



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

**(Approving Posting of Ordinance 236, Revising Sections 4.4  
and 5.6 of the Game and Fish Code)**

**WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) 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,** according to the Wildlife & Outdoor Recreation Department (W&ORD), W&ORD does not have a means of determining how many Tribal Members take advantage of the camping opportunities on the reservation; and

**WHEREAS,** Section 4.4(A)(2) currently provides the following:

**SECTION 4.4            CAMPING**

A.        Permits

(2)       Members shall not be required to obtain camping permits.

**WHEREAS,** W&ORD is entrusted with the management of the various campsites on the reservation and believes that Tribal Member Permits would enable it to better manage these Tribal resources; and

**WHEREAS,** W&ORD currently bears the expenses incurred in cleaning debris from campsites and believes that Tribal Member Camping Permits would help pay for the cost of cleanup and other required maintenance of these campsites; and

**WHEREAS,** in addition, W&ORD does not have a means of determining how many Tribal Members take advantage of the fishing opportunities on the reservation or the quantity of fish that are taken by Tribal Members from lakes and streams on the reservation; and

**WHEREAS,** Section 5.6(A)(3) & (A)(4) currently provides the following:

**SECTION 5.6            FISHING**

A.        Permits

(3)       Fishing Permits shall not be required for Members except as provided below.

- (4) Special Fishing Permits for Members and Nonmembers are required for Christmas Tree Lake, Hurricane Lake, Bootleg Lake and Cyclone Lake.

**WHEREAS,** W&ORD is entrusted with managing the various fish species on the reservation, including the endangered Apache trout, and W&ORD believes that collecting figures that reflect the number of fish that are taken by both Tribal Members and Non-Tribal Members would make the Tribe eligible for increase grant funding; and

**WHEREAS,** W&ORD recommends the adoption of Ordinance No. 236, revising the Game and Fish Code, as attached and incorporated by this reference, so that it may better manage campsites and fish species on the reservation; and

**WHEREAS,** under the revision, Tribal members will be required to obtain a Camping Permit and/or Fishing Permit and carry the permit on their person at all times while they are camping or fishing; and

**WHEREAS,** W&ORD may establish the fees for Tribal Member Camping and Fishing Permits, subject to Tribal Council approval; and

**WHEREAS,** the Tribal Council has reviewed Ordinance No. 236 carefully, and considered its recommendations and the implications thereof in great detail; and

**WHEREAS,** the Tribal Council finds that the adoption of Ordinance No. 236 would enable W&ORD to better manage the Tribe's campsites as well as preserve the species of fish on the reservation, and would give W&ORD a tool to better manage fish species and fish populations, and that such recommendations should be adopted and implemented as proposed.

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

- 1. Proposed Ordinance No. 236 amending Sections 4.4(A)(2) and 5.6(A)(3) and (A)(4) of the Game and Fish Code is hereby recommended by the Tribal Council. The proposed amendments shall read as follows:

**SECTION 4.4            CAMPING**

A.        Permits

- (2) Any Tribal members camping or occupying a campsite on the Reservation shall first purchase a camping permit. One permit is required for each vehicle. Tribal members shall pay the same camping permit fee as Non-members.

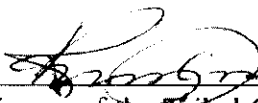
**SECTION 5.6            FISHING**

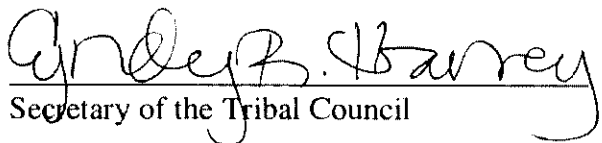
A.        Permits

- (3)        Tribal Members must obtain a Fishing Permit and carry the permit on their person at all times while they are fishing. This requirement shall go into effect on May 15, 2009. Members will be required to renew their Fishing Permit on an annual basis starting on January 1, 2010. W&ORD may establish the fees for Member Fishing Permits subject to Tribal Council approval.
  - (4)        Special Fishing Permits for Members and Non-members are required for all lakes, rivers, and bodies of water defined in the Game and Fish Regulations (**Outdoor Recreation Regulations**).
2.        The Tribal Council Secretary is hereby directed to post the proposed ordinance amending Sections 4.4(A)(2) and 5.6(A)(3) and (A)(4) of the Game and Fish Code in each district at least ten (10) days before final action by the Council, as required by the Constitution of the White Mountain Apache Tribe.
3.        Upon completion of the ten (10) day posting period for the amendment proposed herein, the Tribal Council Secretary is further directed to report any public comments to the Tribal Council, and schedule a meeting for final action.

**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 **April 23, 2009** duly adopted by a vote of **SEVEN** 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), (d), (q), (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).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council

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

BE IT ENACTED BY THE COUNCIL OF THE WHITE MOUNTAIN APACHE TRIBE Ordinance No. 236, amending White Mountain Apache Game and Fish Code, Sections 4.4(A)(2) and 5.6(A)(3) and (A)(4) as follows:

**SECTION 4.4      CAMPING**

A.      Permits

- (2)      Any Tribal members camping or occupying a campsite on the Reservation shall first purchase a camping permit. One permit is required for each vehicle. Tribal members shall pay the same camping permit fee as Non-members.

**SECTION 5.6      FISHING**

A.      Permits

- (3)      Tribal Members must obtain a Fishing Permit and carry the permit on their person at all times while they are fishing. This requirement shall go into effect on May 15, 2009. Members will be required to renew their Fishing Permit on an annual basis beginning on January 1, 2010. W&ORD may establish the fees for Member Fishing Permits, subject to Tribal Council approval.
- (4)      Special Fishing Permits for Members and Non-members are required for all lakes, rivers, and bodies of water defined in the Game and Fish Regulations **(Outdoor Recreation Regulations)**.