

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

- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe has expressed in Resolution N^o 08-95-252 its concern over the dilapidated condition of the former McNary Sawmill site, and the subsequent threat posed to the people and environment of the McNary area from the presence of hazardous materials existing on the site; and
- WHEREAS,** a special meeting of the Tribal Council took place on August 21, 1995 at which three consultants presented proposals for the environmental mitigation, demolition and restoration of the McNary Mill site; and
- WHEREAS,** the first and second consultants who made presentations, Lahaina Construction Management, Inc. and Roy F. Weston Inc., have submitted to the Tribe proposals which detail the strategy and methods they would use to mitigate the environmental hazards at the site; and
- WHEREAS,** staff of the Tribal Planning and Legal Departments recommend to the Council that environmental cleanup of the McNary Mill site be made a priority; and
- WHEREAS,** the Tribal Council concludes that unusable or dilapidated buildings should also be demolished and the site cleared; and
- WHEREAS,** the two consultants have provided cost estimates for completing the work in the range of \$680,000 to \$752,074; and
- WHEREAS,** it is believed that to fully cover the cost of the environmental mitigation work and demolition will require that the sum of \$752, 000 be budgeted for this work ;and
- WHEREAS,** the Tribal Council concludes that Lahaina Construction Management Inc. should be selected as the consultant to complete the environmental remediation and demolition of all buildings, structures, concrete and debris at the McNary Mill site.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby commits the amount of \$752,000 from the Tribal General Fund to the critical task of mitigating environmental hazards and completing demolition at the McNary Mill site.

Resolution No. 10-95-320_a

BE IT FURTHER RESOLVED by the Tribal Council that it hereby requests that the Tribal Environmental Planning Office serve as the primary tribal contact for this project, and that with assistance from the Tribal Legal Department, will serve as the direct contact between the consultant, the consultant's subcontractor and any others involved with this project, on matters of worker safety and environmental regulatory compliance.


BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs the Tribal Environmental Planning Office to begin contract negotiations with Lahaina Construction for the purpose of first moving into the environmental mitigation phase of work and then demolition at the McNary Mill site in accordance with the cost breakdown guidelines submitted by Lahaina Construction Management, Inc., attached to this Resolution and incorporated by reference herein.

The foregoing resolution was on October 12, 1995, 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 IV, Section 1 (a), (c), (e), (f), (g), (h), (i), (m), (n), (q), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

ACTING


Chairman of the Tribal Council

ACTING


Secretary of the Tribal Council

