

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

**WHEREAS,** the Tribal Environmental Planning Office, Tribal Engineering Department, and Tribal Public Works/Fort Apache Materials have been studying and sampling material borrow sources in the interest of providing sand, gravel, cinders and other types of aggregate products and dirt fill materials for the use of Public Works/Fort Apache Materials and others; and

**WHEREAS,** unless developed in an environmentally-sound way in accordance with engineering plans and specifications for mining and reclaiming a site, material source development in live stream channels and floodplains is today a prohibited practice; and

**WHEREAS,** consequently, the supply of materials of the type needed by Public Works/Fort Apache Materials and others for the purpose of road and homesite development, for producing aggregate products to sell to construction contractors, for making concrete, and for a variety of other uses, has proven to be more limited than at first anticipated; and

**WHEREAS,** extensive studies and sampling conducted over the past four (4) years has shown there to be high quality material which would be of use to Public Works/Fort Apache Materials and others at several locations, including: i) Gold Gulch (Gold Canyon), a normally dry tributary to the North Fork White River near the northern part of the Whiteriver Community, ii) the existing Stago Pit, near the East Fork and Seven Mile communities, and iii) the Carrizo Creek floodplain within one to several miles upstream of the Carrizo Community; and

**WHEREAS,** all proposed material sites undergo thorough review through Tribal Plan and Project Review, yet there is a need to gain Tribal Council approval for conducting sampling, for developing mining and reclamation plans, and for mining material from sites for the use of Public Works/Fort Apache Materials and others.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby has considered the need to develop additional material sources for Tribal benefit and economic gain, but that all material source development must be accomplished in accordance with mining and reclamation plans and with the oversight of the appropriate Tribal engineering, environmental and other staff.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that:

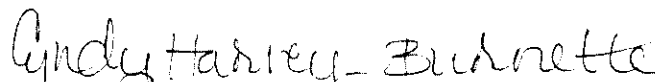
i) Gold Gulch shall be investigated thoroughly as a potential material site and a mining and reclamation plan developed which would be subject to final approval by the Tribal Council prior to undertaking mining activity, ii) Stago Pit shall be expanded on its west side for a width of approximately 200-feet and a length of approximately 1000-feet in accordance with a mining and reclamation plan developed by Tribal engineering and environmental staff which requires that reclamation (filling, placement of topsoil, seeding, etc.) of the existing Stago Pit site occurs as part of new development of the site, and iii) the Carrizo Creek floodplain in select locations upstream of the Carrizo Community shall be offered to Public Works/Fort Apache Materials or others as a material site to be mined in accordance with prepared mining and reclamation plans.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that although sand, gravel, cinders and other types of aggregate and dirt fill materials are solely the property of the White Mountain Apache Tribe rather than the property of individuals or communities in which materials are found, compensation shall be provided to local communities from which mining activities occur to offset disruptions and inconveniences caused by the mining activity.

The foregoing resolution was on May 12, 1999 duly adopted by a vote of six 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), (f), (h), (i), (s), (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).



Chairman of the Tribal Council

  
Secretary of the Tribal Council