



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

**(Authorizing Application for RHED Grant for \$300,000 to Fund Pre-settling Pond for Water Treatment Facility)**

**WHEREAS,** pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

**WHEREAS,** since late 2002, the Indian Health Service (IHS) and Tribal departments have been pursuing the development of a 2-million-gallon-per-day drinking water diversion and water treatment plant on the North Fork White River to replace the declining Miner Flat well field as the Tribe's primary source of drinking water (the "project"); and

**WHEREAS,** Phase I of the project is fully funded at approximately \$6.5 million through contributions from IHS, US EPA, the Tribal Permanent Land Restoration Fund, and a grant/loan package from the USDA Rural Development program to construct a diversion dam, pumping station, raw water transmission main, and water treatment facility; and

**WHEREAS,** Phase I of the project was designed as the most minimal project that would provide sufficient drinking water to the population of the Greater Whiteriver area for the near future and, because of that minimal design, will necessitate high operating and maintenance costs and continued use of the Miner Flat well field during periods when the North Fork of the White River is turbid from seasonal runoff and when natural streamflows drop to 15 cubic feet per second or less at the diversion site; and

**WHEREAS,** Phase II of the project would use an innovative engineering design to bring considerable cost savings and more flexible operating conditions, with less dependence on the failing Miner Flat well field, into the treatment system through the addition of a 10-million-gallon pre-settling pond between the raw water main and the water treatment building that would provide 5 days of detention time for raw water from the river and recycled backwash water; and

**WHEREAS,** the Phase II cost savings would come in the form of reduced pumping and treatment costs by: 1) permitting pumping from the river to occur during off-peak times rather than on demand (saving more than \$300 per day); 2) allowing sediment to settle out prior to treatment, thereby reducing both the frequency of backwashing and the need for chemical treatment to remove the sediment; 3) enhancing the efficiency of water treatment by allowing solar heating of the raw water in the pre-settling pond prior to treatment; and 4) reducing pumping costs by permitting the recycling of backwash water rather than wasting that water to the sewer system or back to the river; and

**WHEREAS,** the 5-day detention time from the gravity-feed pond would provide a safety buffer for the majority of the Tribal population's drinking water supply by ensuring that water

**Resolution No. 06-2007-221**

is available in the event of simultaneous pump failures or other complications at the river and Miner Flat well field; by permitting stored river water to be utilized even during very low flow conditions in the North Fork; and by permitting the continued operation of the water treatment plant during highly turbid runoff conditions in the North Fork; and

**WHEREAS,** this safety buffer provides a considerably more secure water supply than would be possible with just the phase I project (with no raw water storage), and which is essential for future housing development on the Fort Apache Indian Reservation (Reservation); and

**WHEREAS,** construction of Phase II of the project would employ 10 Tribal employees during the construction of the ponds and the cost savings to the Tribe (estimated at \$110,000 per year in electrical costs alone) would be directly reflected in decreased costs to the Tribal Utility Authority and, thereby, translated to cost savings for the Tribal government and all TUA customers on the Reservation; and

**WHEREAS,** by employing Tribal members and decreasing service costs to Tribal Utility customers and the Tribal government, housing will be more affordable to Tribal members and the Tribe will have additional capital with which to pursue economic development opportunities; and

**WHEREAS,** IHS has already secured \$857,250.00 in IHS funds toward the total cost of \$1,803,000.00 for Phase II of the project and has requested an additional \$645,750.00 from the WMAT Housing Authority; and

**WHEREAS,** the 2007 RHED source provides up to \$300,000 in grant funds for projects that support innovative housing and economic development opportunities for qualifying low-income rural areas; and

**WHEREAS,** the Tribal Council finds that Phase II of the North Fork water treatment system constitutes the Tribe's highest priority for the RHED grant opportunity in 2007, and accordingly that the grant is in best interest of the Tribe.

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

1. Authority is hereby given to the Tribal Planning Department, who shall cooperate with IHS and other Tribal program staff and consultants, to prepare and submit a grant application for the 2007 RHED funding cycle in the amount of \$300,000.00, of which said funds shall be dedicated, in full, to construction of phase II of the North Fork water treatment system project.
2. The RHED grant award is hereby accepted in the event that it is approved, subject to the terms and conditions of the grant and to a review by the Tribe's legal department.
3. A budget for expenditure of RHED funds is hereby authorized for the purposes contemplated herein.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence the Vice-Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

**Resolution No. 06-2007-221**

The foregoing resolution was on **JUNE 6, 2007** adopted by a vote of **TEN** for and **ZERO** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Sections 1 (a), (b), (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).

**ACTING**

  
Chairman of the Tribal Council

**ACTING**

  
Secretary of the Tribal Council