

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

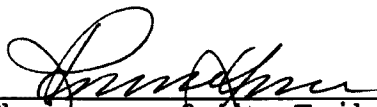
- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe is advised that the United States Fish and Wildlife Service has proposed to list the Arizona Willow as an endangered species and to declare portions of the Fort Apache Indian Reservation as critical habitat for the Arizona Willow pursuant to the Endangered Species Act; and
- WHEREAS,** other threatened or endangered or proposed threatened or endangered species are found on the Fort Apache Indian Reservation, such as the Mexican Spotted Owl and the Loach Minnow, and the United States Fish and Wildlife Service is attempting or has attempted to impose requirements on the Tribe or the Reservation with respect to those species; and
- WHEREAS,** the Tribal Council is advised that the United States Fish and Wildlife Service is under a court order to decide whether to propose for listing approximately 400 "category 1" candidate plants and animals over the next four years; and
- WHEREAS,** some of the 400 "category 1" candidate plants and animals may be found on the Fort Apache Indian Reservation, including not only the Arizona Willow, but also the Southwestern Willow Flycatcher, the Goodding's Onion, and perhaps others; and
- WHEREAS,** the Tribal Council is further advised that the United States Fish and Wildlife Service must propose for listing those species with the highest priority, and that a listing priority can be lowered in some instances if a conservation plan is in place or if active recovery actions are underway; and
- WHEREAS,** the Tribal Council has determined that the current attempts to impose by regulatory fiat requirements upon the White Mountain Apache Tribe and the Fort Apache Indian Reservation constitute an infringement upon the Tribe's sovereignty over its ancestral lands and its right to manage its natural resources and an imminent threat to the economic well-being of the Tribe, and that the Tribe should take whatever steps are necessary to stop this misapplication of the Endangered Species Act and to preempt any future attempts by the United States Fish and Wildlife Service to unilaterally impose requirements on the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that the Natural Resources Committee convene and take whatever steps are necessary to immediately initiate the development of a conservation and management plan for the Arizona Willow.

BE IT FURTHER RESOLVED by the Tribal Council that the Natural Resources Committee review the list of 400 "category 1" species to identify those that may be found on the Fort Apache Indian Reservation and to take steps to develop conservation and management plans for those species, where appropriate.

BE IT FURTHER RESOLVED by the Tribal Council that the Natural Resources Committee review current or proposed conservation and management plans for other listed or proposed threatened or endangered species to ensure that adequate steps are being taking to protect such species consistent with other activities of the Tribe.

The foregoing resolution was on February 5, 1993, duly adopted by a vote of six for and one 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 By-Laws 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).


Chairman of the Tribal Council


Secretary of the Tribal Council