

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

- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe has directed that Tribal Water Quality Standards be developed to protect the water resources of the Fort Apache Indian Reservation and to assert the Tribe's inherent sovereign right of self-management over its water resources; and
- WHEREAS,** in February, 1997, the Tribe was one of the first tribes in its region to be delegated program authorization from the U.S. Environmental Protection Agency under Clean Water Act Section 303, Water Quality Standards, whereby EPA recognized the Tribe's legal authority to develop its own standards which, when approved by EPA, will provide the Tribe with its own legal mechanism to protect the quality of Tribal waters, as well as the authority to administer a water quality standards program that has the force of tribal and federal law, and allows the Tribe to assume Clean Water Act Section 401 Certification Authority for all activities that impact Tribal waters; and
- WHEREAS,** the draft Tribal Water Quality Standards have been developed and are included within the draft Tribal Water Quality Protection Code, which when adopted as Tribal law will become the primary mechanism for protecting the quality of Tribal rivers, streams, lakes, wetlands, ponds, springs, and groundwater from impacts and degradation; and
- WHEREAS,** the Tribal Council understands that Tribal Water Quality Standards will be in effect immediately upon approval by the Tribal Council, and will assume the force of federal law under EPA's regulatory programs after a period of public review and comment, followed by U.S. EPA endorsement.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the December 15, 1997, draft Tribal Water Quality Standards, which are included within the Draft Tribal Water Quality Protection Code, be submitted to U.S. EPA for informal review, and then again to EPA for formal approval after the Tribe obtains comment from affected parties.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Tribal Council authorizes the Tribe's Planning and Legal Departments to present the Draft Water Quality Standards to the Tribal community for review and comment by way of two public meetings, one in Whiteriver and one in Cibecue, in order to comply with federal regulations regarding review and comment of Water Quality Standards.

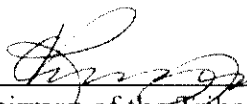
Resolution No. 12-97-366

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe's Planning and Legal Departments are authorized to submit a draft of the Tribal Water Quality Protection Code to the U.S. Fish & Wildlife Service, Pinetop Office, for informal review.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that public input from Tribal communities be solicited through, in addition to meetings in Cibecue and Whiteriver, two articles appearing in the Fort Apache Scout.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Planning and Legal Departments are also authorized to solicit, through the Fort Apache Scout and at the same public meetings for Tribal Water Quality Standards, input on other important and related issues, including the Tribe's Land Restoration Code, the Tribal Watershed Restoration Strategy, and the Tribal Wetlands Conservation Plan.

The foregoing resolution was on December 16, 1997 duly adopted by a vote of five 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),(b),(f), and (j) 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).



Chairman of the Tribal Council



Secretary of the Tribal Council

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PIT APO INDIAN AGENCY
WHITERIVER, ARIZONA