



Resolution No. 08-2007-307

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

(Authorizing the Posting of Amendments to the Natural Resource Code)

WHEREAS, pursuant to Article IV, Section 1(a), and Article XV 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 enact ordinances; and

WHEREAS, to better protect and maintain the wood lands and the forest lands of the White Mountain Apache Tribe, Tribal Forestry proposes the following amendments to the White Mountain Apache Natural Resource Code (the "Code"):

1. Section 1.1, entitled "Definitions," shall be amended to include the following: "Fence Post" shall mean a post not less than 10 feet with a diameter of 14 inches or less and it must be cut no more than 4 inches off the ground.
2. Section 1.1(N), entitled "Definitions," shall be amended by deleting "Woodland Enforcement Officers" and replacing it with "Tribal Forest Rangers," and all references of "Woodland Enforcement Officers" throughout the Code shall be changed to "Tribal Forest Rangers."
3. Section 1.8, entitled "Firewood Cutting: Areas Prohibited," shall be amended to include a Section C that states the following: Tribal Forestry shall have the option to recommend to the Tribal Council that certain sections of the reservation be closed for fuel wood cutting, provided no legal fuel wood exists in such areas.
4. Section 1.14, entitled "Reporting Violators of Forestry Regulations: Silent Witness," shall be amended by deleting "\$25" and replacing it with \$75.
5. Section 1.15, entitled, "Free Use Permit," shall be amended by deleting Section A and replacing it with the following: One Free Use Permit shall be issued to each household consisting of any enrolled adult tribal member (18 years old and older). Permittees with off-reservation addresses shall provide proof of residence, including but not limited to, a utility bill and phone bill; and

WHEREAS, pursuant to Article XV of the Constitution of the White Mountain Apache Tribe, the proposed amendments shall be posted in each district at least ten (10) days before final action by the Council; and

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WHEREAS, during the required ten (10) day posting, comments should be sent to Paul Declay, Tribal Forester, P.O. Box 700, Whiteriver, AZ 85941 or call (928) 338-1665; and

WHEREAS, Tribal Forestry shall report back to the Tribal Council at its next regularly scheduled meeting to report on the comments received, so that the Council can make its final decision on whether to enact the amendments; and

WHEREAS, the Tribal Council has reviewed the above amendments and finds that it will be in the best interests of the Tribe to post the proposed amendments to the Code in each district for ten (10) days.

BE IT RESOLVED by the White Mountain Apache Tribal Council, that it hereby authorizes the posting of the following amendments to the Code in each district for ten (10) days:

1. Section 1.1, entitled "Definitions," shall be amended to include the following: "Fence Post" shall mean a post not less than 10 feet with a diameter of 14 inches or less and it must be cut no more than 4 inches off the ground.
2. Section 1.1(N), entitled "Definitions," shall be amended by deleting "Woodland Enforcement Officers" and replacing it with "Tribal Forest Rangers," and all references of "Woodland Enforcement Officers" throughout the Code shall be changed to "Tribal Forest Rangers."
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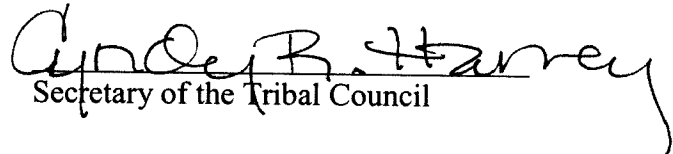
BE IT FURTHER RESOLVED by the White Mountain Apache Tribal Council that it delegates Paul Declay to receive all comments pertaining to the amendments to the Code and report back to the Council at its next regularly scheduled meeting so that the Council can make its final decision on whether to enact the amendments.

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The foregoing resolution was on **AUGUST 8, 2007** duly adopted by a vote of **NINE** for and **ZERO** against, by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (f), (h), (i), (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