



# A WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### (Authorizing Limited Waiver of Sovereign Immunity for Verification of Initial Reporting Period)

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- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe ("Tribe") is entrusted by the Tribe's Constitution, Article IV Section 1, to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and
- WHEREAS,** pursuant to Executive Order dated January 31, 1870 describing the Fort Apache Indian Reservation, which is recorded in the BIA office as 607-19-89, the White Mountain Apache Tribe has the right to develop carbon projects under the California Global Warming Solution Act of 2006 ("California Program"); and
- WHEREAS,** in addition to the First Verified Carbon Project, the Tribe has authorized the development of a Second Carbon Project under the California Air Resources Board's Compliance Offset Protocol, U.S. Forest Projects (dated November 14, 2014), and applicable updated versions of the Protocol; and
- WHEREAS,** in order to issue California Compliance Credits for the Second Carbon Project, the project must be third-party verified by a California approved verification body.
- WHEREAS,** Scientific Certification Systems ("SCS") is an approved verification body and has submitted a proposal to the Tribe to conduct the initial verification.
- WHEREAS,** pursuant to the SCS contract, the governing law is in accordance with the substantive laws of the State of California and the Tribe would consents to the jurisdiction of state and federal courts in San Francisco, California, USA.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that Limited Waiver of Sovereign Immunity is affirmed and shall apply to the SCS verification contract for the first reporting period.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that is hereby grants the Tribal Chairman the authority to do whatever else is necessary in working with the CARB to move future projects along, provided that such requirements are within the parameters of the authority granted under this resolution.

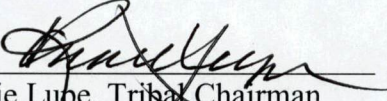
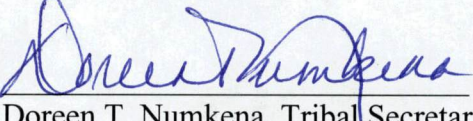
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.



**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**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 19, 2016** duly adopted by a vote of **NINE** for, **ZERO** against, and **ONE** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

	
Ronnie Lupe, Tribal Chairman	Doreen T. Numkena, Tribal Secretary
<u>10/31/16</u>	<u>10/31/2016</u>
Date	Date