

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

**WHEREAS,** the White Mountain Apache Conservation District was established in July 2000 through the signing of a mutual assistance agreement between the White Mountain Apache Tribe and the U.S. Department of Agriculture; and

**WHEREAS,** the Tribe's Permanent Land Restoration Board also serves as the White Mountain Apache Conservation District governing board; and

**WHEREAS,** the Permanent Land Restoration Fund provides funding to proposals that intend to return the Tribal ecosystem to a condition that better reflects the condition prior to suffering damage from mismanagement; and

**WHEREAS,** the U.S. Department of Agriculture Natural Resource Conservation Service offers conservation programs including the Environmental Quality Incentive Program; and

**WHEREAS,** such program is a cost share program requiring up front funding for project implementation; and

**WHEREAS,** through the implementation of the Land Restoration Code using the Permanent Land Restoration Fund, the Land Restoration Board has by a vote of six (6) in favor and zero (0) against, approved a budget request to assist Tribal Livestock Associations in the implementation of Environmental Quality Incentive Program contracts; and

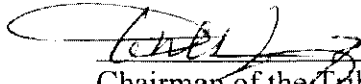
**WHEREAS,** as outlined in the attached proposal, all expenditures from the permanent land restoration fund authorized under the budget shall be reimbursed to the Fund following the cost share reimbursement from the natural resource conservation service.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Environmental Quality Incentive Program proposal attached herein to assist Tribal livestock associations in caring out their duties under the Program contracts.

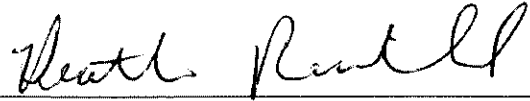
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the White Mountain Apache Conservation District governing board and the Tribal Chairman, on behalf of the Tribe, to enter into the cooperator-sponsor agreements and other related documents necessary to carry out the intent of this Resolution.

**Resolution No. 11-2001-294**

The foregoing resolution was on November 15, 2001 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), (b), (f), (h), (j), (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



**ACTING** Secretary of the Tribal Council

**Environmental Quality Incentive Program  
Assistance to Tribal Livestock Associations  
Request for Funding under the Land Restoration Board**

White Mountain Apache Natural Resource Conservation District  
Candy Lupe, Watershed Program Director/White Mountain Apache NRCD Coordinator  
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Whiteriver, Arizona 85941  
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(520) 338-5195 FAX  
TOTAL BUDGET REQUEST: \$39,936

## **INTRODUCTION**

The White Mountain Apache Conservation District was established in July 2000 through the signing of a mutual assistance agreement between the White Mountain Apache Tribe and the United States Department of Agriculture, Natural Resources Conservation Service. A seven member board oversees the WMANRCD. The District serves Tribal Members and non-tribal residents who reside on the Fort Apache Indian Reservation. The WMANRCD cooperate with producers (farm land owners and Livestock Associations) in the establishment and implementation of programs to protect and conserve soil, water, farmland, rangeland, woodland, wildlife, and other renewable natural resources on the Fort Apache Indian Reservation.

The Natural Resource Conservation Service offers conservation programs including the Environmental Quality Incentive Program (EQIP). EQIP focuses on natural resources concerns in particular priority areas. Priority areas are determined on an annual basis. Priority areas are watersheds or specific geographic regions with identifiable natural resources concerns. The Fort Apache Indian Reservation has been designated as the Upper Salt River Geographic priority area (GPA). The Upper Salt River GPA has been recognized as one of the top priority areas in Arizona. Erosion is the biggest concern in this GPA.

## **PROBLEM STATEMENT**

Several Livestock Associations have signed into EQIP Contracts to address soil, water, and related natural resources concerns on their grazing areas. Many of these Livestock Associations are in dire financial conditions and are having difficulty in implementing their 2000 contracts. The EQIP Program is a cost-share program and payments are made to the producers at the completion of the conservation practice.

USDA has obligated \$400,000 to the White Mountain Apache Tribe and Livestock Associations for conservation contracts under the EQIP. Table one provides a list of the fencing workload by Livestock Association and scheduled federal fiscal year that work needs to be implemented. All associations have started their EQIP Contracts by at least putting up several H braces to avoid having their contracts voided. This program has paid no money to the Tribe or the livestock associations. There may be a possibility that these funds may be lost if no work is completed.

The purpose of this project is to improve range conditions throughout the reservation through the use of the EQIP Program. The ultimate goal is to manage grazing to meet both animal and plant requirements. This project will involve intensive participation from Livestock Associations participating in the EQIP Program as well as the WMANRCD, the tribe and NRCS. The WMANRCD has been exploring ways to provide assistance to the livestock associations to ensure that the EQIP will assist them to maximize the environmental benefits for each dollar spent.

## **PROJECT LOCATION**

All of the grazing lands are located within the boundaries of the Reservation (maps attached).

## **SCOPE OF WORK: TASK DESCRIPTIONS**

Task #1: A fence coordinator will be hired to coordinate the 2001 Fiscal year fence workload with the following associations: Canyon Day, Cedar Creek, Cibecue, and Forestdale Livestock Associations

*Deliverables and Due Date: Hiring of a Fence Coordinator by September 21, 2001*

Task #2: The Fence Coordinator will set up initial meetings with the four associations to explain to them the regulations of this assistance offered by the White Mountain Apache Conservation District. . Table 1 lists all 2000 EQIP Fencing Workload by Livestock associations contract will need to be signed by each association on the terms of this assistance (see attached contract).

