



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

(Approving capture and transfer of 600 Apache Trout from White Mountain Apache waters to the U.S. Forest Service and the Arizona Game and Fish Department; Authorizing Acceptance of Grant funds for Such Purposes from the State of Arizona)

- 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;
- WHEREAS**, the White Mountain Apache Tribe is an active member of the Apache Trout Recovery Team, an intergovernmental organization dedicated to the recovery of the Apache Trout species; and
- WHEREAS**, the Tribe's Wildlife and Outdoor Recreation Division advises that the replication of the Tribe's Apache Trout populations would assure that there would be populations of Apache Trout in the wild to restock reservation waters in case of a catastrophic event; and
- WHEREAS**, for the purpose of replication, WORD recommends the transfer of 600 Apache Trout from streams within the Fort Apache Indian Reservation to the U.S. Forest Service and the Arizona Game and Fish Department; and
- WHEREAS**, the total cost of the replication of these populations will be paid for by the Arizona Game and Fish Department and the U.S. Apache-Sitgreaves National Forest and would be of no cost to the Tribe; and
- WHEREAS**, the Arizona Game and Fish Department has agreed to give the Wildlife and Outdoor Recreation Division an additional \$20,000.00 (above the cost of the transfer of fish) in the form of a grant for the purposes of native fish work on the Reservation; and
- WHEREAS**, the Tribal Council finds that the transfer and the grant described herein will benefit the protection and preservation of the Apache Trout species and thus is in the best interests of the Tribe's natural resources; and
- WHEREAS**, WORD has requested that the transfer be considered before the next regularly scheduled meeting of the Tribal Council because of deadlines surrounding the transaction; and
- WHEREAS**, given the urgency of the deadlines for the transfer, the Tribal Council further finds that the transfer and grant need to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS**, the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the

Resolution No. 03-2008-66

Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

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

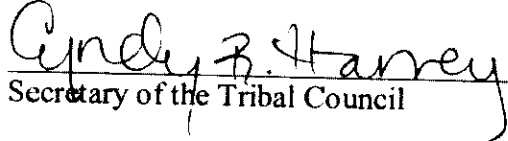
1. A limited permit for the purposes of capture and transfer of 600 Apache Trout species is hereby granted to the U.S. Forest Service and the State of Arizona over a period of three years for the purposes described herein.
2. A budget of up to \$20,000.00 is hereby authorized for expenditure by the Wildlife and Outdoor Recreation Division, in the event grant funds are received from the Arizona Game and Fish Department, subject to the terms and conditions of a grant agreement and a review thereof by the Tribe's Legal Department.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

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.

The foregoing resolution was on March 25, 2008, duly adopted by a vote of 7 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (f), (j), (k), (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


Secretary of the Tribal Council

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 03-2008-66 initiated the 25th day of March 2008.

Presented Personally by Tribal Council
Secretary (TCS)-Indicated by Initials

_____	_____	_____
Ronnie Lupe Tribal Chairman	Date Signed	TCS Initials
<u>Margaret Baha-Walker</u> Margaret Baha-Walker Vice Chairwoman	<u>4/12/08</u> Date Signed	<u>cm</u> TCS Initials
<u>Arnold Beach, Sr.</u> Arnold Beach, Sr. District I Council Member	<u>03/28/08</u> Date Signed	<u>cm</u> TCS Initials
<u>Evangeline Gatewood</u> Evangeline Gatewood District I Council Member	<u>3/28/08</u> Date Signed	<u>cm</u> TCS Initials
<u>Lafe Altaha</u> Lafe Altaha District II Council Member	<u>3/25/08</u> Date Signed	<u>cm</u> TCS Initials
<u>Victoria Brewer</u> Victoria Brewer District II Council Member	<u>7.1.08</u> Date Signed	<u>cm</u> TCS Initials
<u>Alvin DeClay, Sr.</u> Alvin DeClay, Sr. District III Council Member	<u>03/28/08</u> Date Signed	<u>cm</u> TCS Initials
<u>Kirk Massey, Sr.</u> Kirk Massey, Sr. District III Council Member	<u>3/28/08</u> Date Signed	<u>cm</u> TCS Initials
_____	_____	_____ TCS Initials
Noland Clay District IV Council Member	Date Signed	
_____	_____	_____ TCS Initials
Wayne Colelay, Jr. District IV Council Member	Date Signed	
_____	_____	_____ TCS Initials
Reno Johnson, Sr. District IV Council Member	Date Signed	
ATTEST:		
<u>Cyndy R. Harvey</u> Cyndy R. Harvey, Tribal Council Secretary	<u>4.2.08</u> Date Signed	