

RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION

- WHEREAS, the White Mountain Apache Tribe undertook preliminary investigations to select a damsite in 1981 for the purpose of irrigating up to 3,000 acres on the Canyon Day Irrigation Project. Based on those investigations, the Tribal Council of the White Mountain Apache Tribe selected Miner Flat Dam as the site of the necessary storage facilities and immediately undertook to investigate the engineering, geological, environmental and economic factors controlling at the site; and
- WHEREAS, in fiscal years 1982 and 1983, the Congress of the United States appropriated \$1.5 and \$3.1 million, respectively, (a total of \$4.6 million) for final investigation and construction of Miner Flat Dam; and
- WHEREAS, the Bureau of Indian Affairs developed a schedule and controlled use of funds appropriated by the Congress for the benefit of the White Mountain Apache Tribe at Miner Flat Dam through several P.L. 93-638 contracts with the tribe, the most recent of which is Contract No. H50C14205335. The Bureau of Indian Affairs has designed a time consuming process for the completion of engineering design, geological investigations and, most recently, an environmental impact statement that has required a minimum of three contracts with the Bureau of Indian Affairs, the latter contract concluding in August 1988; and
- WHEREAS, review of the Design Memorandum, completion of the Environmental Impact Statement and completion of plans and specifications for construction are required by the Bureau schedule after August 1988; and
- WHEREAS, Bureau has agreed to furnish the Tribe with a detailed accounting of the expenditures to date on the Miner Flat Dam Project; and
- WHEREAS, a new contract with the Bureau is necessary to complete the work required at Miner Flat Dam in accordance with the stepwise schedule of the Bureau in order for the Tribe to benefit from the funds appropriated by Congress for construction of Miner Flat Dam; and

WHEREAS, the new contract will commence on August 23, 1988 for a two year period to complete the Miner Flat investigations and Final Design.


NOW THEREFORE BE IT RESOLVED that the Tribal Council of the White Mountain Apache Tribe directs the Chairman to undertake the necessary steps to recontract with Bureau for Completion of the Miner Flat investigations.


BE IT FURTHER RESOLVED that the report of expenditures on Miner Flat Dam now being prepared by the Bureau at the request of the Chairman be presented in full to the Tribal Council upon completion by the Bureau.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Chairman and/or in his absence, the Vice Chairman are authorized and directed to sign the negotiated P.L. 93-638 Miner Flat Dam for the duration of the new contract.

BE IT FINALLY RESOLVED that the Chairman take all necessary steps to obtain additional appropriations from Congress which, when combined with the remaining funds for construction, are adequate to complete the construction of Miner Flat Dam.

The foregoing resolution was on June 22, 1988, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
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Chairman of the Tribal Council

  
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Acting Secretary of the Tribal Council

JUL 13 1988