

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

WHEREAS, the Fiscal Year 1998 Emergency Supplemental Appropriations Act (Public Law 105-174) authorized funds for improvement to the Williams Creek National Fish Hatchery access road; and

WHEREAS, the Williams Creek National Fish Hatchery access road is important to the White Mountain Apache Tribe in that it serves as the main route utilized for the transport of fish to the Hatchery and access to Williams Creek Tribal Youth Camp; and

WHEREAS, the White Mountain Apache Tribe, Bureau of Indian Affairs, and the U.S. Fish & Wildlife Service will benefit from this project as the road base, alignment, and drainage will be improved, leading to safer driving conditions under all weather conditions and will make future road maintenance or improvements easier; and

WHEREAS, a Memorandum of Understanding (MOU) is being established between the U.S. Fish & Wildlife Service and the Bureau of Indian Affairs for the purpose of planning, design, and reconstruction of approximately 8 miles of access road beginning at Arizona State Highway 73 and terminating at the Williams Creek National Fish Hatchery (BIA Route 69 or Williams Creek Road); and

WHEREAS, the Tribal Roads Committee has accepted the project and concurs with the contribution of funds from the Transportation Equity Act for the 21st Century (TEA 21) funds toward the project; and

WHEREAS, the Tribal Roads Committee recommends, the White Mountain Apache Road Construction Priority be amended to include the subject road as top priority for the purpose of obligating funds immediately; and

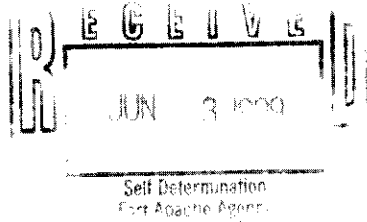
WHEREAS, the Tribe grants a gratuitous right-of-way 200 feet in width and 8 miles in length from Arizona State Highway 73 to the Williams Creek National Fish Hatchery.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Bureau of Indian Affairs enters into a Memorandum of Understanding (MOU) with the U.S. Fish & Wildlife Service to permit contribution of TEA 21 funds to the improvement of BIA Route 69 (Williams Creek Road) on the Fort Apache Indian Reservation.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that current Resolution No. 03-99-49 be amended to include BIA Route 69 (Williams Creek Road) as top priority.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby grants the Bureau of Indian Affairs a gratuitous right-of-way for the purpose of performing as needed; National Historic Preservation Act (NHPA) clearances, National Environmental Policy Act (NEPA) clearances, and other clearances as may be required by Federal, Tribal, and State governments.

The foregoing resolution was on April 29, 1999 duly adopted by a vote of five for and one against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (c), (h), (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).



Handwritten signature of the Chairman of the Tribal Council.

Chairman of the Tribal Council

Handwritten signature of the Secretary of the Tribal Council.

Secretary of the Tribal Council