



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

(Approval for Design and Construction of the WMAT Native Plant Nursery)

- 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,** the White Mountain Apache Tribe entered into a grant agreement with the USDA Forest Service, Southwestern Region and received a total of \$2,243,000 dollars from the American Recovery and Reinvestment Act (ARRA) of 2009, to design, construct, and operate a state-of-the-art Native Plant Nursery within the exterior boundaries of the Fort Apache Indian Reservation; and
- WHEREAS,** the Nursery will create employment while simultaneously providing plants to support the reforestation, watershed, and native plant restoration efforts on the Fort Apache Indian Reservation and the surrounding lands that were devastated in the 2002 Rodeo-Chediski fire; and
- WHEREAS,** the Nursery will cultivate a reliable and consistent supply of native plants for future use, that may otherwise be destroyed, as they are subject to fire, disease, and/or other landscape threats in their natural growing environment; and
- WHEREAS,** the Nursery's product-mix will focus on meeting two specialized market niches: (1) conifer seedlings, concentrating on Ponderosa Pine with the goal of providing a recurrent inventory for the Tribe's reforestation efforts; and (2) meeting the Tribe's immediate and on-going watershed and riparian restoration needs, with a concentration on native riparian plants; and
- WHEREAS,** the Nursery's future production plans include experimenting with the introduction of local native, medicinal, and ornamental plants, as well as fruits and vegetables, with the goal of identifying and meeting stable, long-term commercial industry demands to achieve financial self-sustainability; and
- WHEREAS,** the official name of the Nursery is, "The WMAT Native Plant Nursery," and it is physically located at the Canyon Day Farm site on the Fort Apache Indian Reservation in Whiteriver, AZ; and
- WHEREAS,** the Nursery's mission is to construct and operate a state-of-the-art green nursery that specializes in providing high-quality native, medicinal, and ornamental plants to meet tribal and non-tribal demands for reforestation, watershed and riparian restoration, and commercial markets, as well as offer an education experience for the WMAT youth and community members; and

WHEREAS, the Nursery Team, acting in compliance with the Tribe's procurement requirements, tribal preference hiring policies, and the federal government request for proposal (RFP) regulations, is in the process of selecting qualified and appropriately certified construction companies to assist in fulfilling the design and construction needs of building the new greenhouse facilities; and

WHEREAS, due to adverse weather conditions and timing limitation considerations, it is imperative that the WMAT Nursery Team obtain approval to move forward with the Design and Construction Phase of the Nursery, including selecting the necessary and qualified design and construction companies to complete the Nursery infrastructure and facilities; and

WHEREAS, the Tribal Council finds that it is in the best interest of the Tribe to approve the WMAT ARRA Management Team's ability to hire the necessary design, building, and other contractors in accordance with Tribal, Federal, and State requirements and regulations to complete the Nursery design, infrastructure, and construction activities.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the WMAT ARRA Management Team's ability to hire the necessary design, building, and other contractors in accordance with Tribal, Federal, and State requirements and regulations to complete the Nursery design, infrastructure, and construction activities.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes its Legal Counsel to review all Professional Service Agreements (PSAs) for the design, construction, and other contractors for legal compliance prior to execution of any and all documents necessary to effectuate the intent of this Resolution.

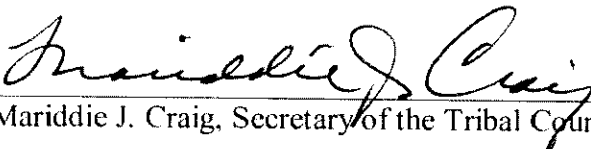
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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

The foregoing resolution was on **OCTOBER 13, 2010** duly adopted by a vote of **TEN** 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), (b), (f), (h), (i), (j) 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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council