



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing Execution of a Public Law 93-638 Contract for the Bureau of Indian Affairs Climate Change Grant)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“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 at Article IV, Section 1(j), the power “To accept grants and donations from any person, state, or the United States”; and

WHEREAS, Public Law 93-638, the “Indian Self-Determination and Education Assistance Act,” provides for the full participation of Indian tribes in programs and service conducted by the federal government for Indians and to encourage the development of human resources of the Indian people; and

WHEREAS, The White Mountain Apache Tribe Water Resources Program (“WRP”) is requesting to submit an application to receive awarded Bureau of Indian Affairs (“BIA”) climate change funding that will be utilized to perform wildfire mitigation activity at Smith Cienega; and

WHEREAS, Awarded BIA Climate change funding proposes to protect cultural and ecological water resources at Smith Cienega by thinning a 200-foot buffer zone outside of the wetland emphasis zone (“WEZ”); and

WHEREAS, The Council finds that it is in the best interests of the Tribe and its members to authorize the WRP to execute a PL93-638 contract with the BIA, Fort Apache Agency, to perform the water resource protection objectives at Smith Cienega.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribe’s Water Resources Program to negotiate and execute a PL 93-638 contract with the BIA to utilize awarded contract funding to perform wildfire mitigation activity to protect wetlands at Smith Cienega.

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. 08-2024-165

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 7, 2024 duly adopted by a vote of SEVEN 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).

<u>Kasey Velasquez</u>	<u>8-7-24</u>	<u>Vaneysa Johnson</u>	<u>08/07/2024</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date