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

- WHEREAS, the White Mountain Apache Tribal Council has the authority to close the Fort Apache Indian Reservation pursuant to the White Mountain Apache Tribe Government Code, Section 5.3(A); and
- WHEREAS, the Tribal Council, in light of catastrophic wildfires raging through the Reservation and the White Mountain region, finds it necessary to implement select closures of the Fort Apache Indian Reservation; and
- WHEREAS, the Tribal Council, after discussion with representatives from the White Mountain Apache Tribe Local Emergency Response Commission, endorses the closure of select areas of the Reservation as described in the attached Executive Fire Prevention and Closure Order.
- **BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it concurs with the terms of the attached Executive Fire Prevention and Closure Order and endorses the Chairman's signature thereon.
- **BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the closures described in the attached Executive Order shall remain in effect until revised through a subsequent formal resolution of the Tribal Council.

The foregoing resolution was on <u>June 21, 2002</u> duly adopted by a vote of <u>EIGHT</u> for and <u>ZERO</u> against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (c), (f), (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 Counci

Secretary of the Tribal Council

EXECUTIVE FIRE PROTECTION ORDER LIMITED CLOSURE OF FORT APACHE INDIAN RESERVATION

June 21, 2002

Due to the catastrophic wildfires raging through our lands I enact the following restrictions through the executive power accorded me through the White Mountain Apache Tribe Government Code, Section 5.3. I hereby order the closure of lands and restrictions on activities within the Fort Apache Indian Reservation, subject to the conditions and exceptions below.

1. Closure of Recreational Lands. All recreational lands within the Fort Apache Indian Reservation are closed except for designated campgrounds and fishing lakes adjacent to State Route 260 between McNary and Sunrise.

The designated open campgrounds and fishing lakes are:

Lower Log

Sunrise Lake

Upper Log

Horseshoe Lake

Little Bear Lake

A-1 Lake

Big Bear Lake

Bog Tank

Hawley Lake

All open campgrounds and fishing lakes will be operating under additional public safety restrictions, and will be subject to immediate closure at any time, depending upon fire conditions. Hondah Resort/Casino, Sunrise Park Resort, and Hawley Lake Cabins remain fully open.

2. Closure of Roads. All roadways outside of established communities within the Reservation, whether paved or unpaved are closed, except for travel through the Reservation on State highways and direct access to open campgrounds.

3. Additional restrictions.

a. Due to the extreme fire danger, <u>open fires are prohibited for any purpose</u> except for a single fire of limited size for wakes and for scheduled camp meeting revivals and Sunrise dances held at established locations and conducted in full cooperation with public safety officials.

- b. All ATV's shall be strictly limited to licensed operation on public roadways only.
- c. Fireworks of all kinds are strictly prohibited.
- 4. Conditions and Exceptions. Access to closed lands and roads shall be permitted to the following:
 - a. Bureau of Indian Affairs and Tribal employees, as well as other authorized personnel carrying out duties on behalf of the Tribe, the State or the federal government during the term of this fire crisis.
 - b. Authorized law enforcement and public emergency personnel.
 - c. Lawful residents of the Reservation and their guests and visitors for purposes of access to homes and communities.
 - d. Tribal Members engaged in occupation or authorized use of Tribal lands, such as ranching, logging, and other activities, subject to existing fire restrictions.
 - e. Ongoing projects authorized by the Tribal Council, subject to existing regulations and fire restrictions, are permitted to continue. These projects include FATCO logging and Housing Authority construction.

For the purpose of this order, "recreational lands" means all portions of the Reservation except communities, public roads and other designated public locations managed for other than outdoor recreation or use. Where possible, signs will be posted notifying the public of the closures and restrictions. Violations of this order will be prosecuted under Tribal law and applicable federal law. These restrictions shall be enforced until further written notice by this Office or by the Tribal Council of the White Mountain Apache Tribe.

Dallas Massey, Sr., Tribal Chairman

