

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

- WHEREAS,** the Creator has bestowed upon the White Mountain Apache People and Tribe (Ndee) the diverse and beautiful lands from which springs our spiritual integrity and unique cultural identity; and
- WHEREAS,** the White Mountain Apache Tribe has never relinquished or forsaken any of its aboriginal rights and exclusive ownership of the lands comprising the Fort Apache Indian Reservation, including thereon all lands, surface and ground waters, plants, wildlife, minerals, and Heritage Resources located therein; and
- WHEREAS,** the orientation and prosperity of past, present, and future generations of the White Mountain Apache people is founded upon a unique, invaluable, and inalienable ecological, cultural, and historical heritage; and
- WHEREAS,** this heritage defines and provides vitality to the White Mountain Apache language, culture, value system, and sacred attachment to ancestral lands and is the birthright of each White Mountain Apache and the ultimate source of Ndee inherent sovereignty; and
- WHEREAS,** the Rodeo-Chediski fire has brought disastrous change to a sacred landscape and has created unstable and hazardous conditions across most of the northwest quadrant of the 1.67 million acres of lands and resources held in trust for the White Mountain Apache People and Tribe by the United States of America as well as in the adjoining national forest and off-reservation communities; and
- WHEREAS,** the fire and anticipated post-fire flooding present imminent threats to life and property, several watersheds, critical cultural and natural resources, and the spiritual vitality and well-being of the Cibecue and Carrizo communities and also presents a potential risk to other downstream values and interests; and
- WHEREAS,** the fire and anticipated post-fire flooding's direct and indirect effects on plant, animal, water, timber, soil, cultural resources, watersheds and ecosystems threaten to further destabilize the economic and social well-being of the White Mountain Apache people and the entire White Mountain region; and
- WHEREAS,** President George W. Bush has declared the Fort Apache Indian Reservation, Navajo County, and Apache County to be Federal disaster areas; and

WHEREAS, numerous agencies have stepped forward to assist with assessment, planning, and emergency stabilization efforts in the wake of the Fire, including the Department of Interior Burned Area Emergency Response (BAER) Team, the U.S. Environmental Protection Agency, the Natural Resource Conservation Service, the Federal Emergency Management Agency, the Army Corps of Engineers, the United States Geological Survey; and numerous Tribal and other federal programs and offices operating on the Fort Apache Indian Reservation as well as entities and individuals throughout the State of Arizona; and

WHEREAS, the Tribal Council of the White Mountain Apache Tribe appreciates and understands the enormity of this effort and the tasks ahead to stabilize and restore the ecological, cultural, and social well-being of the White Mountain Apache people and off-reservation communities and the lands and resources upon which they mutually depend.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that all feasible steps shall be taken to protect human life, property, and critical cultural and natural resources and to promptly stabilize and prevent further degradation to affected resources, and that every effort be made to restore and establish, to the fullest extent possible, healthy, stable ecosystems that have been or may be affected by the fire and its aftermath, including, but not limited to the streams and springs, wildlife habitats, and plant communities affected or to be affected by the fire, and to replant and restore commercial timber that has been lost by the fire and protect and restore other forest resources including fisheries, watersheds, wildlife, forest products, recreation, soil productivity, and water.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in light of the United States' trust responsibility to protect and restore the resources and ecosystems of the Fort Apache Indian Reservation, as well as the health and vitality of individuals and communities, the Tribal Council respectfully requests that the BAER process be used to the fullest extent possible and the Emergency Stabilization and Rehabilitation (ESR) Plan developed thereunder be as broad and comprehensive as necessary in order to ensure that human life, property, and critical resources are protected, further degradation is minimized, and that the resources and ecosystems and watersheds of the Fort Apache Indian Reservation are restored to their pre-fire condition to the maximum extent possible and that stabilization and rehabilitation measures not be rejected solely on the basis of cost or bureaucratic deadlines without first consulting with the Tribe and pursuing all feasible avenues to obtain necessary funding and time frames for completing necessary planning and implementation.

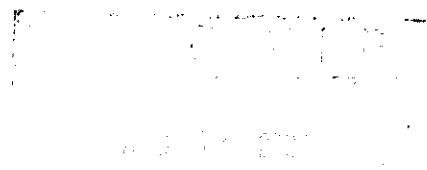
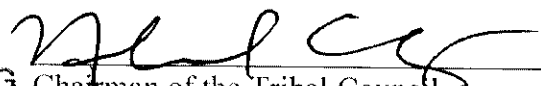
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests the Bureau of Indian Affairs, Fort Apache Agency, to immediately

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establish an office of stabilization and rehabilitation comprised of appropriate technical and community consultation personnel to (1) oversee planning, consultation, coordination, and implementation of response, rehabilitation, and restoration activities; (2) identify and develop opportunities for Tribal participation in all phases, including contracting opportunities pursuant to P.L. 93-638; (3) carry out monitoring and post-rehabilitation assessment and preparation of supplements and amendments to the ESR Plan as needed; (4) ensure that all Federal and Tribal environmental and cultural resource protection laws and policies are complied with; and (5) coordinate with existing cooperators and identify new sources of technical and financial assistance to support restoration and rehabilitation activities and the office beyond the 3-year BAER process time frame, especially in the areas of long-term ecosystem restoration, socio-economic recovery and expansion, and creation of value-added industries as defined in the National Indian Forest Resources Management Act and other laws.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that all rehabilitation and restoration efforts be carried out in accordance with long-established White Mountain Apache stewardship practices as embodied in numerous Tribal laws, policies, resolutions, and management plans including, but not limited to, the White Mountain Apache Tribe Water Quality Standards, Environmental Code, Game & Fish Code, Health & Safety Code, Natural Resources Code, Mexican Spotted-Owl Management Plan, Loach Minnow Management Plan, Mexican Wolf Management Plan, Arizona Willow Management Plan, Best Management Practices, Tribal Plan and Project Review, and Wetlands Conservation Plan.

The foregoing resolution was on July 12, 2002 duly adopted by a vote of NINE 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), (c), (f), (g), (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).



ACTING Chairman of the Tribal Council


Secretary of the Tribal Council