly to discuss their progress and concerns with the Project.

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.

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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 Chairman, 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 AUGUST 8, 2022 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey B. Velasquez 8/10/22
Kasey Velasquez, Chairman Date

Vaneysa Johnson 8/10/22
Vaneysa Johnson, Tribal Secretary Date