

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

- WHEREAS,** the White Mountain Apache Tribe recognizes that fire is an integral part of healthy forest and range land ecosystems and that past fire suppression efforts on the Reservation have created the need for increased use of prescribed fire to reduce the potential for catastrophic wildfires; and
- WHEREAS,** the Bureau of Indian Affairs, Branch of Forestry, Fire Management, plans and implements prescribed fire activity in close cooperation and with the approval of the Tribal Council and Tribal forestry, environmental, range, wildlife and watershed management staff; and
- WHEREAS,** control and management of smoke from prescribed fire is a critical element of conducting prescribed burning because of the potential for smoke to adversely affect human health, to impair visibility and to create adverse public reaction; and
- WHEREAS,** during the 1990's, the BIA Fire Management has voluntarily coordinated with the Interagency Smoke Management Program (ISMP) on its burning and smoke management activities; and
- WHEREAS,** concerns have arisen that continued coordination and information sharing with the ISMP could be viewed as a submission to State of Arizona regulatory jurisdiction over the air resources of the Reservation; and
- WHEREAS,** several joint Tribal/BIA meetings have been held over the past six-months to discuss this issue and an informational presentation was made in March 1999 to the Tribal Council by the State's Smoke Management Coordinator in association with Tonto National Forest Service employees involved with the ISMP; and
- WHEREAS,** the White Mountain Apache Tribe desires to protect the confidentiality of air quality data and related information originating on the Fort Apache Indian Reservation; and
- WHEREAS,** for the past several years, the Tribe has given sensitive air quality information and air monitoring samples to ADEQ; and
- WHEREAS,** at a joint meeting in December, 1998, Tribal and BIA staff discussed concerns over the seeming reliance upon State of Arizona agencies concerning tribal resources that should be subject to the exclusive control of the White Mountain Apache Tribe; and

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WHEREAS, at the meeting it was reported that no authorization had been given by the Tribal Council for the release of sensitive air quality information to ADEQ; and

WHEREAS, based on this report, the Legal Department directed BIA Forestry to withhold release of Reservation air quality data to third parties unless the Tribe provides its consent for such release; and

WHEREAS, subsequent to the meeting it was established that the 1998-2002 Burn Plan prepared by BIA Forestry and approved by the Tribal Council does provide for delivery of air quality data to ADEQ; and

WHEREAS, concerns remain over practical and legal aspects of prescribed fire/smoke management coordination and information sharing, including whether coordination should be confined to a more local level or should continue on a larger regional scale.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby establishes a short-term group called the "BIA/Tribal Prescribed Fire and Smoke Management Work Group" to study the issue of prescribed fire/smoke management coordination and information sharing, and that the Work Group is to meet as necessary to provide recommendations back to the Council on this matter within sixty (60) days of the date of this resolution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the BIA/Tribal Smoke Management Work Group will be comprised of the following: the Tribal Forester, the Tribal Environmental Planner, a Tribal Legal Department representative, a representative of each Tribal resource management program, the BIA Forest Manager, the BIA Fire Management Officer, the BIA Fuels Specialist, the BIA Environmental Quality Specialist, and a representative or representatives from Tribal Livestock Programs.


BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that members of the BIA/Tribal Smoke Management Work Group will at the first meeting select a chairperson/facilitator who will objectively conduct meetings, will be responsible for meeting minutes, and will prepare recommendations and present such to the Council within sixty (60) days of the date of this Resolution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that as part of its work, the Work Group is free to invite the input of prescribed fire/smoke management specialists from the ISMP, the Apache-Sitgreaves and Tonto National forests, and others as it deems necessary.

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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), (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