*Deliverables and Due dates: Summary of meetings and signed contracts by October 5, 2001*

Task #3: Project Recording. The Fence Coordinator will be responsible for record keeping of fence materials purchased for each association and will prepare quarterly reports to report to the Permanent Land Restoration Board/WMANRCD Board.

*Deliverables and Due Dates: Quarterly reports due November 31, February 28, 2002, and May 31, 2002. Final fence budget report including receipts due at completion of fence work.*

## **BUDGET**

Fence Coordinator (including benefits):  $\$9.25/\text{hour} * 40 \text{ hours/week} * 30 \text{ week} = \$11,100$

Fringe benefits @ 16% = \$1776

Travel = \$2060

Fence Materials = \$25,000 (up to 100% reimbursable from USDA, see contract)

***TOTAL: \$39,936***

## **Matching Information**

Watershed Program Field Supervisor for Supervising, training and assisting fence coordinator:

$\$18/\text{hour} * 40 \text{ hours/week} * 10 \text{ weeks (part-time)} = \$7,200$

Secretary Support: for copying, timekeeping:  $\$9.00/\text{hour} * 300 \text{ hours} = \$2,700$

Use of Watershed Program Vehicle:  $\$200 \text{ per month} * 8 \text{ months} = \$1,600$

***TOTAL Match \$11,500***

**White Mountain Apache Tribe**  
**White Mountain Apache Natural Resources Conservation District**  
**Cooperator (Livestock Association):** \_\_\_\_\_  
**Agreement Number:** \_\_\_\_\_

### **SPONSOR-COOPERATOR CONTRACT**

This agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2001, by and between the White Mountain Apache Natural Resources Conservation District (WMANRCD) and the White Mountain Apache Tribe, called the Sponsors, and \_\_\_\_\_, called the Cooperator.

#### **Part I- Work to be Accomplished**

Implement the following Conservation Treatments through the Environmental Quality Incentive Program: 528A Prescribed Grazing at an estimated acreage of \_\_\_\_\_ and the 382 Fencing Conservation Treatment at an estimated length of \_\_\_\_\_ feet and cost of \_\_\_\_\_ for the 2001 fiscal year. This practice is to be implemented in the location as described on the enclosed plan and in accordance with the enclosed schedule of operations.

#### **Part II – Terms and Conditions**

##### **1. The Cooperator agrees:**

- (a) To participate in the Environmental Quality Incentive Program (EQIP)
- (b) To perform all work described in Part I in accordance with plans and specifications furnished by Natural Resources Conservation Service (NRCS) in cooperation with the sponsor.
- (c) To submit to the Sponsor a Certification of Completion and acceptable documentation of costs born by the Cooperator.
- (d) To agree to follow the contract support document signed by the Sponsors and the NRCS.
- (e) To complete or have completed all work described in Part I within 12 months from the last signature date shown below.
- (f) To permit free access of Sponsor and upon authorization by the Sponsor, Natural Resources Conservation Service representatives to establish and inspect the work area at any time.
- (g) That if during the contract period, the cooperator fails to complete any component of the contract (listed above); the cooperator must repay all expenses for fence materials already purchased by the Sponsor.
- (h) By signing this contract the cooperator certifies that no duplication of payment from any other source has been received for work performed under this contract.

##### **2. The Sponsor agrees:**

- (a) To enter into a Cooperator Contract with the cooperator to complete the work described in Part I.

- (b) To provide plans and specifications and technical assistance for work described in Part I.
- (c) To provide the upfront funding to purchase fence materials for the cooperator for work described in Part I.
- (d) To reimburse the Cooperator any cost-share amounts from USDA that exceeds the amounts paid by the Sponsors for materials.

3. It is mutually agreed that:

- (a) This agreement may be amended, when agreed by both parties, to provide revision of the EQIP contract support document.

**PART III – Signatures**

\_\_\_\_\_  
 White Mountain Apache Tribe  
 (Sponsor Name/Title)

\_\_\_\_\_  
 WMANRCD  
 (Sponsor Name/Title)

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
 (Cooperator Name/Title)

\_\_\_\_\_  
 (Livestock Association)

Signature: \_\_\_\_\_

Mailing  
 Address: \_\_\_\_\_

Date: \_\_\_\_\_

**EQUIP FENCING WORKLOAD BY LIVESTOCK ASSOCIATION AND SCHEDULED FEDERAL FISCAL YEAR**

LIVESTOCK ASSOCIATION	CONTRACT YEAR	EQUIP FENCE FEET SCHEDULED BY FEDERAL FISCAL YEAR AND TOTAL							
		2000	2001	2002	2003	2004	2005	2006	Total
Canyon Day	2000		10,600.00	29,200.00		11,791.00			51,591.00
Cedar Creek	2000		21,120.00	15,840.00					36,960.00
Cibecue	2000		22,222.00	22,222.00		22,222.00			66,666.00
Forestdale	2000		27,000.00						27,000.00
Total		0	80,942	67,262	34,013	0	0	0	182,217